

Harley's

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

SE 1/4 BRUNEAU 15' QUADRANGLE

2869 IV NE
(BRUNEAU)

58 R. 5 E. R. 6 E. 47'30" 59 149000 FEET

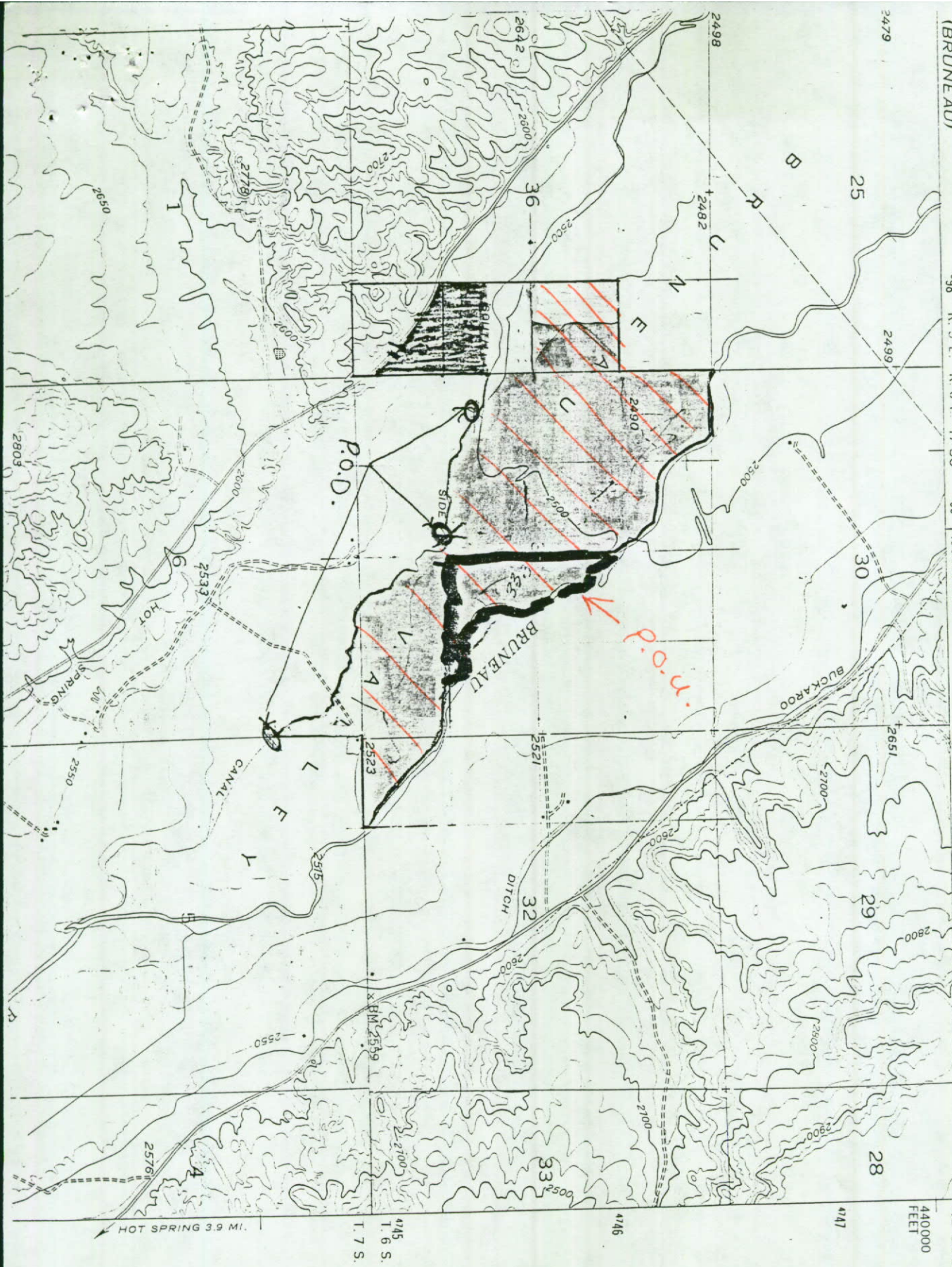
BRUNEAU 0.8 MI.

600

601

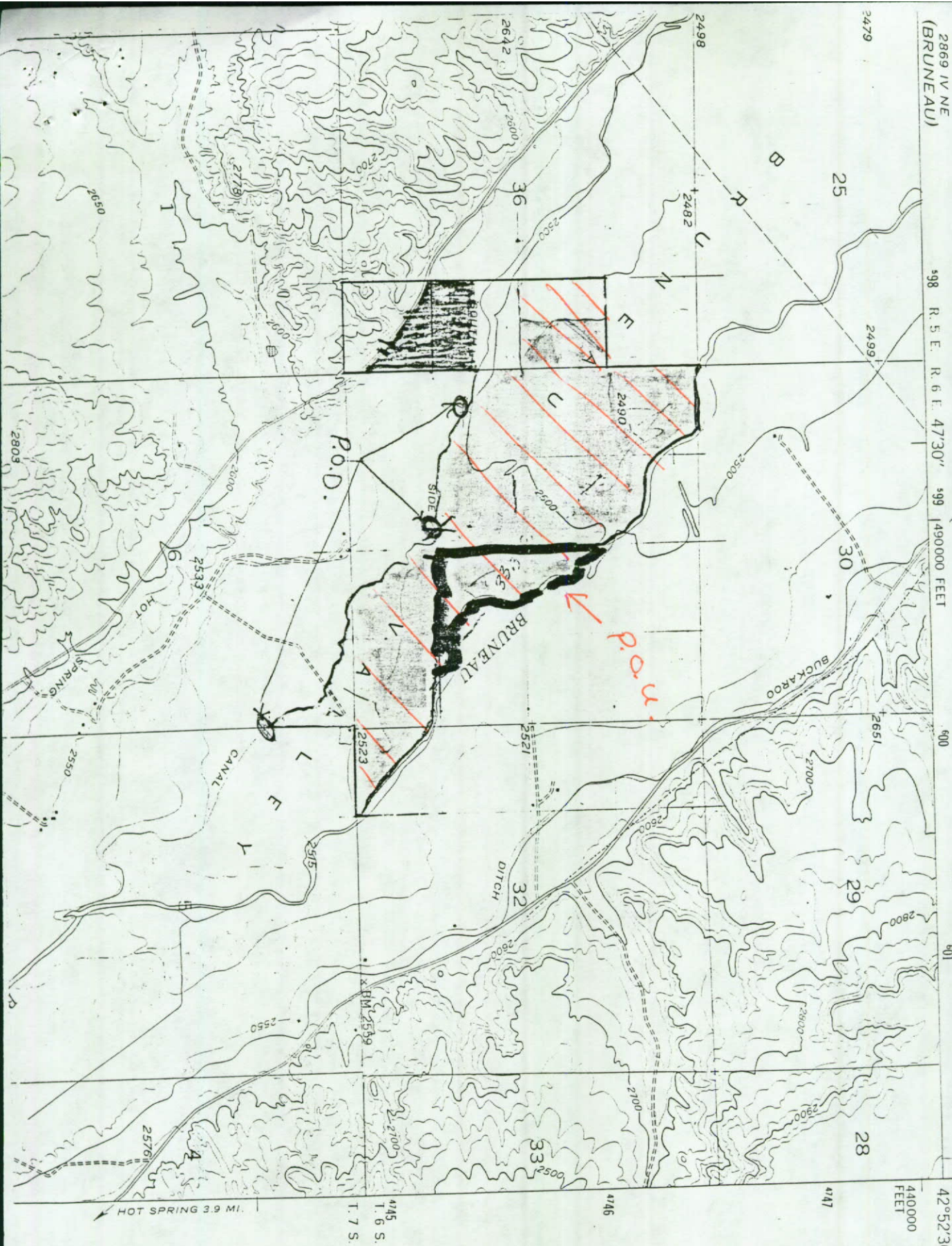
115°45'
42°52'30"

2869 I NW
(SAND DUNES)



2869' NW
(SAND DUNES)

42°52'30"



Affidavit for Change of Point of Diversion of Decreed Water Right

51-0052

STATE OF IDAHO,

County of Campan } ss.

Edith A. Haines, being first duly sworn, deposes and says: That his postoffice address is Brunswick, Idaho; That he is the owner of and using a certain water right, bearing date of priority of April 12, 1911, for 2 1/2 cubic feet per second of the waters of Brunswick River, County of Campan, State of Idaho, decreed to Edith A. Haines, by decree of Judge of the Third Judicial District of the State of Idaho, in and for the County of Ada, in the case of Union Pacific R.R. vs. Brunswick, said decree bearing date of January 14, 1925, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 374, in the County of Campan, and State of Idaho, to-wit: SW 1/4, NW 1/4, SE 1/4, Sec. 31, Township 14 North, N 1/2 NW 1/4, SE 1/4 NW 1/4, Section 6, Township 7 Range 6 East, Range 6 North.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner:

That said waters are now diverted from said stream in the 1/4 NE 1/4 of Sec. 7, Twp. 7 S., Range 6 E., and conducted to the above described lands through the main line of the Rainier ditch, as per map filed herewith and of this affidavit made a part. That affiant desires to change the point of diversion of said water from the point above described to a point located in NE 1/4 of SW 1/4, Sec. 31, Twp. 7 S., Range 6 E. and thereafter conduct same to the above described land through the main line of the Rainier ditch, as per map above referred to.

That his reason for desiring to make such change are as follows: Which of the affiant's land lies below the present position of the main line of the Brunswick River.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Affiant

Subscribed and sworn to before me this 20th day of August, 1929.

Edith A. Haines

Notary Public

NOTE: If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

RECEIVED

OCT 07 1998

WATER RESOURCES
WESTERN REGION

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: A51-10225
Date Received: 1/19/1989
Receipt No: W002030
Received By: DE-KW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: STATE OF IDAHO 208-327-7025
Address: DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720

2. Date of Priority: APR 1, 1897

3. Source: BRUNEAU RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	31	NW	SW			OWYHEE
			SE	SW			OWYHEE
07S	06E	6	SE	NE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.280		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NE	SW		IRR	40.0
			NW	SW		IRR	28.0
			SW	SE		IRR	35.0
						Section Acres	103.0
						Total Acres	103.0

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:

51-00050A, 51-00050B, 51-00051A, 51-00051B, 51-00052B, 51-00053.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND

51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.

DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO

INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL

P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A

NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-

ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT

PARTICULAR P.O.D.. ELR. *****

OWNERSHIP CHANGED BY KW 10/27/92.

OWNERSHIP CHANGED BY KW 11/16/92.

CLAIM AMENDED TO REFLECT PROPORTIONATE AMOUNT OF WATER. KW

10/2/1998

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.

Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH

vs Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am Director of
Title
Id. Dept. Fish and Game, that I have signed the foregoing
Organization
document in the space below as Director of
Title
Id. Dept. Fish and Game and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Director, Id. Dept. Fish & Game
Title and Organization

10/6/98
Date

State of Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 6th day
of October 19 98

[Signature]
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 8-15-99

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: A51-10225
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-327-7025
Address: DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720

2. Date of Priority: APR 1, 1897

3. Source: BRUNEAU RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	31		NW	SW		OWYHEE
				SE	SW		OWYHEE
07S	06E	6		SE	NE		OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NE	SW		IRR	40.0
			NW	SW		IRR	28.0
			SW	SE		IRR	35.0
Section Acres							103.0
Total Acres							103.0

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:

51-00050A, 51-00050B, 51-00051A, 51-00051B, 51-00052B, 51-00053.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND
51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.
DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR. *****
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH
vs Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED
JUL 27 1992

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type
(see instructions on back of page)

Department of Water Resources
Western Regional Office
See Exhibit "A"

DATE OF CLOSING: 06-17-92

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
A51-00053A, A51-10166, A51-10169, A51-00024B, A51-00025B, A51-00026B,
- ☐ Water Right Number(s) A51-10218, A51-10219, A51-10225, A51-00027A, A51-10165, A51-00028A
Assigned by IDWR: A51-00029A, A51-00042A, A51-00043A, A51-00044A, A51-00045A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Bruneau River Wildlife Ranch
P.O. Box 732
- ☐ New Owner/Claimant (Purchaser): Sun Valley, Idaho 83353
Idaho Department of Fish and Game
- ☐ New Mailing Address: 600 S. Walnut Avenue
P.O. Box 25
Boise, Idaho 83707
- ☐ New Telephone Number: (208) 334-3700
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed *see in file A51-00053A PW*

(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 owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Stacy Gehlke Date 7/22/92
Regional Supervisor Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ 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: 11/16/92 By: lcw

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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: **A51-10225**
Date Received: 1/19/1989
Receipt No: W002030
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: BRUNEAU RIVER WILDLIFE RANCH 208-726-2000
Address: PO BOX 1560
SUN VALLEY ID 83353

2. Date of Priority: APR 1, 1897

3. Source: BRUNEAU RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	31		NW	SW		OWYHEE
				SE	SW		OWYHEE
07S	06E	6		SE	NE		OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	06E	31	NW	SW	IRR	28.0
			SW	SE	IRR	35.0
Section Acres						103.0
Total Acres						103.0

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:

51-00050A, 51-00050B, 51-00051A, 51-00051B, 51-00052B, 51-00053.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND 51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.

DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECTING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT PARTICULAR P.O.D.. ELR. ***** OWNERSHIP CHANGED BY KW 10/27/92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GRANDVIEW IRR. DIST.

Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH

vs Decree Defendant

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

DATE OF CLOSING: 12/31/91

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet. **LEGAL ATTACHED**

Rec'd from
 So on
 4-21-92

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
 Assigned by IDWR: SEE ATTACHED

[] Name and Address of Former
 Owner/Claimant(s)(Seller): AUBREY F. HARLEY

9673 PATTIE COURT
BOISE, ID 83704

[] New Owner/Claimant
 (Purchaser):

BRUNEAU RIVER WILDLIFE RANCH, ANTOATH LTD. PARTNERS

[] New Mailing Address:

P.O. Box 1560
SUN VALLEY

[] New Telephone Number:

IDAHO 83383-83353 (w) 10/27/92
(208) 726-2000

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes Xno
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
 ownership, describe
 proof attached: GCAND NEED

(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 owner/claimant.)

[] Signature of New
 Owner/Claimant(s):

BRUNEAU RIVER WILDLIFE RANCH Date 4-15-92
by Charles P. Ryan - Managing Partner Date 4-15-92
(TXSON)

[] Signature of Former
 Owner/Claimant(s):

Date

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:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

See original
 in file
 A51-00027A

SD-33	Last Name: HARLEY						STATE	
S	First	O	Water	Priority		Total	Use	
E	Name	W	Right No.	Date	Source	Diversion	Code Desc	
L		N						
-	HARLEY							
-	ALBERT F.	✓C	A51-00027A	04/01/1875	BRUNEAU RIV	1.690	01 IRR	
-							04 STOCK	
-	✓ALBERT F.	✓C	A51-10165	12/31/1949	GROUNDWATER	0.060	43 DOMEST	
-	ALBERT F.	✓C	A51-00028A	04/01/1897	BRUNEAU RIV	0.620	01 IRR	
-							04 STOCK	
-	ALBERT F.	✓C	A51-00029A	04/01/1905	BRUNEAU RIV	0.460	01 IRR	
-							04 STOCK	
-	ALBERT F.	✓C	A51-00042A	04/01/1875	BRUNEAU RIV	0.210	01 IRR	
-							04 STOCK	
-	ALBERT F.	✓C	A51-00043A	04/01/1876	BRUNEAU RIV	0.470	01 IRR	
-							04 STOCK	
-	ALBERT F.	✓C	A51-00044A	04/01/1897	BRUNEAU RIV	0.280	01 IRR	
-							04 STOCK	
-	ALBERT F.	✓C	A51-00045A	04/01/1905	BRUNEAU RIV	0.210	01 IRR	
-							04 STOCK	

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

SD-33	Last Name: HARLEY				STATE	
S	First	O	Water	Priority	Total	Use
E	Name	W	Right No.	Date	Diversion	Code Desc
L		N				
	HARLEY					
	ALBERT F.	✓C	A51-00053A	04/01/1905	BRUNEAU RIV	0.190
						01 IRR
						04 STOCK
	ALBERT F.	✓C	A51-10166	04/01/1875	FLOOD WATER	7.460
						01 IRR
						04 STOCK
	ALBERT F.*	✓C	A51-10169	02/15/1925	BRUNEAU RIV	0.240
						01 IRR
						04 STOCK
	ALBERT F.	✓C	A51-00024B	04/01/1881	BRUNEAU RIV	0.240
						01 IRR
						04 STOCK
	ALBERT F.	✓C	A51-00025B	04/01/1897	BRUNEAU RIV	0.050
						01 IRR
						04 STOCK
	ALBERT F.	✓C	A51-00026B	04/01/1905	BRUNEAU RIV	0.100
						01 IRR
						04 STOCK
	ALBERT F.	O	A51-00050C	04/01/1875	COMBINED RI	0.040
					BRUNEAU RIV	
					SPLIT RIGHT	

(Enter-Continue)

(GOLD7-This Query)

(Menu _____)

Post-It™ brand fax transmittal memo 7671 # of pages > 5

To	Charles J. J. J.	From	David Smith
Co.		Co.	
Dept.		Phone #	1-800-451-4129
Fax #	726-2002	Fax #	

SD-33	Last Name: HARLEY		STATE				
S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
	HARLEY						
	ALBERT F.	✓C	A51-10218	04/01/1875	BRUNEAU RIV	0.100	01 IRR 04 STOCK
	ALBERT F.	✓C	A51-10219	04/01/1876	BRUNEAU RIV	0.580	01 IRR 04 STOCK
	ALBERT F.	✓C	A51-10225	04/01/1897	BRUNEAU RIV	0.160	01 IRR 04 STOCK
	ALBERT F	✓C	R51-10165	12/31/1949	GROUNDWATER	0.060	43 DOMEST
	~~HARLEY RANCHES~~						
		~~C~~	~~A51-04017~~	~~08/05/1887~~	~~JACKS CREEK~~	~~4.000~~	~~01 IRR~~
		~~C~~	~~A51-04018~~	~~01/01/1914~~	~~GROUNDWATER~~	~~0.200~~	~~01 IRR~~ ~~04 STOCK~~
		~~C~~	~~A51-04019~~	~~01/01/1928~~	~~GROUNDWATER~~	~~0.580~~	~~01 IRR~~ ~~04 STOCK~~
		~~C~~	~~A51-04020~~	~~01/01/1912~~	~~GROUNDWATER~~	~~0.100~~	~~01 IRR~~ ~~04 STOCK~~

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

WARRANTY DEED

For Value Received

ALBERT F. HARLEY and ANA M. HARLEY, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

BRUNEAU RIVER WILDLIFE RANCH, an Idaho limited partnership

the grantee, whose current address is, P.O. Box ⁷³² 1765, Sun Valley, ID 83351
the following described premises, to-wit:

As more fully set forth in Exhibit "A" attached hereto and by reference made a part hereof:

SUBJECT TO exceptions and reservations contained in patents from the United States.

SUBJECT TO all easements, restrictions and reservations of record and of use.

SUBJECT TO any change in the location of the Bruneau River and the Bruneau South Side Canal.

SUBJECT TO any rights of the United States, or any governmental agency to any part of the land lying within the mean high water line of the Bruneau River.

SUBJECT TO an unrecorded lease to Ron Prow through the year 1991.

204201
FILED-RECORDED
JAN 2 10 48 AM '91
BARBARA JOE
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
RECEIVED OF
07.5
FEB 4 1991
INDEXED
MICROFILMED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except taxes and assessments for the year 1991 and subsequent years.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: December 31, 1990

Albert F. Harley
Albert F. Harley

Ana M. Harley
Ana M. Harley

STATE OF IDAHO, COUNTY OF Owyhee
On this 31st day of December, 1990,
before me, a Notary Public in and for said State, personally
appeared Albert F. Harley
Ana M. Harley

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Wilder, Idaho
Comm. Expires 7/10/93

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of
at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

- Attachment Warranty Deed
Harley/Bruneau River Wildlife Ranch

EXHIBIT "A"

IN TOWNSHIP 6 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 36: E½SE½
EXCEPTING THEREFROM all that portion of the SE½SE½
lying South and West of the public road.

Section 36: That portion of the SE½NE½ bounded and described
as follows: Beginning at the East quarter corner
of Section 36, T6S, R5E, B. M.; thence North 0°01'
West a distance of 1,065 feet to a point; thence
North 88°30' West a distance of 1,320.4 feet to a
point; thence South 0°01' East a distance of
1,102.5 feet to a fence line on the south line of
SE½NE½; thence North 89°52' East a distance of
1,320 feet, more or less, to the point of
beginning.

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

Section 31: All that part of the SW½NE½ and all that part of
the NW½SE½ and all that part, if any, of the
NE½SE½ lying South and West of the Bruneau River;

Section 31: Lots 1 and 2, and the E½NW½
EXCEPTING AND EXCLUDING that portion thereof
described as follows: A tract of land in the NW½
of Section 31, T6S, R6E, B. M., more particularly
described as follows: BEGINNING at the North
quarter corner of Section 31, T6S, R6E, B. M.;
thence South 0°01' East a distance of 1,474 feet,
more or less, to the right river bank of the
Bruneau River; thence Northwesterly along the
meanders of the Bruneau River to a point on the
North section line of Section 31, T6S, R6E, B. M.,
said point being North 89°34' West a distance of
1,905 feet, more less, from the point of
beginning; thence South 89°34' East a distance of
1,905 feet, more or less, to the POINT OF
BEGINNING.

Section 31: Lots 3 and 4 and the E½SW½ lying North of the
centerline of the South Side Canal

Section 31: SW½SE½ lying North of the Centerline of the South
Side Canal

AND

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

Section 31 and

Section 32: A portion of the SE½SE½ of Section 31 and
A portion of SW½SW½ of Section 32, bounded and
described as follows:

Beginning at the section corner common to
Sections 31 and 32, T6S, R6E, B. M.; thence North
89°48' West a distance of 47.5 feet to the TRUE
POINT OF BEGINNING;
thence North 9°18' West a distance of 162.0 feet
to a point in existing fence line;
thence North 58°12' East a distance of 477.7 feet
along existing fence line to a point;
thence North 62°27' East a distance of 380.0 feet,
more or less, to the Bruneau River;
thence South 41°55' East a distance of 878.2 feet
along meander of Bruneau River;
thence North 00°11' West a distance of 1,320 feet
to the North boundary line of the SW½SW½ of said
Section 32;
thence South 89°48' West a distance of 1,320
feet, more or less, to the section line between
Sections 31 and 32;

(continued)

Attachment Warranty Deed
Harley/Bruneau River Wildlife Ranch
Exhibit "A" continued

thence North 89°48' West a distance of 1,335 feet,
more or less, to the West boundary line of the
SE¼SE¼ of said Section 31;
thence South 00°11' East a distance of 1,320 feet,
more or less, to the South section line of said
Section 31;
thence South 89°48' East a distance of 1,287.5
feet, more or less, to the POINT OF BEGINNING;
EXCEPTING THEREFROM all that portion of the SW¼SW¼
of Section 32, T6S, R6E, B.M. lying North and East
of the Bruneau River.

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 6:

That part of Lot 1 and Lot 2 lying North of the
centerline of the South Side Canal;

EXCEPTING AND EXCLUDING that portion thereof
bounded as follows: Beginning at the section
corner common to Sections 5 and 6, T7S, R6E, B.M.;
thence S 84°02' W a distance of 159.3 feet to the
Northwest corner of the barn located on said
premises; thence South 16°57' West a distance of
303.7 feet to the northwest corner of the corral;
thence South 0°17' West a distance of 118.5 feet
to a point on said corral; thence North 35°00'
East a distance of 127.9 feet to a point on said
corral; thence North 28°42' East a distance of
365.7 feet to the POINT OF BEGINNING.

ALSO EXCEPTING AND EXCLUDING that portion of
Lot 1 of Section 6 lying Easterly of the following
described line; Beginning at the Section corner
common to Sections 5 and 6, T7S, R6E, B. M., the
POINT OF BEGINNING; thence South 28°42' West a
distance of 365.7 feet; thence South 35°00' West a
distance of 160.5 feet; thence South 13°28' West a
distance of 302.0 feet; thence South 07°32' East a
distance of 316.0 feet to the South Side Canal and
terminus of said line.

* * *

AH AH

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: A51-10225
Date Received: 1/19/1989
Receipt No: W002030
Received By: ERR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT F. HARLEY
Address: 9673 PATTIE COURT
BOISE, ID

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	31		NW	SW		OWYHEE
				SE	SW		OWYHEE
07S	06E	6		SE	NE		OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15		0.160	
STOCKWATER	01/01	12/31		0.050	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NE	SW		IRR	40.0
			NW	SW		IRR	28.0
			SW	SE		IRR	35.0
Section Acres							103.0
Total Acres							103.0

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:

51-00050A, 51-00050B, 51-00051A, 51-00051B, 51-00052B, 51-00053.

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND
51-00052B. RECEIPT W002030 IS CONTINUED ON W002031. 1929
DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1988 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR. *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR, DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

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.

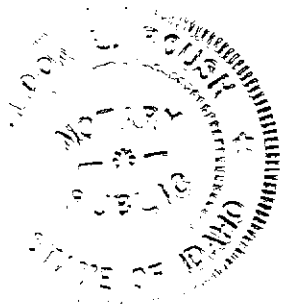
Signature of Claimant(s): Albert F Harley Date: 2/6/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of Feb 19 89 Edna J Boush
Notary Public

Seal



Residing at Bode Id.
My Commission Expires 07/08/1989

AUTHORIZATION TO COMBINE WATER RIGHTS
WITHIN THE SNAKE RIVER BASIN ADJUDICATION

To Whom It May Concern:

I/We hereby authorize the Department of Water Resources to combine
Water Right numbers A51-00052C and A51-00052D
into one filing of Notice of Claim to a Water Right acquired under
State Law; Identification Number A51-10225.

Signed at Western Region this 6
day of Feb, 1989.

Signature of Claimant(s): Albert F. Harley Date: 2/6/89

Date: _____

REPLACE BY

Fcc 50-
overlap w/ A51-00052C

A51-10225

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: A51-00052C

Date Received: 01/19/89

Receipt No: W00203062031

Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT F. HARLEY
Address: 9673 PATTIE COURT
BOISE, ID

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	31	NW	SW			OWYHEE
			SE	SW			OWYHEE
07S	06E	6	SE	NE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	06E	31	NE	SW	IRR	40.0
			NW	SW	IRR	28.0
			SW	SE	IRR	35.0
					Section Acres	103.0
					Total Acres	103.0

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:

51-00050A, 51-00050B, 51-00051A, 51-00051B, 51-00052B, 51-00053.

14. Remarks:

THIS A SPLIT RIGHT OF 51-00052A.

WATER DELIVERED VIA SOUTH SIDE CANAL.

DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1929 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

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: _____

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): Albert F Harley Date: 1/10/89

Date: _____

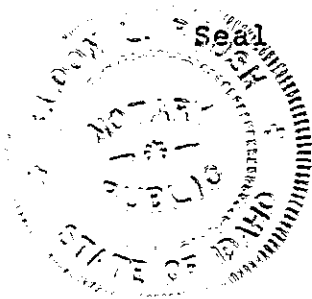
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Jan 19 89

Eldon J. Henshaw
Notary Public

Residing at Boise

My Commission Expires 07/02/1997



Harley's

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

SE/4 BRUNEAU 15' QUADRANGLE

2869 IV NE
(BRUNEAU)

498 R. 5 E. R. 6 E. 47°30' 599 1490000 FEET

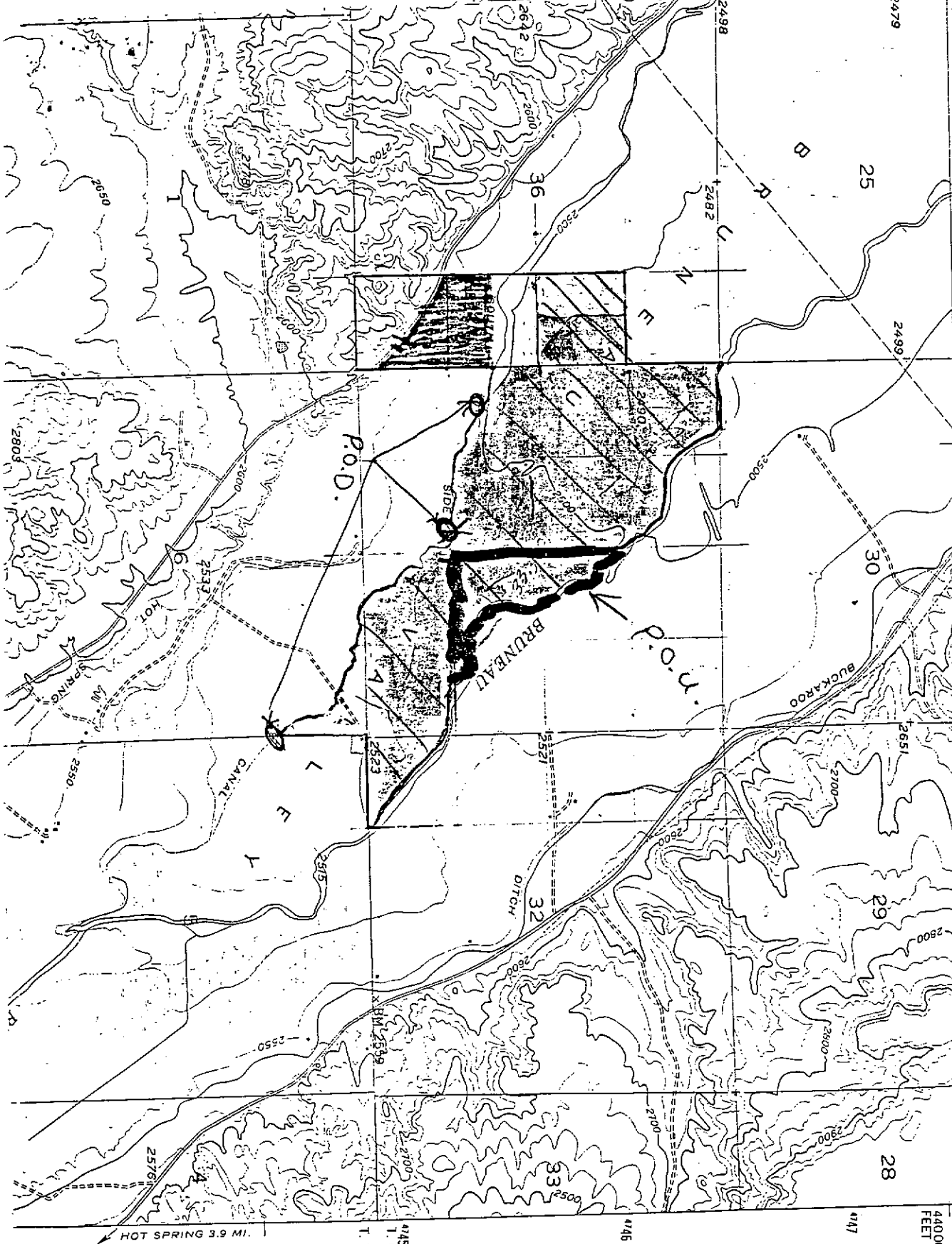
BRUNEAU Q.A.M.

400

115°45'

42°52'30"

2869 I NW
(SAND DUNES)



HOT SPRING 3.9 MI.

4745
1.6 S.
1.7 S.

4745

4747

440000
FEET

REPLACE BY

A51-10225

Fee \$0.95
overlap w/ A51-00052C

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: A51-00052D

Date Received: 01/19/89

Receipt No: W0020300203)

Received By: E.H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALBERT F. HARLEY
Address: 9673 PATTIE COURT
BOISE, ID

83704

2. Date of Priority: APR 01, 1897

3. Source: BRUNEAU RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	06E	31	NW	SW			OWYHEE
			SE	SW			OWYHEE
07S	06E	6	SE	NE			OWYHEE

5. Description of diverting works:
HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/INSTREAM STOCKWATER, VARIABLE AMOUNTS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NE	SW		IRR	40.0
			NW	SW		IRR	28.0
			SW	SE		IRR	35.0
Section Acres							103.0
Total Acres							103.0

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:

51-00050A, 51-00050B, 51-00051A, 51-00051B, 51-00052A, 51-00053.

14. Remarks:

THIS A SPLIT RIGHT OF 51-00052B.

WATER DELIVERED VIA SOUTH SIDE CANAL.

 DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1929 TO
 INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
 P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
 NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
 ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THTA
 PARTICULAR P.O.D.. ELR *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GRANDVIEW IRR. DIST.

Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C

Decree Defendant

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: _____

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): Albert F Harley Date: 1/10/89

Date: _____

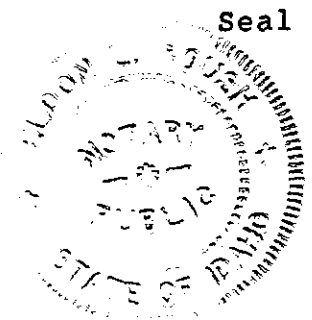
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Jan 19 89

Elden J. Pouch
Notary Public

Seal

Residing at Bode
My Commission Expires 09/08/1999



Harley's

SUGAR VALLEY QUADRANGLE
IDAHO-OWYHEE CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

SE4 BRUNEAU 15' QUADRANGLE

2869 IV NE
(BRUNEAU)
R. 5 E. R. 6 E. 47°30' 115°45'

BRUNEAU 0.8 MI.

42°52'30"

440000
FEET

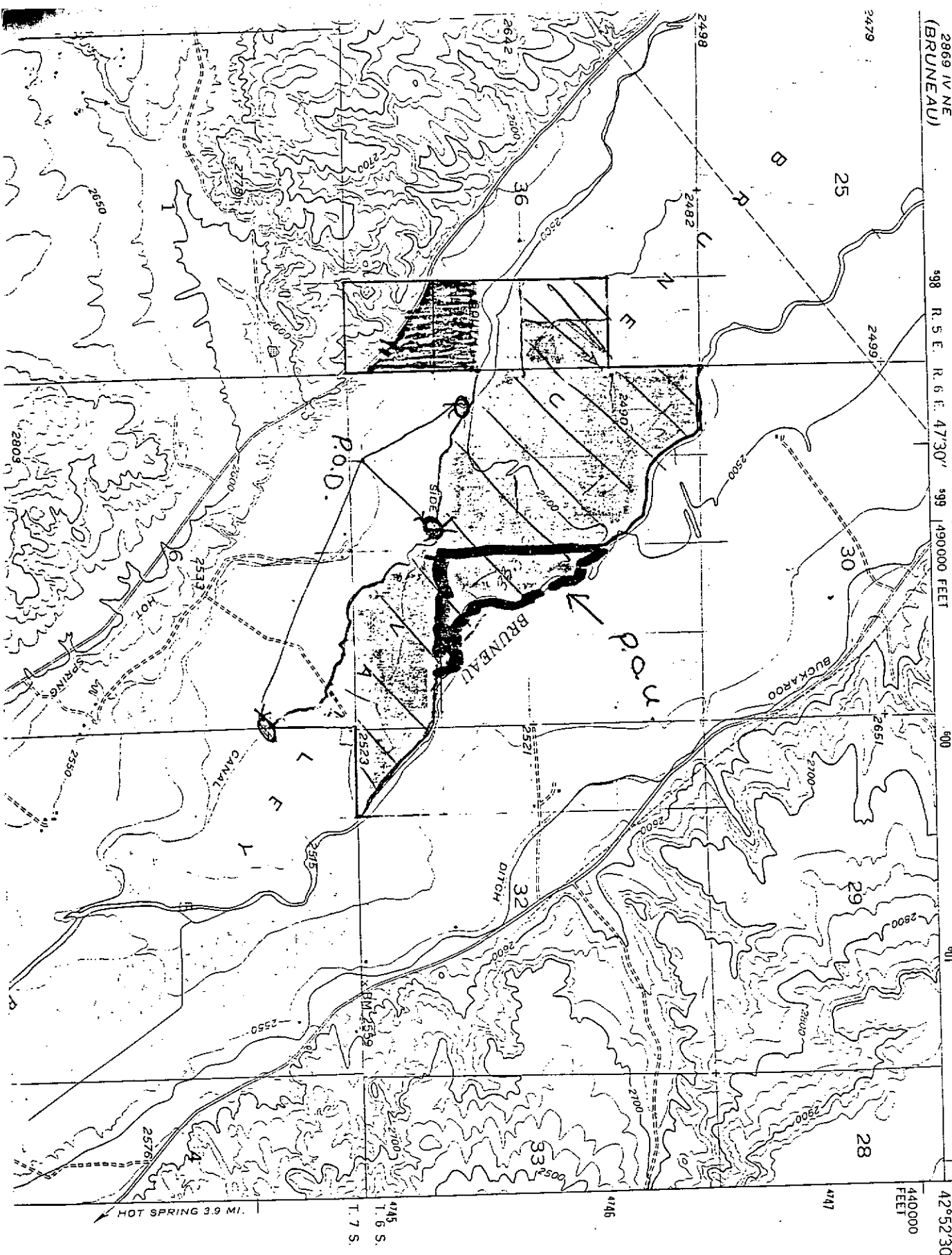


EXHIBIT A

REAL PROPERTY LOCATED IN OWYHEE COUNTY, IDAHO,
DESCRIBED AS FOLLOWS:

In Township Six South, Range Five East,
Boise Meridian:

In Section Thirty-six: The East Half of
the Southeast Quarter and that portion
of the Southeast Quarter of the Northeast
Quarter bounded and described as follows:

Beginning at the East Quarter corner
of Section Thirty-six, Township Six
South, Range Five East, Boise Meridian,
and running thence North 0°01' West a
distance of 1,065 feet to a point, thence
North 88°30' West a distance of 1,320.4
feet to a point; thence South 0°01' East
a distance of 1,102.5 feet to a fence line
on the South line of the Southeast Quarter
of the Northeast Quarter; thence North
89°52' East a distance of 1,320 feet,
more or less, to the point of beginning.

In Township Six South, Range Six East,
Boise Meridian:

In Section Thirty-one: That part of the Northwest
Quarter of the Southeast Quarter and that part of
the Southwest Quarter of the Northeast Quarter lying
South and West of the Bruneau River; and that part
of Lots One, Two, Three and Four and the East Half
of the Southwest Quarter and the Southwest Quarter
of the Southeast Quarter and the East Half of the
Northwest Quarter of said Section Thirty-one lying
North of the centerline of the South Side Canal,
SAVING and EXCEPTING and EXCLUDING that portion
thereof described as follows:

A tract of land in the Northwest Quarter
of said Section Thirty-One bounded and
described as follows:

Beginning at the North Quarter corner
of Section Thirty-One and running thence
South 0°01' East a distance of 1,474 feet,
more or less, to the right river bank of
Bruneau River; thence Northwesterly along
the meander line of the Bruneau River to
a point on the North section line of said
Section Thirty-one, said point being North
89°34' West a distance of 1,905 feet, more
or less, from the point of beginning; thence
South 89°34' East a distance of 1,905 feet,
more or less, to the point of beginning.

In Section Thirty-one: All of that portion, if any,
of the Northeast Quarter of the Southeast Quarter of
said Section Thirty-one lying South and West of the
Bruneau River.

In Sections Thirty-One and Thirty-Two: A portion of the Southeast Quarter of the Southeast Quarter of Section Thirty-One and a portion of the Southwest Quarter of the Southwest Quarter of Section Thirty-Two, bounded and described as follows:

Beginning at the Section corner common to Sections Thirty-one and Thirty-two, Township Six South, Range Six East, Boise Meridian, and running thence North 89°48' West a distance of 47.5 feet to the true point of beginning; running thence North 9°18' West a distance of 162 feet to a point in existing fence lines; thence North 58°12' East a distance of 477.7 feet along existing fence line to a point; thence North 62°27' East a distance of 380 feet, more or less, to the Bruneau River; thence South 41°55' East a distance of 878.2 feet along the meander line of Bruneau River; thence North 00°11' West a distance of 1,320 feet to the North boundary line of the Southwest Quarter of the Southwest Quarter of said Section Thirty-two; thence South 89°48' West a distance of 1,320 feet, more or less, to the section line between said Sections Thirty-one and Thirty-two; thence North 89°48' West a distance of 1,335 feet, more or less, to the West boundary line of the Southeast Quarter of the Southeast Quarter of Section Thirty-one; thence South 00°11' East a distance of 1,320 feet, more or less, to the South Section line of said Section Thirty-one; thence South 89°48' East a distance of 1,287.5 feet, more or less, to the point of beginning;

SAVING and EXCEPTING and EXCLUDING all portions of the above-described real property lying North and East of the Bruneau River.

In Township Seven South, Range Six East, Boise Meridian:

In Section Six: That part of Lot One and Lot Two lying North of the centerline of the South Side Canal;

SAVING and EXCEPTING and EXCLUDING that portion thereof bounded as follows: Beginning at the section corner common to Sections Five and Six, Township Seven South, Range Six East, Boise Meridian, and running thence South 84°02' West a distance of 159.3 feet to the Northwest corner of the barn located on said property; thence South 16°57' West a distance of 303.7 feet to the Northwest corner of the corral; thence South 0°17' West a distance of 118.5 feet to a point on said corral; thence North 35°00' East a distance of 127.9 feet to a point on said corral; thence North 28°42' East a distance of 365.7 feet to the point of beginning;

Also SAVING and EXCEPTING and EXCLUDING that portion thereon described in that certain correction Deed, dated March 19, 1963 in which Joseph E. Turner and Leona Turner, husband and wife, are grantors and Clayton A. Turner and Betty Turner are Grantees, recorded March 26, 1963, records of Owyhee County, Idaho, Instrument No. 108846, Book 56 of Deeds, page 141.

ALL TOGETHER with all water rights and ditch rights appurtenant to said property, including 195.5 shares of the corporate stock of South Side Canal Company and 33-1/3 shares of the corporate stock of Hot Springs Ditch Company, and together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, but SAVING and EXCEPTING and RESERVING all grazing rights for grazing livestock upon the public domain.

WILLIAM TURNER: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, Township 6 South, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, Township 7 South, all of Range 6 East, B.M. containing 330 acres. Out of the waters of the Bruneau River:

51 0044	50 inches as of April 1, 1875.
51 0047	110 inches as of April 1, 1876.
51 0048	65 inches as of April 1, 1897.
51 0049	50 inches as of April 1, 1905.
	<u>275</u>

JOSEPH E. HAWES: S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Township 7 South, Range 6 East, B.M., containing 120 acres. Out of the waters of the Bruneau River:

51 0046	70 inches as of April 1, 1875.
51 0047	15 inches as of April 1, 1876.
51 0048	10 inches as of April 1, 1897.
51 0049	10 inches as of April 1, 1905.
	<u>105</u>

FLETCHER A. HAWES: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Township 6 South, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Township 7 South, Range 6 East, B. M., containing 330 acres. Out of the waters of the Bruneau River:

51 0050	15 inches as of April 1, 1875.
51 0051	90 inches as of April 1, 1876.
51 0052	25 inches as of April 1, 1897.
51 0053	30 inches as of April 1, 1905.
	<u>160</u>

JOHN S. BLACK: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Township 6 South, Range 5 East, Boise Meridian, containing 120 acres. Out of the waters of the Bruneau River:

200 MAR -6 PM 1:19

ADMINISTRATIVE DISTRICT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CONSOLIDATED ORDER FOR ENTRY OF
PARTIAL DECREES

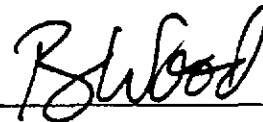
Subcases: 51-00024B, 51-00025B, 51-00026B,
51-00027A, 51-00042A, 51-00043A, 51-10218,
51-10219, 51-10225

On July 2, 1999, a *Special Master's Report and Recommendation* was filed for the above listed water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that each of the water rights list above are hereby separately decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*. IT IS FURTHER ORDERED that this *Consolidated Order for Entry of Partial Decrees* is entered for the purpose of judicial economy so as to not require the Court to enter an individual order for each separate partial decree. Therefore, in the event of an appeal of a specific partial decree, the record on appeal will be limited to the record established in that specific subcase, and not all of the subcases enumerated in this Consolidated Order.

DATED MAR 6 2000



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the CONSOLIDATED ORDER FOR ENTRY OF PARTIAL DECREES was mailed on March 06, 2000, with sufficient first-class postage to the following:

DEPT OF FISH & GAME

Represented by:

PETER J. AMPE

PO BOX 83720

BOISE, ID 83720-0010

Phone: 208-334-2400

SOUTH SIDE BRUNEAU CANAL CO

C/O EUGENE C DAVIS

HC 85 BOX 114

BRUNEAU, ID 83604

Phone: 208-845-2088

DEPT OF FISH & GAME

P O BOX 25

BOISE, ID 83707

Phone: 208-327-7025

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 51-10225

2ND MAR -6 PM 1:20

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83720

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.86 CFS

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.86 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T06S R06E S31	LOT 03 (NWSW)29.0
	SWSE 32.0	
	101.0 Acres Total	

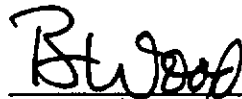
USE OF THIS RIGHT WITH RIGHT 51-10218 & 51-10219 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 101 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF
3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG
AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE
THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER
USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF
THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE,
(2) DIVERSION OF ANY QUANTITY ABOVE 0.86 CFS WILL NOT INJURE
OTHER WATER RIGHTS, AND (3) ANY QUANTITY ABOVE 0.86 CFS WILL NOT
BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR
WATER RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUN 01 1999

Department of Water Resources

RECEIVED

JUN 22 1999

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Subcase No. 51- 10225

Case No. 39576)

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Name: South Side Bruneau Canal Co., Ltd.
Address: C/O Eugene C. Davis
HC 85, Box 114
Bruneau, ID 83604
Daytime Phone: (208) 845-2088

Name & Address of Attorney:

Charles L. Honsinger
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 83701

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: State of Idaho
Dept. Of Fish and Game
Address: P.O. Box 25
Boise, ID 83702

VERIFICATION

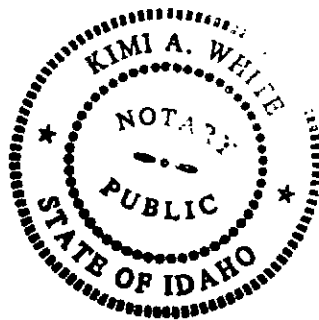
State of Idaho)
)
County of Ada)

Charles L. Honsinger, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Charles L. Honsinger
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 28, 1999



Kimi A. White
Notary Public for Idaho
Residing at: Paise, Idaho
My Commission Expires: 04/21/01

CERTIFICATE OF MAILING

I certify that on 05/28, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

Director, Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83712

Albert Black
C/O Ace Black
HC 85 Box 101
Bruneau, ID 83604

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

State of Idaho
Dept. of Fish and Game
P.O. Box 25
Boise, ID 83720

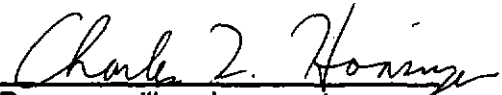
John Urquidi
HC 85, Box 135
Bruneau, ID 83604

George Turner
Betty L. Turner
HC 85 Box 123
Bruneau, ID 83604

Simplot Self Declaration Revocable Trust
Attn: Ronald Graves
P.O. Box 27
Boise, ID 83707

Ronald E. Prow
HC 85 Box 127
Bruneau, ID 83604

Jo Beeman
Beeman and Hofstetter
P.O. Box 1427
Boise, ID 83701-1427


Person mailing documents

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-27-1999

PAGE: A-1

 RIGHTS FROM: SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 51-10225

NAME AND ADDRESS: STATE OF IDAHO
 DEPT OF FISH & GAME
 PO BOX 25
 BOISE ID 83720

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.086 CFS
 0/28 0/8

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07S R06E S05 NWSWE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-01 11-15	0.086 CFS 0/28 0/8

PLACE OF USE: IRRIGATION Within Owyhee County
 T06S R06E S31 NESW 40 Lot 3 (NWSW)29 SWSE 32
 101 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
 THE IRRIGATION OF A COMBINED TOTAL OF 101 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10218 & 51-10219
IRRIGATION SEASON/ COMBINED RIGHT NOS./ 51/10218, 51/10219 &
51/00053A

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
 IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-27-1999

PAGE: A-2

51-10225 (CONT.)

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF 3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.086 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.086 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 51-00052A & 51-00052B.

Remarks:

USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.086 CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.086 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.
THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
51-00052A & 51-00052B.

Dates: Exam Made Date:

Verified Date:

05/27/1999 Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag: C

Comments:

Date: 06/30/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND
51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.

DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-

ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR. *****

OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 10/08/1998 User-ID: KWALKER Subject: AMOUNT OF WATER
THIS CLAIM WAS AMENDED TO REFLECT PROPORTIONATE AMOUNT OF WATER
UNDER DECREED RIGHTS. SEE FILE A51-10218 FOR SPLIT RIGHT
ANALYSIS REVIEW.

Date: 05/27/1999 User-ID: KWALKER Subject: REVISED RECOMMENDATIONS
REVISED RECOMMENDATIONS PURSUANT TO STIPULATION BETWEEN CLAIMANT
AND SOUTH SIDE CANAL COMPANY.

Audit: 05/27/99 KWALKER

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 51-10225

Name and Address: STATE OF IDAHO
DEPT OF FISH & GAME
P.O. BOX 25
BOISE, ID 83720

Source: BRUNEAU RIVER Tributary: SNAKE RIVER

Quantity: 0.088 CFS

0.086

Priority Date: 04/01/1897

Point of Diversion: T07S R06E S05 NWSWSE Within OWYHEE County

Purpose and

Period of Use:

Purpose of Use
IRRIGATION

Period of Use
03/01 to 11/15

Quantity
0.088 CFS
0.086

Place of Use: IRRIGATION

T06S R06E S31

LOT 3 (NWSW)
NESW

29
40

Within OWYHEE County
SWSE 32

101 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 101 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10218 & 51-10219.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE APPROPRIATOR IS ENTITLED TO DIVERT UP TO THE QUANTITY OF 3.904 CFS AT THE FIELD HEADGATE TO MEET PEAK CROP DEMAND SO LONG AS (1) THE APPROPRIATOR IS ABLE TO MAKE THAT QUANTITY AVAILABLE THROUGH A VOLUNTARY ROTATION AGREEMENT AMONG SOME OR ALL OTHER USERS OF WATER FROM THE SAME SOURCE OR BY ROTATING SOME OR ALL OF THE APPROPRIATOR'S OTHER WATER RIGHTS FROM THE SAME SOURCE, (2) DIVERSION OF ANY QUANTITY ABOVE 0.088

OFFER OF COMPROMISE
GOVERNED BY IDAHO RULE OF EVIDENCE 408

Page 1 of 2

DRAFT

CFS WILL NOT INJURE OTHER WATER RIGHTS, (3) ANY QUANTITY ABOVE 0.088 CFS WILL NOT BE SUBJECT TO A PRIORITY CALL UNDER THIS WATER RIGHT ON JUNIOR WATER RIGHTS, AND (4) DIVERSION OF THAT QUANTITY DOES NOT CONSTITUTE WASTE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY
THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 51-00050A & 51-00050B.

<u>Right #</u>	<u>Priority</u>	<u>Quantity</u>	<u>Acreage</u>	<u>Diversion Rate</u>
<u>Group #1</u>				
00042A	4/1/1875	10.5 = 0.21 ✓	50.1	.62 inches/acre
00043A	4/1/1876	21 = 0.42 ✓	50.1	.62 inches/acre
00044A	Does not exist			
00045A	Does not exist			
		<u>31.5</u>		
<u>Group #2</u>				
00027A	4/1/1875 ✓	75 = 1.5 ✓	138	.62 inches/acre
00028A	4/1/1897	10.7 ~~10.2~~ = 0.21 ~~4~~	138	.62 inches/acre
00029A	Does not exist			
		<u>85.9</u> 65.7		
<u>Group #3</u>				
00024B	4/1/1881	12 = 0.24 ✓	24.4	.62 inches/acre
00025B	4/1/1897	2.5 = 0.05 ✓	24.4	.62 inches/acre
00026B	4/1/1905	7 = 0.014 ✓	24.4	.62 inches/acre
		<u>15.2</u>		
<u>Group #4</u>				
10218	4/1/1875	8.5 = 0.17 ✓	101	.62 inches/acre
10219	4/1/1876	50 = 1.00 ✓	101	.62 inches/acre
10225	4/1/1897	4.3 ~~4.4~~ = 0.08 ~~6~~	101	.62 inches/acre
00053A	Does not exist			
		<u>62.9</u> 62.8		
<u>Group #5</u>				
00034B	Do not exist			
00068B				
00035B				
00036B				
<u>TOTAL</u>				
		<u>195.2</u> 195.2		.62 inches/acre

$$195.2 = 3.904 \text{ cfs}$$

One possible shortfall with this approach is that Fish and Game may need to apply high diversion rates of water to those acreages with the higher decreed per/acre diversion rates. Nevertheless, I believe this is a fair and accurate way to at least come up with a starting point

DATE: 10/08/98
PAGE: 1

TOTAL DIVERSION: 0.28 CFS

Tributary to: SNAKE RIVER

OWYHEE County

32
TOTAL ACRES

Other Water Rights Listing Overlapping Place(s) of Use:

A51-000538 A51-02149
A51-10270 R51-00053A
R51-10238 R51-10270

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
- WATER RIGHT NO. NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- WATER RIGHT NO. NONE
- ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 101 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10218 51-10219 &

AJ0749NP
No. R51-10225

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

DATE: 10/08/98
PAGE: 2

Remarks: 51-00053A

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.
THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
51-00052A & 51-00052B.

Dates: Exam Made Date: 12/02/1993 Verified Date: 10/08/1998 Objection Filed Date:

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

Comments: Date: 06/30/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND
51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.
DECEED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR. *****
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Date: 10/08/1998 User-ID: KWALKER Subject: AMOUNT OF WATER
THIS CLAIM WAS AMENDED TO REFLECT PROPORTIONATE AMOUNT OF WATER
UNDER DECEED RIGHTS. SEE FILE A51-10218 FOR SPLIT RIGHT
ANALYSIS REVIEW.

Audit: 10/08/98 KWALKER

DATE: 09/23/98
PAGE: 1

WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.
THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
51-00052A & 51-00052B.

AJ0749NP
No. R51-10225

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

DATE: 09/23/98
PAGE: 2

Dates: Exam Made Date: 12/02/1993 Verified Date: 09/23/1998 Objection Filed Date:

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

Comments: Date: 06/30/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
WATER DELIVERED VIA SOUTH SIDE CANAL.
***** THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND
51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.
DECREED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR. *****
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Audit: 09/23/98 KWALKER

Remarks: 51-00053A

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.
THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS.
51-00052A & 51-00052B.

Dates: Exam Made Date: 12/02/1993 Verified Date: 09/22/1998 Objection Filed Date:

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

Comments: Date: 06/30/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND
51-00052B. RECEIPT W002030 IS CONTINUED ON W002031.
DECEED WATER RIGHT 51-00052 P.O.D. CHANGED IN AUGUST/1981 TO
INCLUDE A PORTION OF THE TOTAL DIVERSION AMOUNT IN THE ORIGINAL
P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION AMOUNT TO A
NEW P.O.D.. THE WATER RIGHT WAS SPLIT INTO A AND B; EACH REFLECT-
ING IT'S PORTION OF THE TOTAL DIVERSION AMOUNT FOR THAT
PARTICULAR P.O.D.. ELR. *****
OWNERSHIP CHANGED BY KW 10/27/92.
OWNERSHIP CHANGED BY KW 11/16/92.

Audit: 09/22/98 KWALKER

Memorandum

To: FILES

From: Kay Walker 

Date: 09/22/98

Re: IRRIGATION OF FISH & GAME LANDS

I went out to visit the Fish and Game Lands claimed on September 2, 1998 after receiving the Notice of Errors they submitted in response to my proposed recommendations. I met with Dick Orcutt of the Bruneau Fish and Game office. He took me out to the property located in the SE1/4, Sec. 31, T06S, R06E.

The land shown to me in SE1/4, Sec. 31, T06S, R06E was being irrigated and had crops growing on it. I will re-evaluate my recommendations for that property.

Since the land shown to me on September 2, was not the entire property, I obtained a 1995 ASCS photo of the entire property. I could not see any more lands irrigated as found in the SE1/4, S31. I called Dick Orcutt this morning and discussed this with him. He stated that all the property claimed is irrigated. The lands over and above the SE1/4, Sec. 31 are irrigated to produce natural grasses for grazing, wildlife cover, etc. These lands do not appear as other irrigated lands in the area because the fields are not plowed or worked as most irrigated lands. However, according to Mr. Orcutt, the use on these lands could not happen if they did not irrigate. In regard to this, I will re-evaluate all the claims submitted and prepare recommendations for decree.

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: 51-10225

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720

Daytime Telephone Number: 334-2597

Evening Telephone Number:

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

The disallowal of the claim

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

Recommend the water rights as originally claimed

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

*water livestock
This water right has been used to irrigate crops, and provide wildlife habitat since the Department acquired the property in 1992*

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

DATE: 27 Aug 98 SIGNATURE: Cindy Robertson
Please print your name: Cindy Robertson

Water Right Number - R51-10225 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STATE OF IDAHO

1 - DEPT OF FISH & GAME
2 - PO BOX 25
3 -
City- BOISE
Phone - 208-327-7025

State- ID Zip- 83720

*** K - ALSO KNOWN AS ***
FISH & GAME

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***
HARLEY

1 - 9673 PATTIE COURT
2 -
3 -
City- BOISE
Phone - 208-000-0000

State- ID Zip- 83704

+ - - Priority Date - - + + - - Region - - - + + - - State - - - + + - - Status - - - +
04/01/1897 14 WESTERN I - DISALLOWED

+ - - Source - - - - - + + - - Tributary - - - - - +
BRUNEAU RIVER SNAKE RIVER

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

07S 06E 5 SW SE (73) OMYHEE

+ - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code Code Code Code Code Code
01 - IRRIGATION 03/01 11/15 0.160
04 - STOCKWATER 01/01 12/31 0.050

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.160 0.160 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
06S	06E	31	NE SW		40.0	01	IRRIGATION	(73) OMYHEE
06S	06E	31	NW SW		28.0	01	IRRIGATION	(73) OMYHEE
06S	06E	31	SW SE		35.0	01	IRRIGATION	(73) OMYHEE

Total Acres: 103.0

+ - - Diversion Means - HEADGATES IN CANAL TO DITCHES TO FLOOD IRRIGATION.

[illegible]

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/29/98 08:30:25
Page 1

Water Right Number - 51-00052A

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + - - - - - Address - - - - - + - - - - -

*** C - CURRENT OWNER ***
HAYES

FLETCHER A.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - - - Priority Date - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
04/01/1897 14 WESTERN 0 - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BRUNEAU RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - + + - - - - Diversion Name - - - - - + + - - - - Diversion Rate - - - - - + + - - - - Diversion No. - - - - - +

Tw	Rng	Sec	Tract	Lot	Rflg	County	Diversion Name	Diversion Rate	Diversion No.
07S	06E	9	NE NE NW NE SW NE SE NE			(73) OMYHEE (73) OMYHEE (73) OMYHEE (73) OMYHEE			

+ - - - - Code - - - - - Description - - - - - + + - - - - Water Use - - - - - + + - - - - Diversion Rate - - - - - + + - - - - Diversion Volume - - - - - +

01 - IRRIGATION
04 - STOCKWATER
43 - DOMESTIC

0.190

+ - - - - Total Div. Rate - + + - - - - Total Div. Volume - + + - - - - Total Div. Capacity - + + - - - - Total Consumptive Use - + + - - - - KW Usage - + + - - - -
0.190 0.190 0.0

+ - - - - Place of Use - - - - - + + - - - - Description - - - - - + + - - - - County - - - - - +

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	06E	31	NE SW		40.0	01	IRRIGATION	(73) OMYHEE
06S	06E	31	NW SW		40.0	01	IRRIGATION	(73) OMYHEE
06S	06E	31	SW SW		40.0	01	IRRIGATION	(73) OMYHEE
06S	06E	31	SE SW		40.0	01	IRRIGATION	(73) OMYHEE
06S	06E	31	SW SE		40.0	01	IRRIGATION	(73) OMYHEE
07S	06E	6	NE NW		40.0	01	IRRIGATION	(73) OMYHEE
07S	06E	6	NW NW		40.0	01	IRRIGATION	(73) OMYHEE
07S	06E	6	SE NW		40.0	01	IRRIGATION	(73) OMYHEE

Total Acres: 320.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

Water Right Number - 51-000528 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HAWES FLETCHER A.
1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1897 14 WESTERN D - DECREED
+ - - Source - - - - + + - - - - Tributary - - - - - +
BRUNEAU RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - -
TwN Rng Sec Tract Lot Rflg County Diversion Name Diversion Rate Diversion No.

07S 06E 5 NE SW (73) OMYHEE

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code 01 - IRRIGATION 0.310

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.310 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	06E	31	NE SW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	NW SW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	SW SW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	SE SW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
06S	06E	31	SW SE	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
07S	06E	6	NE NW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
07S	06E	6	NW NW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE
07S	06E	6	SE NW	40.0	01	IRRIGATION	(73) OMYHEE	(73) OMYHEE

Total Acres: 320.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

MEMORANDUM

DATE: 10-Dec-1992 15:26

TO: FILE *A51-10225*

FROM: KAY WALKER *KW*

RE: CONTACT PEOPLE FOR FIELD EXAMINATIONS

Cindy Robertson of the Dept. of Fish and Game has reviewed the copies of the claims they obtained ownership of (originally in the name of Albert Harley) and called me today about these claims. We discussed her questions and she gave me the phone numbers of contacts for our field examinations.

The number one contact is:
Tom Parker 334-2920

If he is not available we can ask for Cindy:
Cindy Robertson 334-2597

They will, in turn, contact the field representative who will be showing us the water systems. It will most likely be Dick Orcutt who is the C.J. Strike area manager.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1992

RE: Notice of Claims to Water Right Nos. A51-00024B, A51-00025B,
A51-00026B, A51-00027A, A51-00028A, A51-00029A, A51-00042A,
A51-00043A, A51-00044A, A51-00045A, A51-00053A, A51-10165,
A51-10166, A51-10169, A51-10218, A51-10219 and A51-10225

State of Idaho
Dept. of Fish & Game
Attn: Tom Parker
P.O. Box 25
Boise, ID 83720

Dear Mr. Parker:

We are in receipt of correspondence which changes the ownership of the above referenced Notice of Claims to Water Rights, from Bruneau River Wildlife Ranch to the Dept. of Fish and Game. Enclosed, for your records, are copies of the claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions in regard to this matter, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

PEREGRINE INVESTMENT MANAGEMENT CORPORATION

P.O. BOX 1560
SUN VALLEY, IDAHO 83353
TELEPHONE (208) 726-3384

NOV 12 1992

November 6, 1992

Department of Water Resources
Western Regional Office

Dear Ms. Walker,

(as per ^{attached} letter of
10/27/92 - kw)

Please be advised that the subject [↑]property
was sold in its entirety to The Idaho
Department of Fish and Game, 800 Walnut
St., Boise, Idaho 83707 (Attn: Mr. Tom
Parker) in the summer of 1992.

Please address all subsequent correspondence
to them, and delete Brunan River Wildlife
Ranch from your address files.

As we made the initial submission, I have signed
the "Assigned Claim" as requested and
returned same to you.

cc: Charles P. Tyson
Mr. Tom Parker

Cordially,
Lee R. Mortimer,
President, PIMC
Partner, BRWR



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 27, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notice of Claims to Water Right Nos. A51-00024B, A51-00025B, A51-00026B, A51-00027A, A51-00028A, A51-00029A, A51-00042A, A51-00043A, A51-00044A, A51-00045A, A51-00053A, A51-10165, A51-10166, A51-10169, A51-10218, A51-10219 and A51-10225

Bruneau River Wildlife Ranch
P.O. Box 1560
Sun Valley, ID 83353

Gentlemen:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings which were in the name of Albert F. Harley.

Please be advised that I found an error on Claim No. A51-10166 which needs to be corrected. This claim identifies a place of use within the SWSW, Section 32, Twp. 06S, Rge. 05E. Please be advised that the map shows the place of use within the SWSW, Section 32, Twp. 06S, Rge. 06E. Enclosed, for your convenience, is an amended Claim to Water Right No. A51-10166, which will correct the error in the legal description and also describe lands you have purchased from Mr. Harley. Please sign this amended claim form in the presence of a notary public and return it to my attention at your earliest convenience.

The Department will contact you in the future concerning any other requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 1, 1989

Albert F. Harley
9673 Pattie Court
Boise, ID 83704

Dear Mr. Harley:

Upon reviewing the claims filed by you on 1/19/89, I have noticed that A51-00050C and A51-00050D, A51-00051C and A51-00051D, A51-00052C and A51-00052D are candidates for combining into single filings in this Adjudication; as each of the sets have identical priority dates, points of diversion, sources and tributaries, and places of use.

Since combining each set into singular filings would mean a refund of \$50.00 per set (\$150.00 total), I have taken the liberty in combining the claims into singular filings and will request appropriate refunds once I receive the signed claims and authorization form.

If you wish to maintain separate filings and not combine the rights, return the package with a letter indicating that you do not wish to do so.

In any event, please return within 30 days of this letter. If you have any questions, please contact me.

Sincerely,

Eldon L. Roush
Water Resource Agent
Adjudication Section

ER:lh
Enclosures

Attn:
Don Shaff

W002030

01/19/89
15:39:24

HARLEY, ANA

ADJUDICATION FEE

0410162 9337 6490

\$1,000.00

\$1,000.00

MONEY ORDER

WR/NO: A51-10165	A51-10166	A51-10169	A51-00050C	A51-00050D
A51-00051C	A51-00051D	A51-00052C	A51-00052D	A51-00053A
A51-00042A	A51-00043A	A51-00044A	A51-00045A	A51-00024B
A51-00025B	A51-00026B	A51-00027A	A51-00028A	A51-00029A

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

A51-00050C & A51-00050D has been replaced by A51-10218
A51-00051C & A51-00051D have been replaced by A51-10219
A51-00052C & A51-00052D have been replaced by A51-10225.

Please delete the #'s A51-00050C & D, 51C & D, & 52C & D from
receipts & replace with A51-10218, A51-10219, & A51-10225
Send refund of \$150.00 to Albert F Harley
9673 Pattie Court
Boise, Id. 83704

Eldon Boush 02/06/89
Western Region