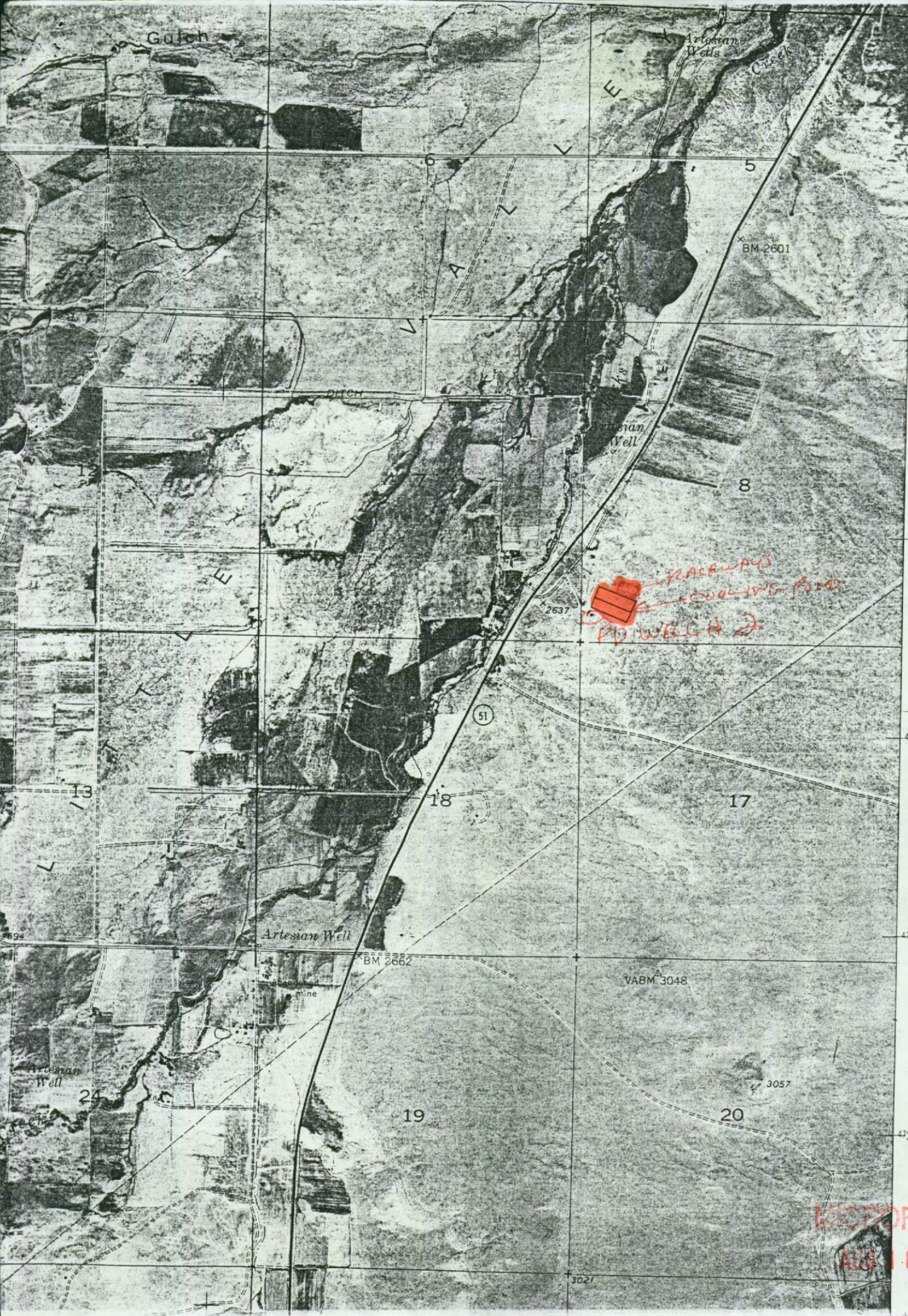




T. 6 S.
T. 7 S.

MICROFILMED
AUG 10 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A51-07118
Date Received: 1/19/1989
Receipt No: W002041
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BRUNEAU CATTLE CO
Address: C/O EUGENE C DAVIS
RT B BOX 138
BRUNEAU ID 83604 208-845-2762

2. Date of Priority: JAN 12, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	05E	8	SW	SW			OWYHEE

5. Description of diverting works:
WELL, PIPELINE & PONDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	3.200		2316.70

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) 2316.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AQUACULTURE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	05E	8	SW	SW		FISH	

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:
A51-02113,-02117,-02164.

14. Remarks:
REINSTATED 3-17-1982.
CLAIM AMENDED PER LICENSE APPROVED JULY 15, 1994.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07118

Priority: January 12, 1978

Maximum Diversion Rate: 3.20 CFS
Maximum Diversion Volume: 2316.7 AF

This is to certify, that BRUNEAU CATTLE CO
C/O EUGENE C DAVIS
RT B BOX 138
BRUNEAU ID 83604

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 11, 1977; and has submitted Proof of Beneficial Use on March 4, 1983. An examination indicates that the works have a diversion capacity of 9.600 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	3.20 CFS	2316.7 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 8, Township 07S, Range 05E
OWYHEE County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC

07S 05E 8 SWSW

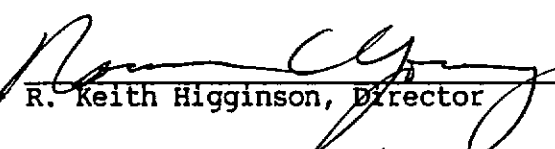
CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 51-07118

This license is issued pursuant to the provisions of Section 42-219, Idaho Code,
Witness the seal and signature of the Director, affixed at Boise, this 15th
day of July, 1944.

Acting for  R. Keith Higginson, Director

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: A51-07118
Date Received: 1/18/1989
Receipt No: W002041
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUNEAU CATTLE CO. 208-845-2762
Address: C/O ERIC DAVIS
HC 85, BOX 138
BRUNEAU, ID 83604

2. Date of Priority: JAN 12, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	05E	8	SW	SW	SW		OWYHEE

5. Description of diverting works:
WELL, PIPELINE & PONDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	5.630		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AQUACULTURE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	05E	8	SW	SW		FISH	

11. Place of use in counties: OWYHEE

A51-07118

Page 1

Date: 01/18/89

MICROFILMED
AUG 10 1992

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A51-02113,-02117,-02164.

14. Remarks:
REINSTATED 3-17-1982.

15. Basis of Claim: PERMIT

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.

Engene C. Davis
Signature of Authorized Agent

Title and Organization

1-19-89
Date

State of Idaho)
County of ADA) SS.

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

Seal

Ron Howerton
Notary Public

4200 Plum

Residing at Boise, Idaho 83703

My Commission Expires 12-8-94



FILED
0 1992

Rt. # FLAT FEE + ACRES IRRIGATED + OVERLAPS = TOTAL

AS1-02015 50 + 30. - - - 80

AS1-02039 50 + 80. - - - 130

AS1-02111 50 + 126. - - - 176

AS1-02112 50 + 175 - - - 225

AS1-02113 50 + 94 - - - 145

AS1-02117 50 + 220 - - - 270

AS1-02124 50 + 168 - - - 218

AS1-02131 50 + 80 - - - 130

AS1-02164 50 + 37 - - - 87

AS1-02181 50 + 93.3 - - - 143.3

AS1-02254 50 + 95 - - - 145

AS1-07013 50 + 81 - - - 131

AS1-10215 50 + 29 - - - 79

AS1-07118 50 + 56.30 - - - = 106.30

(FLSA PROP)

* ALL INFORMATIONAL DATA RELATING TO THESE CLAIMS ARE FILED IN AS1-02113.

MICROFILMED

AUG 10 1992

= 106.30

2065.60

RECEIVED

JUL 19 2002

Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 18 2002	
By _____	Clerk
_____	Deputy Clerk

**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

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 51-7118**
)

On May 22, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. 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 water right 51-7118 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 18, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 51-07118

JUL 18 2002

By _____

Deputy Clerk

NAME AND ADDRESS: BRUNEAU CATTLE CO
C/O EUGENE C DAVIS
RT B BOX 138
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.20 CFS
2316.70 AFY

PRIORITY DATE: 01/12/1978

POINT OF DIVERSION: T07S R05E S08 SWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	3.20 CFS 2316.70 AFY

PLACE OF USE: Fish Propagation Within Owyhee County
T07S R05E S08 SWSW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JUL 18 PM 02:00
DISTRICT COURT - 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

CERTIFICATE OF MAILING

Water Right(s): 51-07118

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 51-07118 was mailed on July 18, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BRUNEAU CATTLE CO
C/O EUGENE C DAVIS
RT B BOX 138
BRUNEAU, ID 83604
Phone: 208-845-2762

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/18/02

RECEIVED

MAY 23 2002

Department of Water Resources

2002 MAY 22 PM 2:54

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) Subcases 51-02113, 51-02117, 51-02164
Case No. 39576) and 51-07118
(Bruneau Cattle Co.)
SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 6, Volume One (IDWR Basin 51)*, on November 24, 1998. The Director recommended claims 51-02113, 51-02117, 51-02164 and 51-07118 to Bruneau Cattle Company, c/o Eric Davis, HC 85, Box 138, Bruneau, Idaho 83604 to divert groundwater for irrigation of 1,024 acres and for fish propagation (51-07118) based on licenses.

No one objected to the claims. However, the claims were identified by IDWR as overlapping contested claim 51-07014 which has been partially decreed.

Conclusions of Law

Bruneau Cattle Company is entitled to partial decrees adjudicating water rights under claims 51-02113, 51-02117, 51-02164 and 51-07118 as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 51-02113, 51-02117, 51-02164 and 51-07118*.

DATED May 22, 2002.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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 51-07118

2002 MAY 22 PM 2: 54

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: BRUNEAU CATTLE CO
C/O EUGENE C DAVIS
RT B BOX 138
BRUNEAU, ID 83604

SOURCE: GROUNDWATER

QUANTITY: 3.20 CFS
2316.70 APY

PRIORITY DATE: 01/12/1978

POINT OF DIVERSION: T07S R05E S08 SWS Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	3.20 CFS 2316.70 APY

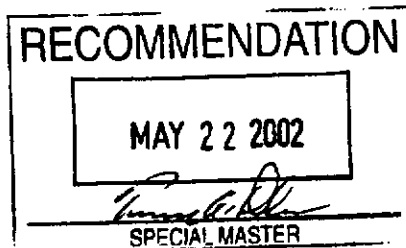
PLACE OF USE: Fish Propagation Within Owyhee County
T07S R05E S08 SWS

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAY 23 2002

Department of Water Resources

2002 MAY 22 PM 2:55

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
[Signature]

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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 51-07118

On May 22, 2002, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED May 22, 2002.

[Signature]
LETTIE MESSICK
Deputy Clerk

AJ0749NP
No. R51-07118

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

DATE: 07/20/98
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  BRUNEAU CATTLE CO          01/12/1978    FISH PROPAGATION    01-01  12-31    3.20 CFS    2316.70 AFA
  C/O EUGENE C DAVIS
  RT B BOX 138
  BRUNEAU ID 83604
  (208) 845-2762
                                     TOTAL DIVERSION:    3.20 CFS    2316.70 AFA
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R05E S08

SWSW

OWYHEE County

Place of use Legal Description for: FISH PROPAGATION

```

      NE          NW          SW          SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S   : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
--- : --- : --- : --- : --- : --- : --- : --- : --- : --- : --- : --- : --- : --- : --- : --- :
07S 05E 8 : : : : : : : : : : : : : : : : : : : : : : :

```

POU County: OWYHEE

Conditions of Approval:

- M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.
- L08 - RETURN FLOW IF DISCHARGED TO A SURFACE WATER SYSTEM SHALL MEET
- IDAHO WATER QUALITY STANDARDS.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 51-02113, 51-02117, 51-02164 &
51-07013.

Dates: Exam Made Date: 04/07/1998 Verified Date: 07/20/1998 Objection Filed Date:

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

Comments: Date: 04/06/1998 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
REINSTATED 3-17-1982.
CLAIM AMENDED PER LICENSE APPROVED JULY 15, 1994.

Audit: 07/20/98 RHOWERTO

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A51-07118

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>	<u>RHEIN-OFFICE</u>	<u>6</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.		<u>4/7/98</u>					<u>DATA ENTRY COMPLETED</u>
SOURCE							<u>BY _____ DATE _____</u>
PL. OF USE							<u>FINAL RECOMMENDATION</u>
DIV. AMOUNT CFS/AF							<u>BY _____ DATE _____</u>
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: G. SAME AS LIC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:13:37
09/14/93

PAGE: 1
GENERAL INFORMATION

29
CLAIM NUMBER: A51-07118

LAST: BRUNEAU CATTLE CO.
ADDRESS: C/O EUGENE C. DAVIS
RT. B BOX 138
CITY: BRUNEAU
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83604

OWNER CODE: O

LAST: BRUNEAU CATTLE CO.
ADDRESS: C/O ERIC DAVIS
HC 85, BOX 138
CITY: BRUNEAU
PHONE NUMBER: 208-845-2762

FIRST:

STATE: ID ZIP: 83604

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: REINSTATED 3-17-1982.

CONTACT PERSON: GENE DAVE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7 APR 98

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

IN-OFFICE 7 APR '98

A. AJ CLAIM: # A51-07118

PRIORITY DATE: 01-12-1978

STAGE: P

B. WR RECORD: # 51-07118

PRIORITY DATE: 01-12-1978

STAGE: P

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: _____

RECOMMENDED PRIORITY DATE:

01-12-1978

REVIEWED BY

Tch

DATE

7 APR 98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-07118	07S	05E	8		SW	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A51-02113 NONE
A51-02164
A51-07013

WR RECORDS IN SAME 40 ACRE TRACT
51-02164
51-07013
L51-07118

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-07118	07S	05E	8		SW	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

51-02164
51-07013
L51-07118

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A51-02113 NONE
A51-02164
A51-07013

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE

☒ Y
☐ N

FIELD EXAMINER

SEE
= PERMIT FILE FOR FX

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
75	SE	8		SW	SW			

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

Rdh

DATE:

7 APR 98

SYSTEM DESCRIPTION:

SEE ATTACHED COPY OF BAW. REPORT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 17 1988

Department of Water Resources

A. GENERAL INFORMATION

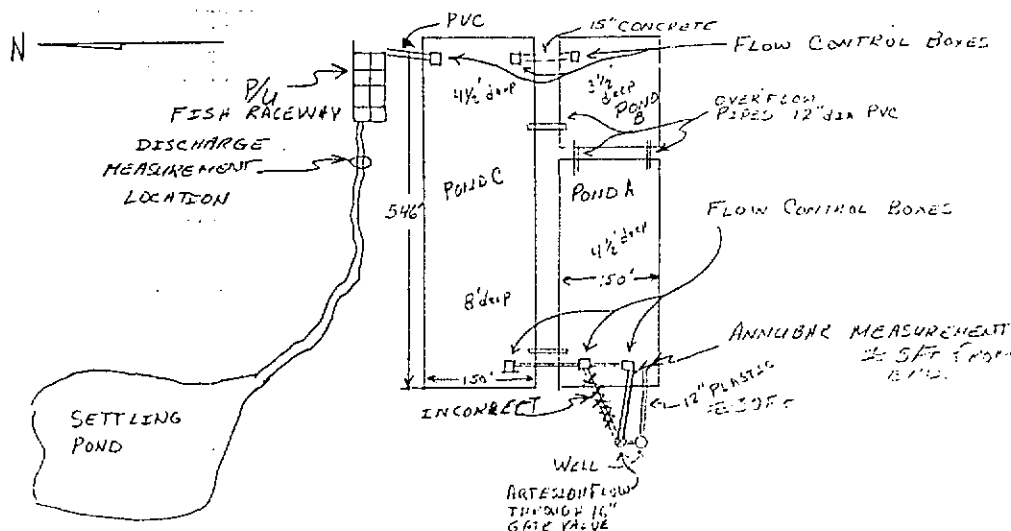
Permit No. 51-7118
1. Owner: BRUNEAU CATTLE CO. Phone No. 345-2962
Current Address: % EUGENE C. DAVIS, BRUNEAU, ID. 83604
2. Accompanied by: EUGENE DAVIS EXAM. DATE: 06/14/88
Address: _____ Phone No. _____
Relationship to Permit Holder: OWNER
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: 51-2164 51-7013
☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

A. ROOT WATER RIGHT NUMBERS: A51-07118

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	05E	8	SW	SW		BRUNEAU CATTLE CO.	A51-07118 /	51-07118 /	~~4.0~~		
			SW	SW		BRUNEAU CATTLE CO		L51-07118 /			
TOTAL ACRES							A51-07118		~~4.00~~		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: OWYHEE

PRESUMPTION FLAG:

SEE PERMIT FILE

NOTES:

RECOMMENDED AS LICENSED. . .
SEE LIC IN FILE.

RECOMMENDATIONS:

TOTAL ACRES: NA

REVIEWED BY: REH

DATE: 7 APR '90

A. AJ CLAIMED USES:

PURPOSES MONTH/DAY
A51-07118 FISH PROPAGATION FROM 01-01 TO 12-31
TOTAL DIVERSION RATE/VOLUME CLAIMED

~~DIVERSION QUANTITY~~
~~5,630 CFS~~
~~5,630 BES~~

B. WR RECORDED USES:

PURPOSES MONTH/DAY
51-07118 FISH PROPAGATION FROM 01-01 TO 12-31
TOTAL DIVERSION RATE/VOLUME CLAIMED

~~DIVERSION QUANTITY~~
~~6,800 CFS~~
~~6,800 CFS~~

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(~~___~~) N(~~___~~)

RECOMMEND TO WR STANDARDS OR OTHER?

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

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 5.630 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 6.800 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

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

SEE PERMIT
FILE FOR
FX INFO

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A51-02113, -02117, -02164.

NO CLAIMS FOUND WITH SAME POI AND IRRIGATION USAGE

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

WR RECORD CONDITIONS/REMARKS:

- 001 - A measuring device of a type approved by the Department shall
 - be permanently installed and maintained as part of the diverting
 - works.
 - 03A - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed 0.02
 - cubic feet per second for each acre of land.
- REINSTATED 3-17-1982.

SEE PERMIT
FILE

LEAVE
ON
"R" FILE

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
FISH PROPAGATION	01-01 12-31	DATABASE EXAMINER ~~5.630~~ 3.2	DATABASE EXAMINER 2316.7	~~DATABASE EXAMINER 0.0~~
TOTAL FOR THIS RIGHT				

REVIEWED BY: RLH DATE: 7 APR 98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-07118

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 3.200	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-07118	5.630	-	-	51-07118	6.800
-	-	-	-	-	51-07118	3.200
TOTAL CFS		5.630				3.200

DIVERSION RATE REVIEW

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

DATABASE N	FIELD EXAMINER _____
---------------	----------------------------

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

=====

Ron Howerton
DATE: 7 APR 98
NAME OF FIELD EXAMINER: Ron Howerton
TITLE: SR WA AGENT

=====

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:13:37
09/14/93

PAGE: 12
QUICKLOOK INFORMATION

40
CLAIM NUMBER: A51-07118

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

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

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

16:31:19
09/14/93
41

CLAIM NUMBER: A51-07118

Presumption Flag:

RECEIVED

MAY 23 2002

Department of Water Resources

2002 MAY 22 PM 2:55

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILE *[Signature]*

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 51-07118

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 22, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BRUNEAU CATTLE CO
C/O EUGENE C DAVIS
RT B BOX 138
BRUNEAU, ID 83604
Phone: 208-845-2762

[Signature]

LETTIE MESSICH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/22/02