

T. 7 S.

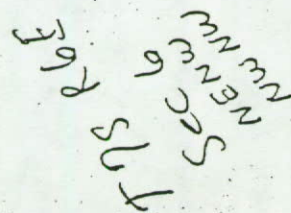
HOT SPRING 3.9 MI.

50

MICROFILMED

AUG 11 1992

DEPENDENT



MICROFILMED
AUG 11 1992

T6S

T7S

30 000
EET

P.O.D.



MICROFILMED
JUN 11 1982

50⁰⁰
overlap w/ A51-10270

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: A51-10237
Date Received: 1/19/1989
Receipt No: W002457
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD E. PROW 208-845-2681
Address: BOX 127
BRUNEAU, ID 83606

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
07S	06E	5	SW	SE			OWYHEE

5. Description of diverting works:
DAM IN RIVER TO CANAL TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06E	31	NW	SW	3	IRR	13.0
			SW	SW	4	IRR	10.0
			SE	SW		IRR	40.0

Section Acres 63.0

A51-10237

Page 1

Date: 03/22/89

MICROFILMED
AUG 11 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	06E	6	NE	NE	1	IRR	22.0
			NW	NE	2	IRR	40.0
			SW	NE		IRR	18.0
			SE	NE		IRR	20.0

Section Acres 100.0

Total Acres 163.0

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, 50B, 51A, 51B, 52A, 52B, 53, 2149, 00006, 07, & 8

14. Remarks:

WATER DELIVERED VIA SOUTH SIDE CANAL.

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

DECREED WATER RIGHT 51-00050, 51-00051, AND 51-00052 P.O.D.

CHANGED IN AUGUST 1929 TO INCLUDE A PORTION OF THE TOTAL

DIVERSION RATE IN THE ORIGINAL P.O.D. AND THE OTHER PORTION OF

THE TOTAL DIVERSION RATE TO A NEW P.O.D.. THE WATER RIGHT WAS

THEN SPLIT INTO A AND B; EACH REFLECTING IT'S PORTION OF THE

TOTAL DIVERSION RATE FOR THAT PARTICULAR P.O.D.. ELR.*****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

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 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.

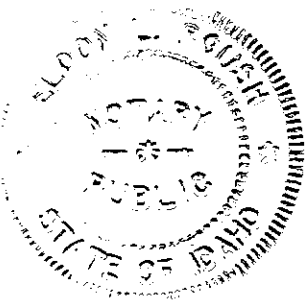
Signature of Claimant(s): Ronald E Prow Date: 3/22/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 89 Eldon L. Roush
Notary Public

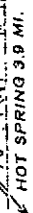
Seal



Residing at _____

My Commission Expires Eldon L. Roush

Residing at Boise, Idaho
My Commission Expires September 8, 1994

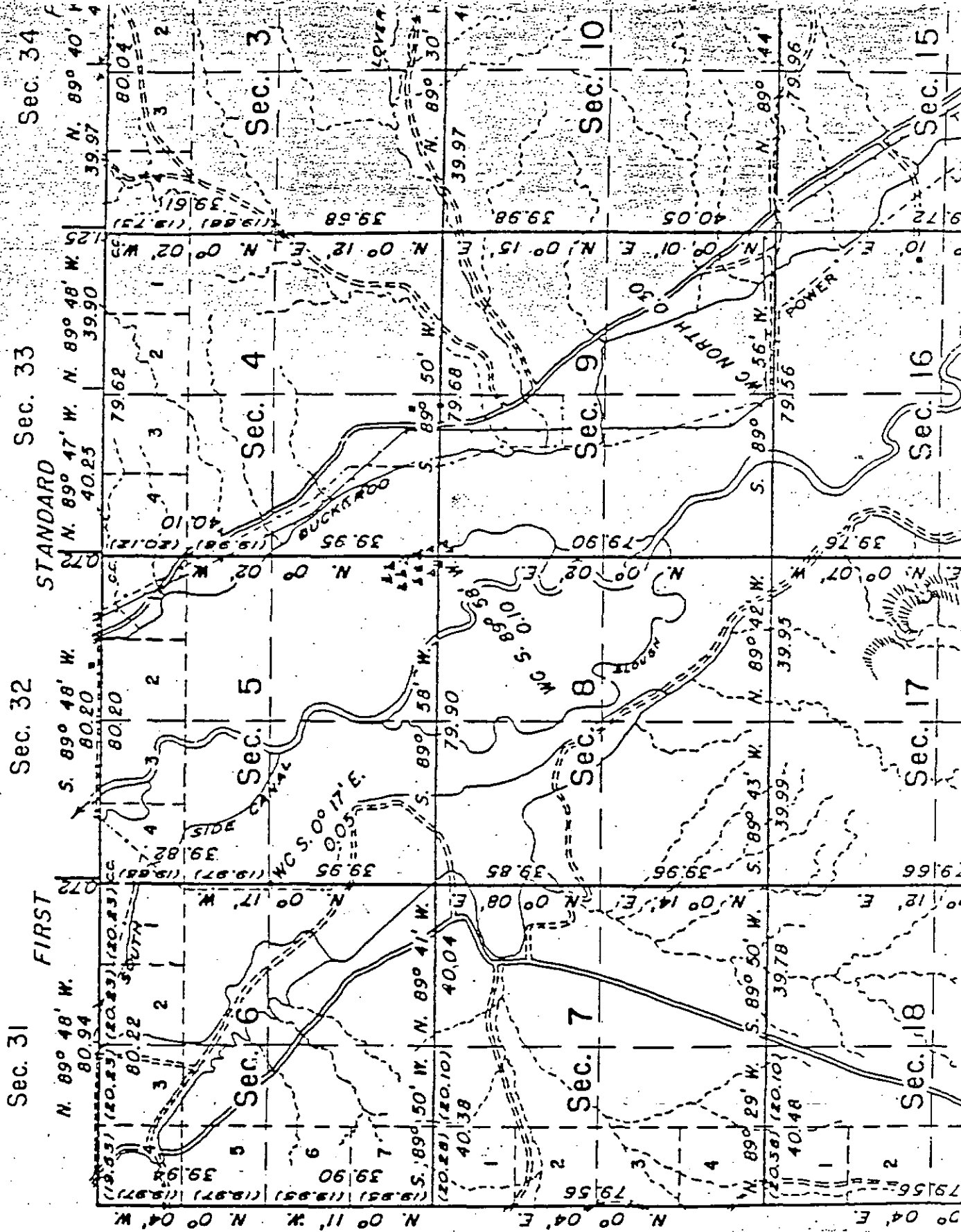


T. 6 S.
T. 7 S.

Aug 11 1992

TOWNSHIP NO. 7 SOUTH, RANGE NO. 6

DEPENDENT



NEW
SOUTH
TNS
26E

MICROFILMED

AUG 11 1992

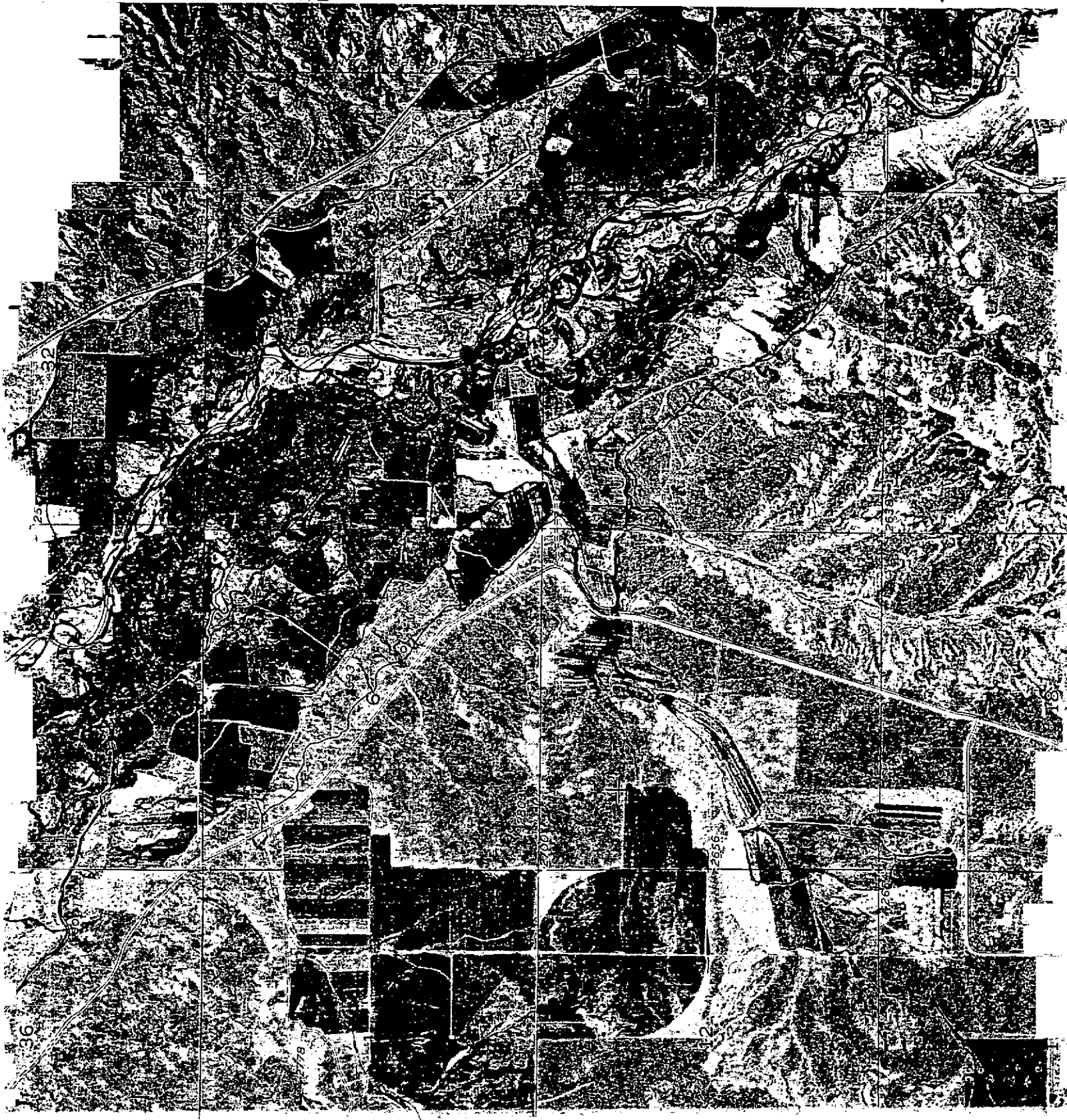
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EET

P.O. 01

4



Affidavit for Change of Point of Diversion of Decreed Water Right 51-0050

51-0051
51-0052

STATE OF IDAHO,

County of Boyer

ss.

Fletcher A. Hassel, being first duly sworn, deposes and says: That his postoffice address is Boyer, Idaho; That he is the owner of and using a certain water right, bearing date of priority of April 12, 1911 for 20, 1/2 cubic feet per second of the waters of Boyer River County of Boyer State of Idaho, decreed to Fletcher A. Hassel by decree of Judge John H. ... of the Third Judicial District of the State of Idaho, in and for the County of Boyer, in the case of Small v. ... vs. Boyer River ... said decree bearing date of February 14, 1925, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 5713, in the County of Boyer, and State of Idaho, to-wit: SW 1/4, SW 4, SE 1/4, Sec. 31, Township 6 North, N 1/2 NW 1/4, SE 1/4 NW 1/4, Section 6, Township 7 Range 6 East, Boyer Meridian

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 1/2 NE 1/4 of Sec. 7 Twp. 7 S Range 6 E, and conducted to the above described lands through the private ditch known as the Pinch 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. 5 Twp. 7 S Range 6 E and thereafter conduct same to the above described land through the South Side Boyer River ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Much of the affiant's land lies below the present position of the South Side Boyer River

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

Fletcher A. Hassel
Affiant

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

Charles ...

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.

MICROFILMED

AUG 11 1932

RECEIVED

MAY 17 1999

Department of Water Resources

RECEIVED

MAY 26 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

Case No. 39576

Subcase No. 51- 10237

**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 93701

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

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

I object to the following elements as recommended in the Director's Report.

1. **Name and Address**
Should be:
2. **Source**
Should be:
3. ☒ **Quantity**
Should be: As stipulated in the Standard Form Five for this water right submitted concurrently herewith.
4. **Priority Date**
Should be:
5. **Point(s) of Diversion**
6. **Instream Flow Description**
Should be:
7. **Purpose(s) of Use**
Should be:
8. **Period of Year**
Should be:
9. **Place of Use**
Should be:
10. **I object because:**

This water right should not exist.

This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION (S): The quantity diverted pursuant to the claimed water right has historically been less than that recommended.

VERIFICATION

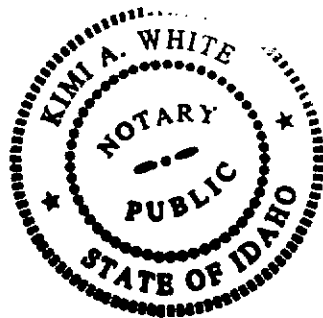
State of Idaho)
)
County of Ada)

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 14, 1999



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

DATE: 05/13/99
PAGE: 1

EXP WATER IS DELIVERED THROUGH SOUTH SIDE BRUNEAU CANAL COMPANY.

AJ0749NP
No. R51-10237

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

DATE: 05/13/99
PAGE: 2

Remarks:

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

Dates:

Exam Made Date: Verified Date: 05/13/1999 Objection Filed Date:

Misc:

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

Comments:

Date: 07/25/1998 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.

DECREED WATER RIGHT 51-00050, 51-00051, AND 51-00052 P.O.D.
CHANGED IN AUGUST 1929 TO INCLUDE A PORTION OF THE TOTAL
DIVERSION RATE IN THE ORIGINAL P.O.D. AND THE OTHER PORTION OF
THE TOTAL DIVERSION RATE TO A NEW P.O.D.. THE WATER RIGHT WAS
THEN SPLIT INTO A AND B; EACH REFLECTING IT'S PORTION OF THE
TOTAL DIVERSION RATE FOR THAT PARTICULAR P.O.D.. ELR.*****

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

Date: 05/13/1999 User-ID: KWALKER Subject: REVISED RECOMMENDATION
REDUCED AMOUNT OF WATER TO PROPORTIONATE SHARE. NOT DONE PRIOR
TO REPORT GOING TO SRBA COURT BECAUSE ERROR WAS NOT DETECTED
UNTIL APRIL OF 99.

Audit:

05/13/99 KWALKER

August 4, 1998

RECEIVED

SEP 09 1998

RECEIVED

SEP 08 1998

NOTICE OF ERROR WATER RESOURCES
WESTERN REGION
REPLY

Department of Water Resources

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: 51-00042B, A51-10270, A51-02149, 51-00043B, 51-00044B,
51-00045B, 51-00053B, 51-10235, 51-10236, ~~51-10237~~
RONALD E PROW 51-10270, 51-02149, ~~51-10267~~, 51-10268, 51-10269
HC 85 BOX 127
BRUNEAU ID 83604

Daytime Telephone Number: 1-208-845-2681
Evening Telephone Number: 1-208-845-2681

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 9/4/98 SIGNATURE: Ronald E Prow
Please print your name: RONALD E. PROW



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

August 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Claims to Water Rights filed in the Snake River Basin Adjudication

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

Dear Mr. Prow:

Enclosed are revised recommendations of your claims. Please note that I have added the points for the Turner & Beiroth ditches to all of your rights that are diverted from the Bruneau River. I have added these as points of re-diversion, since the actual diversion is at the dam. I have also adjusted Rt. 51-02149 (which is your groundwater license) to agree with the amended claim you submitted while in my office on August 13, 1998. The flood water claim, Rt. 51-10270, only needed to be recommended for 6.08 cfs after I determined how much water was already recommended and what was needed to bring your lands up to the flow requirement as determined in the Brockway report.

Please review the enclosed recommendations and the new GIS map attached to your groundwater right. If you have any questions in regard to these, 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

AJ0749NP
No. R51-10237

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

DATE: 08/26/98
PAGE: 2

Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-10235, 51-10236 &
51-00053B.

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: 10/19/1993 Verified Date: 08/26/1998 Objection Filed Date:

Misc:

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

Comments:

Date: 07/25/1998 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.

DECEED WATER RIGHT 51-00050, 51-00051, AND 51-00052 P.O.D.
CHANGED IN AUGUST 1929 TO INCLUDE A PORTION OF THE TOTAL
DIVERSION RATE IN THE ORIGINAL P.O.D. AND THE OTHER PORTION OF
THE TOTAL DIVERSION RATE TO A NEW P.O.D.. THE WATER RIGHT WAS
THEN SPLIT INTO A AND B; EACH REFLECTING IT'S PORTION OF THE
TOTAL DIVERSION RATE FOR THAT PARTICULAR P.O.D.. ELR.*****

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

Audit:

08/26/98 KWALKER

DATE: 07/30/98
PAGE: 1

Misc:

Water District Number:	Field Inspection Flag:
	Presumption Flag:

AJ0749NP
No. R51-10237

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

DATE: 07/30/98
PAGE: 2

Comments:

Date: 07/25/1998 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.

DECREED WATER RIGHT 51-00050, 51-00051, AND 51-00052 P.O.D.
CHANGED IN AUGUST 1929 TO INCLUDE A PORTION OF THE TOTAL
DIVERSION RATE IN THE ORIGINAL P.O.D. AND THE OTHER PORTION OF
THE TOTAL DIVERSION RATE TO A NEW P.O.D.. THE WATER RIGHT WAS
THEN SPLIT INTO A AND B; EACH REFLECTING IT'S PORTION OF THE
TOTAL DIVERSION RATE FOR THAT PARTICULAR P.O.D.. ELR.*****

Audit: 07/30/98 KWALKER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:13:14
10/14/93
66

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A51-10237

OWNER CODE: C
NAME & ADDRESS: RONALD E. PROW
BOX 127
BRUNEAU ID 83606
(208) 845-2681

Water Source: BRUNEAU RIVER
Tributary to: SNAKE RIVER
T07S R06E S05
Point(s) of Diversion: NW SWSE
Stage: DECREASED
OMYHEE County

Place of use Legal Description for: IRRIGATION		USE PERIOD		DIVERSION RATE		DIVERSION VOLUME	
PRIORITY DATE	WATER USE	FROM	TO	RATE			
04/01/1897	IRRIGATION	03-11-15		0.34 CFS			
TOTAL DIVERSION:				0.34 CFS			

POU County: OMYHEE

Non-Irrigation Uses: S450-HEAD-RANGE CATTLE

Other Rights: 51-00050A, 508, 51A, 51B, 52A, 52B, 53, 2149, 00006, 07, & 8

Remarks: WATER DELIVERED VIA SOUTH SIDE CANAL.

THIS CLAIM IS A COMBINED RIGHT OF A PORTION OF 51-00052A AND 51-00052B.
DECREASED WATER RIGHT 51-00050, 51-00051, AND 51-00052 P.O.D. CHANGED IN AUGUST 1929 TO INCLUDE A PORTION OF THE TOTAL DIVERSION RATE IN THE ORIGINAL P.O.D. AND THE OTHER PORTION OF THE TOTAL DIVERSION RATE TO A NEW P.O.D.. THE WATER RIGHT WAS THEN SPLIT INTO A AND B; EACH REFLECTING ITS PORTION OF THE TOTAL DIVERSION RATE FOR THAT PARTICULAR P.O.D.. ELR.*****

Dates: Exam Made Date: 10/19/93 Verified Date:

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

POU1-E14 (83.3 - 51-10235, 51-10236
& 51-10237, 51-00053B

Exp - F01 - SSBC

P15 - 00052A + 00052B (portion of)

C03
C05

SE
SUM
4.6
TOTAL ACRES
83.3
83.3
100.0
163.0
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GIS map in 51-00042B

WESTERN REGION

CLAIM NUMBERS 51-00042B 00043B 00044B 00045B 00053B 10235 10236,

AGENT SB DATE 6/16/98 10237, 10270, 62149

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 201

READY FOR DECREE ____ (YES)

SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	65	68	31										9.7	38	31			4.6	
GIS	75	68	6	7.4	31		11	38	10.7		2.5	17							
RECOM																			
GIS																			

POLYGON CREATED ON 80__

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (90) () () () ()

ATTRIBUTES OF B51-POD.SHP (89) (90) (91) () (16)

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

added to B51

RDH GPSTABLE

POD Dec 6 NEW - (#91)
 (#16) ^{NW} 5 SW SE - all ready in place next to find #
 - 5 SW SW (#90)
 - 9 NW SW (#89)

1 - - - City
2 - - - Phone

Town	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
							- - - - - Point of Diversion - - - - -			*

Code	Description	Period From	Water Use	Diversion Rate	Diversion Volume
C	SOME				

Diversion Rate Diversion Volume

[illegible]

6 NE 1/4 — 100 ac. 40.0
Total Acres: 320.0

+ - - Other Rights for Same Use -

WATER RIGHT

----- Remarks ----- +

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

- - - Conditions of Approval - - - +
No Conditions of Approval found.

+ - - -	- Decree Plaintiff	- - - +
+ - - -	- Decree Defendant	- - - +
	BRUNEAU BUCKAROO CO-OP DITCH CO.	
	GRANDVIEW IRR. DIST.	
		+ - Decree Date -
		02/14/1925

-----Comments-----
No Comments Found

+ - - Audit Fields - 02/11/86 04/30/88 CONVERT

[illegible]

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

Water right number - 51-00052B Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

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

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
GRANDVIEW IRR. DISTRICT BRUNEAU BUCKAROO CO-OP DITCH CO. 02/14/1925

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - 04/16/85 04/30/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 02/14/1925	Presumption Flag	-		