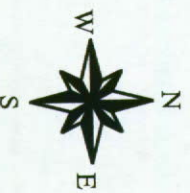
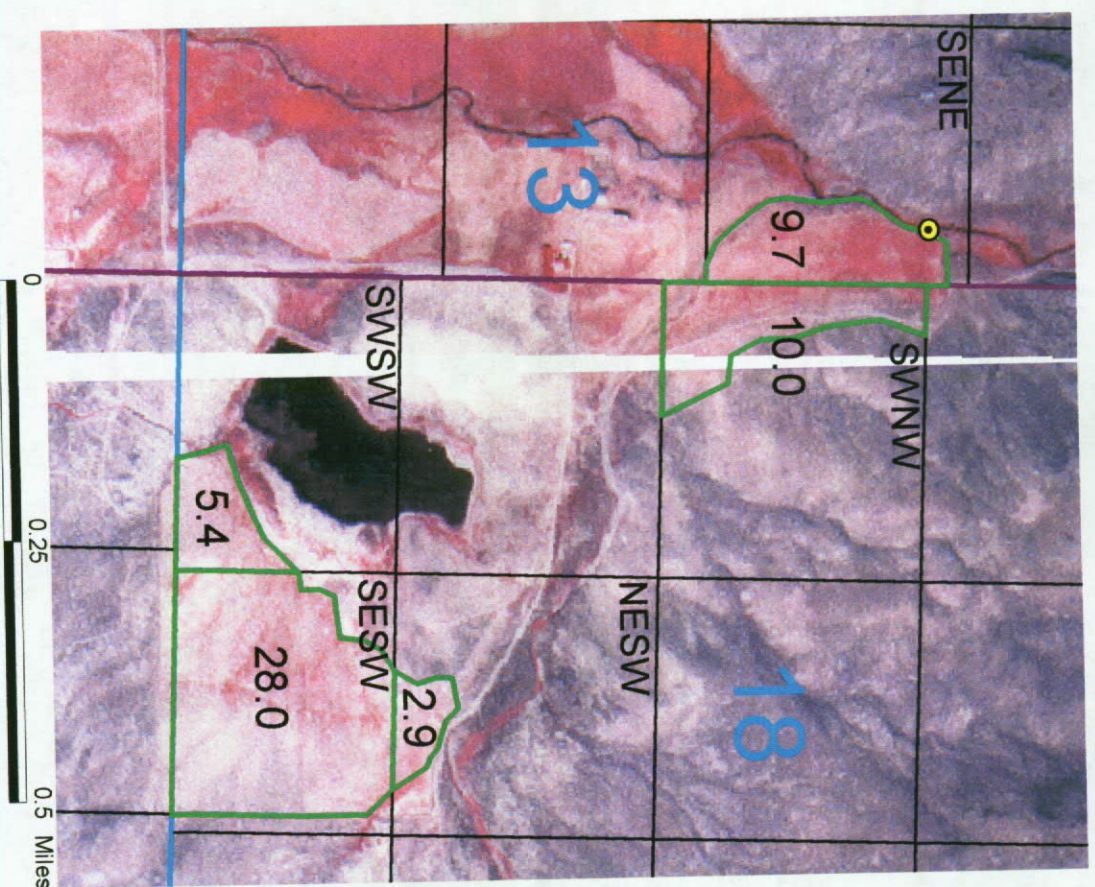


Idaho Department of Water Resources

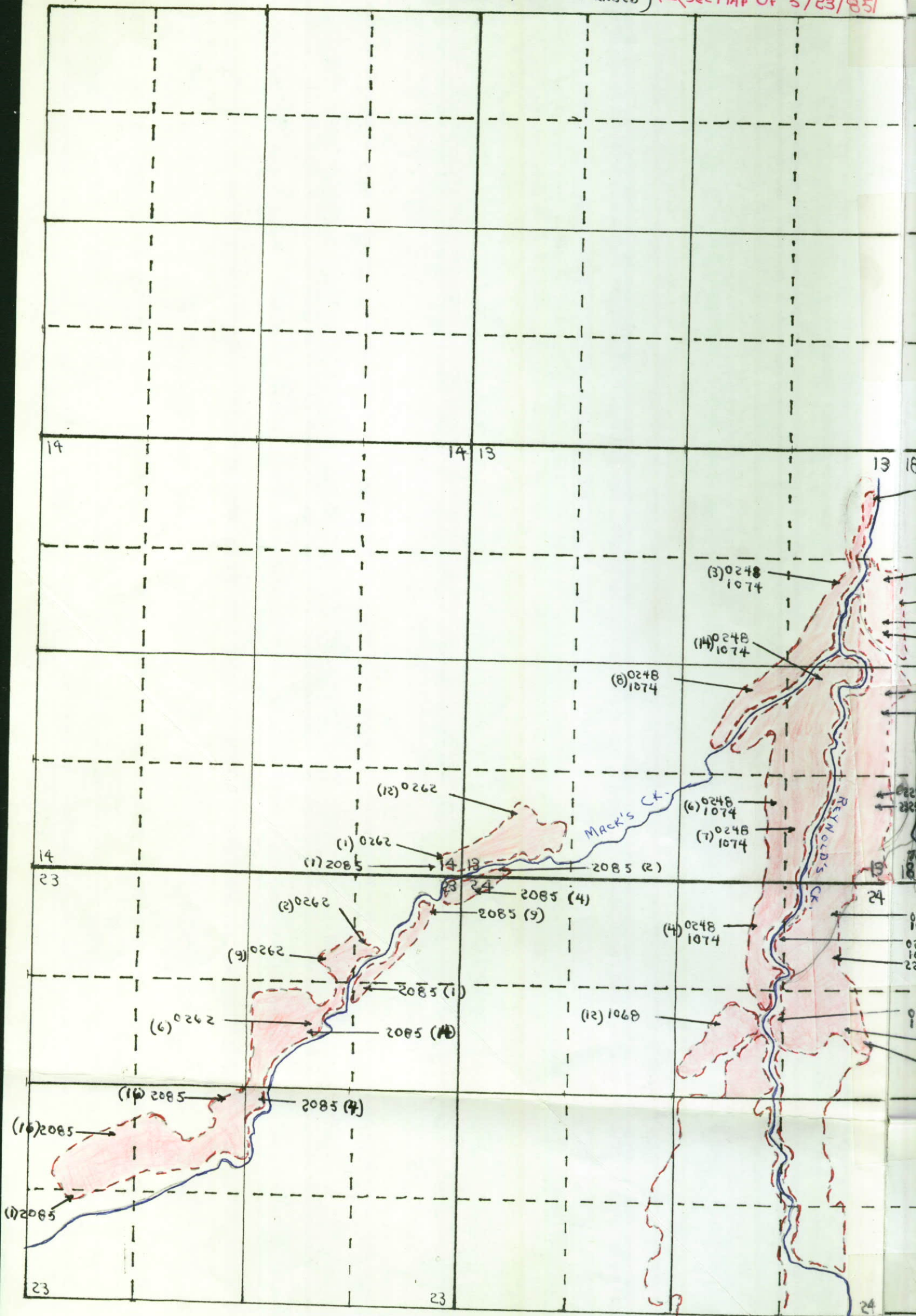
1987 Napp Photo

Claim Number: 57-00249
Legal: T02S, R03W, S18
T02S, R04W, S13
Reviewed By:

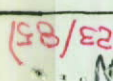
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



C.T. RANCH RTS. (AS PRESENTLY RECOMMENDED) ← (SEE MAP OF 5/23/85) 4W



M



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources

Transfer No.

APPROVED

A. PURPOSE OF TRANSFER

3. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

2. Total amount of water being transferred 5.72 cubic feet per second and/or 195 acre-feet per annum.
Reynolds Creek tributary to Snake River

4. Point(s) of Diversion:

5. Lands irrigated or place of use:

Total acres 56

PART 1

6. General Information:

a. Description of diversion system Ditch, Reservoir, ditches; pump & pipeline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Abandon as to irrigation

d. Remarks:
The combined storage capacity for rights 57-2325 & 57-7040 is
160 acre-feet. Right 57-7040 when combined with rights 57-0252,
57-1070 & 57-2325 shall not exceed 4.60 cfs.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 57-0249/1073/7040
And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.
3. Use of water under these rights is subject to control by the watermaster of State Water District No. 57A, Reynolds Creek.
4. This transfer is subject to conditions contained in the decree for the Reynolds Creek general adjudication, Civil No. 3456, District Court of the Third Judicial District, Owyhee County.

Witness my hand this 16 day of February, 19 89

[Signature]
Chief, Water Alloc. Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 57-7040 issued by the Idaho Department of Water Resources.

c. Claim No. 57-7040 on file with the Idaho Department of Water Resources. & shown in
Departments Proposed Finding for which no Objection was filed as to place of
d. Transfer No. _____ which produced this right. use.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which
show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water Reynolds Creek tributary to Snake River

4. Date of priority 2-24-1970

5. Water is used for the following purpose: Diversion to
amount 4.60 cfs for Storage purposes from 1-01 to 12-31
(cfs/ac-ft) 195 afa for Irrigation purposes from 3-15 to 11-15
amount 60 afa for Storage purposes from 1-01 to 12-31
(cfs/ac-ft) _____ for Irrigation purposes from _____ to _____

6. Total amount of water under right 4.60 cubic feet per second and/or 195 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	25	2S	4W	Owyhee	Reservoir Ditch-

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	3W	18									4		6	1.5					39

Total acres 39

9. Describe any other water rights used for the same purpose as described above _____

57-0249, 57-1073, 57-7400

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PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: _____ George McClung & Elmer Armfield
a. Decree No. 57-0249 Decreed to _____ vs. Joseph Babbington etal
in case of R.J. Gifford etal
dated Sept. 20, 1911 in Third Judicial District county of Owyhee
b. License No. _____ issued by the Idaho Department of Water Resources.
c. Claim No. 57-0249 on file with the Idaho Department of Water Resources, shown in
Department's Proposed Finding for which no Objection was filed as to place o
d. Transfer No. _____ which produced this right, that is re- us
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which
show ownership. Label document as attachment A. Check appropriate box below:
☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Reynolds Creek tributary to Snake River
4. Date or priority 6-01-1884
5. Water is used for the following purpose:
amount .60 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft) _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) .60 cubic feet per second and/or _____ acre-feet per annum.
6. Total amount of water under right _____

7. Point(s) of Diversion:

[illegible]

Total acres 56

9. Describe any other water rights used for the same purpose as described above

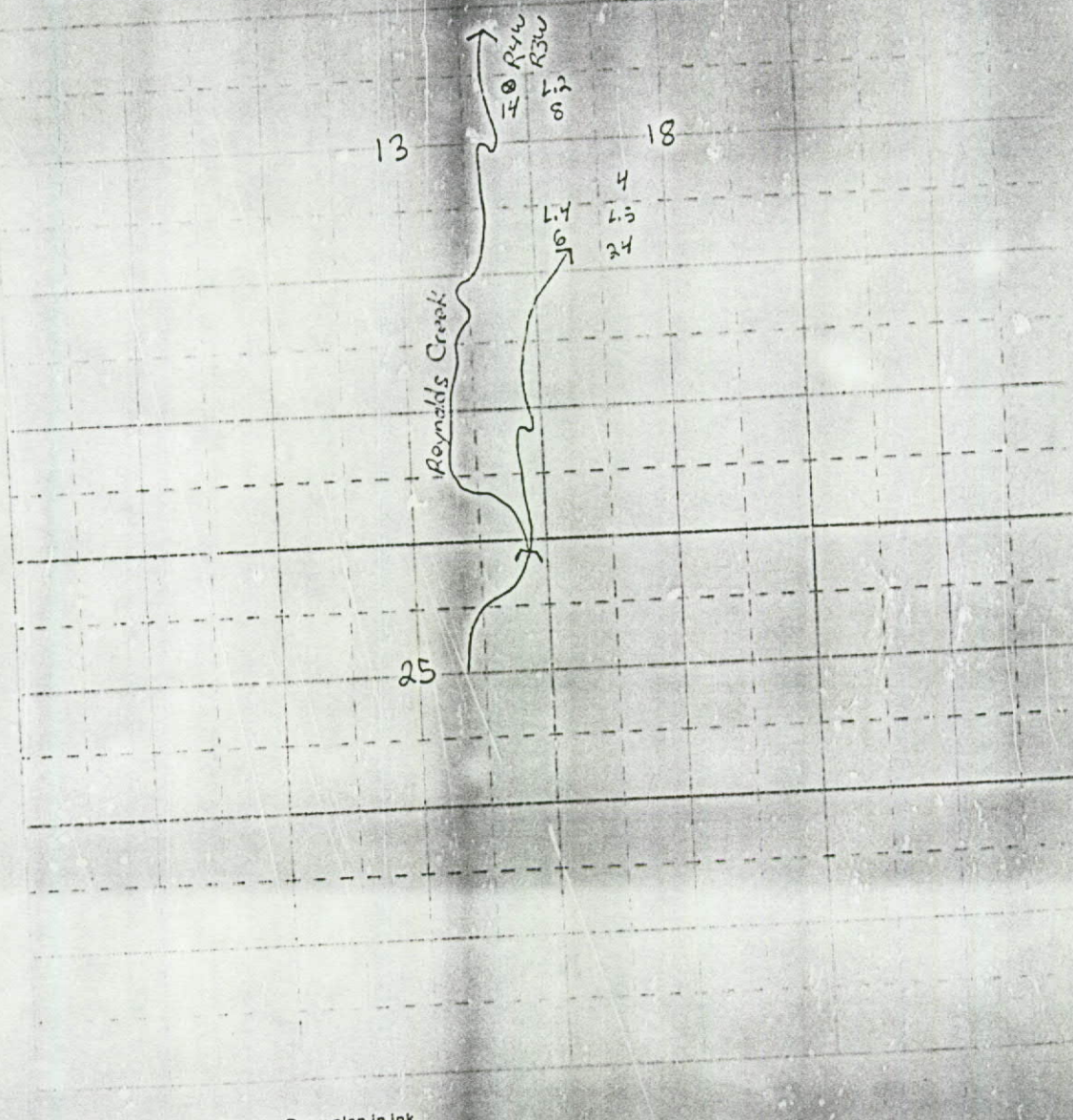
57-1073 & 57-7040 & 57-7400

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OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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OCT 06 1992

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

James R. Dunder
(Signature of Applicant)

Subscribed and sworn to before me this 20 day of August, 1987.

[Signature]
(Notary Public)

My commission expires Life

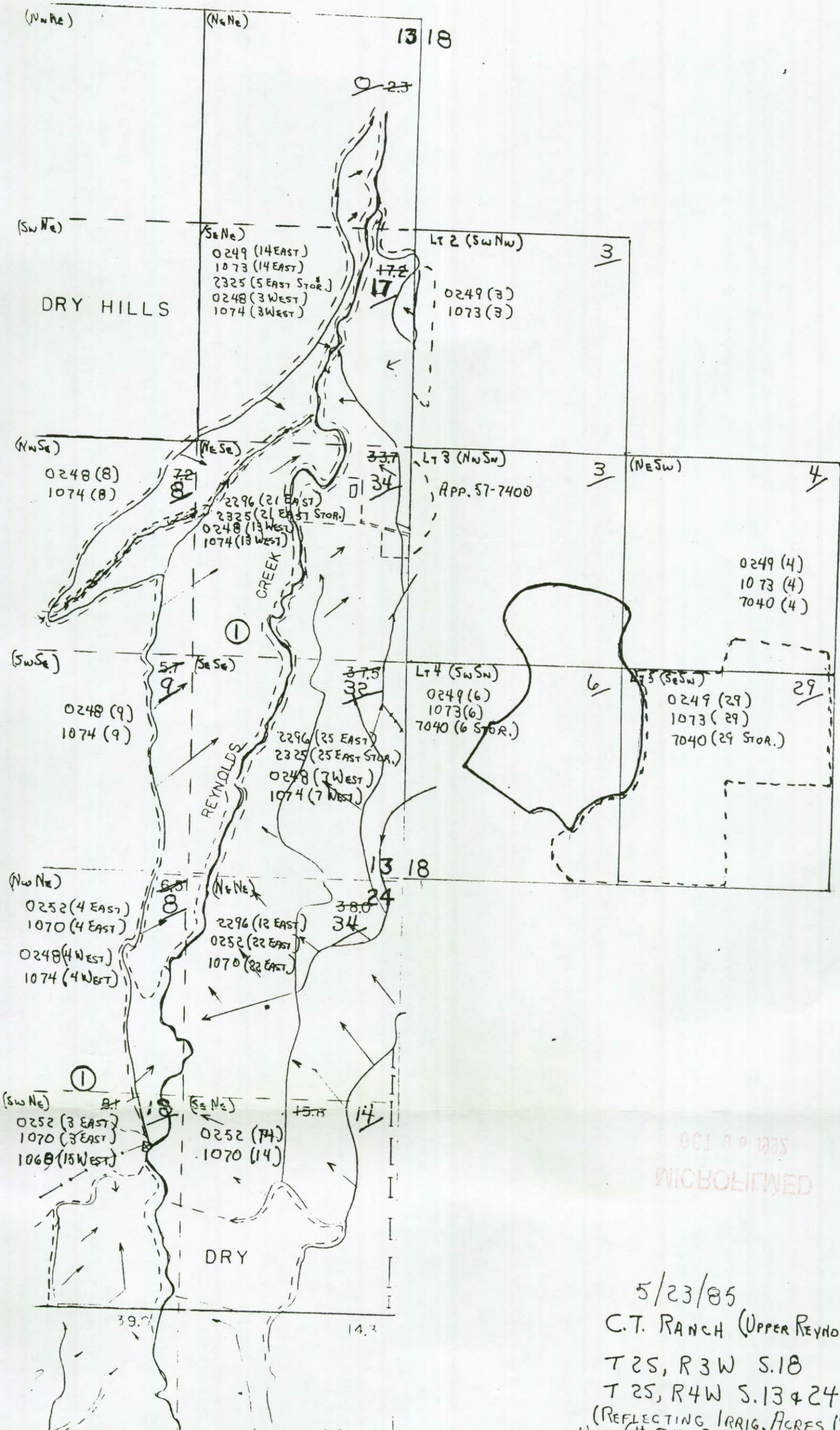
FOR DEPARTMENT USE ONLY

ATTORNEYS: Herbert W. Retti
& William S. Schroeder

Transfer contains 7 pages and 4 attachments
 Received by [Signature] Date 8/20/87 Protest filed by With by law 3/1/88
 Prelim. check by [Signature] Fee 150- #44467
 Receipted by [Signature] Date 8/20/87
 Published in Oryhee Avalanche
 Pub. dates 9/2 & 9/9/87
 Watermaster recommendation requested on 9/2/87
 Copies of protest forwarded by [Signature]
 Hearing held by _____ Date _____
 Recommended for ☒ approval ☐ denial
 _____ rec'd. _____ by Sua

Copy of transfer sent to lien holder _____

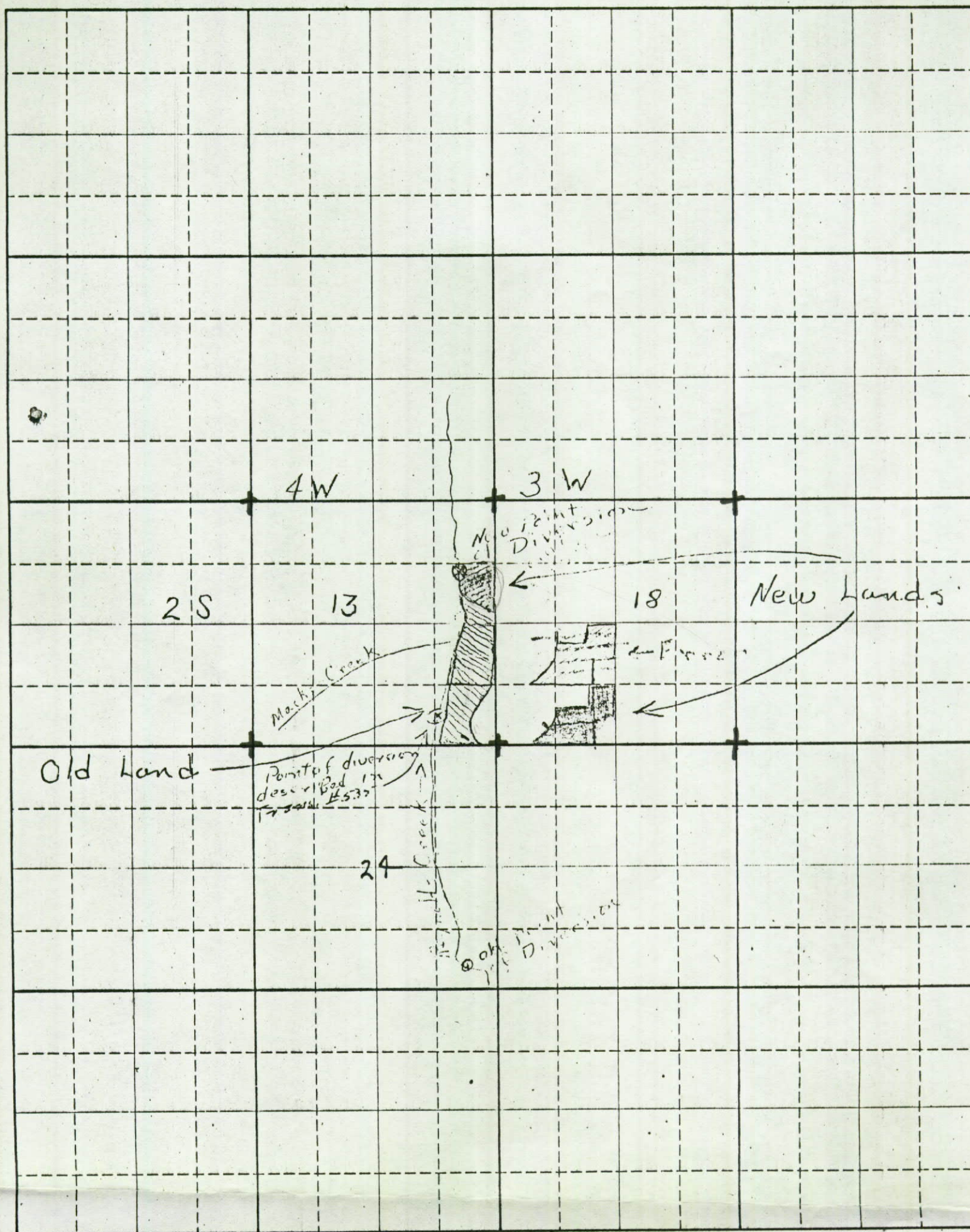
MICROFILMED
OCT 10 1992



001 00 1235
MICROFILMED

5/23/85
C.T. RANCH (UPPER REYNOLDS)
T2S, R3W S.18
T2S, R4W S.13 & 24
(REFLECTING IRRIG. ACRES 1980-1)
11-2 (# 3420-80)

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

OCT 2 1985
MICROFILMED

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: A57-00249
Date Received: 1/04/1989
Receipt No: 0095022
Received By: DL 1/10/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUNAYO RANCH LIMITED PARTNERSHIP 208-343-8880
Address: 1087 RIVER ST. STE. 230
BOISE, ID 83702

2. Date of Priority: JUN 01, 1884

3. Source: REYNOLDS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	04W	13	SE	NE			OWYHEE

5. Description of diverting works:
GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 151.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	03W	18	SW	NW	2	IRR	3.0
			NE	SW		IRR	4.0
			SW	SW	4	IRR	6.0
			SE	SW	5	IRR	29.0

Section Acres 42.0

A57-00249

Page 1

Date: 01/04/89

MICROFILMED
OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	04W	13	SE	NE		IRR	14.0
Section Acres							14.0
Total Acres							56.0

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:

14. Remarks:

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

Number of attachments: ZERO

For Organizations:

I do solemnly swear or affirm that I am General Partner of Juniper Ranch Limited Partnership, that I have signed the foregoing document in the space below as General Partner of Juniper Ranch Limited Partnership and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
General Partner
Title and Organization

1/19/89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of January 19 89
[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

Water Right Number - A57-00249

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

*** C - CURRENT OWNER ***
C. T. RANCH CO.1 -
2 -
3 -City- MURPHY
Phone -

State- ID Zip- 83650

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1884

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

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

Twn Rng Sec Tract Lot Rflg County (73) OWYHEE

02S 04W 13 SE NE

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

01 - IRRIGATION

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.600

+ - - - - Twn Rng Sec Tract Lot Acres Code Description - - - - - County - - - - - +

02S 03W 18 SW NW 2 3.0 01 IRRIGATION (73) OWYHEE
02S 03W 18 NE SW 4 4.0 01 IRRIGATION (73) OWYHEE
02S 03W 18 SW SW 4 6.0 01 IRRIGATION (73) OWYHEE
02S 03W 18 SE SW 5 20.0 01 IRRIGATION (73) OWYHEE
02S 04W 13 SE NE 14.0 01 IRRIGATION (73) OWYHEE

Total Acres: 56.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

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

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OCT 06 1992

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-	-	Old Case Number	-
Response Filed Date	-	00/00/0000	Verified Date	-	01/17/1986	Old Judicial District	-
Claim Received Date	-	00/00/0000	Last Amended Date	-	00/00/0000	Temporary Right	-
Claims Tape Error Flg	-	-	Receipt Number	-	-	Water District	-
Fee Exempt Flag	-	-	POU Ownership Flag	-	-	Federal/State Indicator	-
Name Connector	-	-	Microfilm Roll Number	-	-	Presumption Flag	-

OCT 06 1992

Water Right Number -	57-00249		Adj. Flag Translation:	Standard Water Right Number	Old (D) Number -
+ - - - -	Last Name - - - +	+ - First Name - +	+ - - - -	Address - - - - -	- - - - -
*** C - CURRENT OWNER ***					
ORNDORFF					
HARVEY D					

HARVEY H.

1 - IDAHO FIRST PLAZA
2 - SUITE 1405
3 -
City- BOISE
Phone - 208-000-0000
1 - IDAHO FIRST PLAZA
2 - SUITE 1405
3 -
City- BOISE
Phone - 208-000-0000

DBA JUNAYO RANCH

[illegible]

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	03/15	11/15	0.600	
+	- Total Div. Rate	- +	- +	- +	- +
	0.600				
+	- Total Div. Volume	- +	- +	- +	- +
+	- Total Div. Capacity	- +	- +	- +	- +
+	- Total Consumptive Use	- +	- +	- +	- +
+	- KW Usage	- +	- +	- +	- +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
02S	03W	18	SW NW	2	8.0	01	IRRIGATION	(73) OWYHEE
02S	03W	18	NE SW		4.0	01	IRRIGATION	(73) OWYHEE
02S	03W	18	SW SW	4	6.0	01	IRRIGATION	(73) OWYHEE
02S	03W	18	SE SW	5	24.0	01	IRRIGATION	(73) OWYHEE
02S	04W	13	SE NE		14.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 56.0

- - Diversion Means -
- - Non-Irrigation Use -
- - Other Rights for Same Use -

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OCT 06 1992

Adj. flag translation: Standard water Right Number

TRANS. 3352.

UNIT 3

No Old Water Right Numbers found.

Conditions of Approval

R42 - A lockable measuring device of a type acceptable to the

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- The use of water on the lands to which the above referenced wa
 - rights were appurtenant is hereby abandoned and failure to put

- the water to beneficial use within five (5) years of the date of

- the approval of this transfer on the new land identified under

- item B.5 shall constitute loss or forfeiture of the water right.

R04 - Use of water under this water right is subject to control by the

- watermaster of State Water District No. 57A

016 - See remarks for additional conditions of approval.

+ - - - Decree Defendant - - - +

03/20/89 CURTIS

Field Exam Fee	-	1	P	5	T
Swan Falls	-	1	P	5	T
Temporary Right	-	1	P	5	T
DLE/Carey Act	-	1	P	5	T
Water District	-	1	P	5	T
Transfer/Amended	-	1	P	5	T

Microfilm Roll Number -

MICROFILMED
OCT 06 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00249

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C JUNAYO RANCH LIMITED PARTNERSHIP 06/01/1884 IRRIGATION 03-15 11-15 0.60 CFS

1087 RIVER ST STE 230

BOISE ID 83702

(208) 343-8880

TOTAL DIVERSION: 0.60 CFS

Water Source: REYNOLDS CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T02S R04W S13 SENE OWYHEE County

Place of use Legal Description for: IRRIGATION

T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
02S	03W	18	:	:	:	:	:	:	:	:	:	:	:	:	42.0
02S	04W	13	:	:	:	:	:	:	:	:	:	:	:	:	14.0
															56.0

POU County: OWYHEE

Other Rights: NONE

Conditions of Approval:

- A03 - THE USE OF WATER ON THE LANDS TO WHICH THIS RIGHT WAS
- APPURTENANT HAS BEEN ABANDONED AND FAILURE TO PUT THE WATER TO
- BENEFICIAL USE ON THE PLACE OF USE DESCRIBED ABOVE WITHIN FIVE
- (5) YEARS OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE
- CHANGE IN USE TO THE PLACE OF USE DESCRIBED ABOVE SHALL
- CONSTITUTE FORFEITURE OF THIS RIGHT.

Remarks:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 57-02296, 57-01073 USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 151.2 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 56 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 57R Field Inspection Flag: Presumption Flag:

Audit: 11/15/91 WERNER 11/18/91 WERNER 02/24/92 WERNER 07/15/92 WERNER
07/29/92 PR-PROD 10/07/92 WERNER 10/13/92 CPSHAW 12/05/92 ADT-SHAW

MICROFILMED

JUL 26 1993

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 57-00249 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

RESPONSE TO OBJECTION NO. 57-00249 -0001 - PAGE 1

MICROFILMED

JUL 20 1994

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
4. ☒ Priority Date: I respond to the objection concerning the priority date.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

II. STATEMENT OF THE RESPONSE

2. Person who filed objection:
 Name: US BUREAU OF LAND MANAGEMENT
 Address: IDAHO STATE OFFICE
 3380 AMERICANA TERRACE
 BOISE ID 83706-2544
3. If this response is filed by an attorney:
 Attorney Name(s): DANIEL L. STECKEL
 Attorney Address: DEPUTY ATTORNEY GENERAL(S)
 IDAHO DEPARTMENT OF WATER RESOURCES
 P.O. BOX 44449
 BOISE, ID 83711-4449
 Attorney Phone No.: (208) 327-7900

12. ☒ Water Right Recommendation: I respond to the objection concerning:

12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 7, 8, 9, 10, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the claims listed in the objection are recommended in the director's report. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A57-00249

3

(Over)

VERIFICATION (Must be completed)

State of IDAHO
County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Signature of person filing response

By:

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 22nd day of June, 1993.

Notary Public for Idaho
Residing at: Boise

My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: JUNAYO RANCH LTD PARTNERSHIP
Address: 1087 RIVER ST STE 230
BOISE ID 83702

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A57-00249

Date Received: 1/04/1989

Receipt No: 0005022

Received By: 02/10/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUNAYO RANCH LIMITED PARTNERSHIP 208-343-8880
Address: 1087 RIVER ST. STE. 230
BOISE, ID 83702

2. Date of Priority: JUN 01, 1884

3. Source: REYNOLDS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	04W	13	SE	NE			OWYHEE

5. Description of diverting works:
GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 151.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	03W	18	SW	NW	2	IRR	3.0
			NE	SW		IRR	4.0
			SW	SW	4	IRR	6.0
			SE	SW	5	IRR	29.0
Section Acres							42.0

A57-00249

Page 1

Date: 01/04/89

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OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	04W	13	SE	NE		IRR	14.0
Section Acres							14.0
Total Acres							56.0

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
OCT 06 1992

16. Signature(s)

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

Number of attachments: ZERO

For Organizations:

I do solemnly swear or affirm that I am General Partner of Juvago Ranch Limited Partnership, that I have signed the foregoing document in the space below as General Partner of Juvago Ranch Limited Partnership and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

General Partner
Title and Organization

1/19/89
Date

State of Idaho)
County of Ada) SS.

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

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

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: A57-00249
Date Received: 1/04/1989
Receipt No: 0005022
Received By: 01/10/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JUNAYO RANCH LIMITED PARTNERSHIP 208-343-8880
Address: 1087 RIVER ST. STE. 230
BOISE, ID 83702

2. Date of Priority: JUN 01, 1884

3. Source: REYNOLDS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	04W	13		SE	NE		OWYHEE

5. Description of diverting works:
GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 151.2 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	03W	18	SW	NW	2	IRR	3.0
			NE	SW		IRR	4.0
			SW	SW	4	IRR	6.0
			SE	SW	5	IRR	29.0
						Section Acres	42.0

A57-00249

Page 1

Date: 01/04/89

MICROFILMED
OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	04W	13	SE	NE		IRR	14.0
Section Acres							14.0
Total Acres							56.0

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: zero

For Organizations:

I do solemnly swear or affirm that I am General Partner of Junago Ranch Limited Partnership, that I have signed the foregoing document in the space below as General Partner of Junago Ranch Limited Partnership and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
General Partner
Title and Organization
1/19/89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of January 19 89
[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00249

Date: 5-23-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	25	3W	18							2		4		-4	-5					42
GIS										8		6		24						46
										10		2.9		5.4	28					
Claim	25	4W	13				14													14
GIS							9.7													9.7
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 56

Total GIS Acres: 56

Overlapping FOU Claim #'s:

57-01073, 57-07040

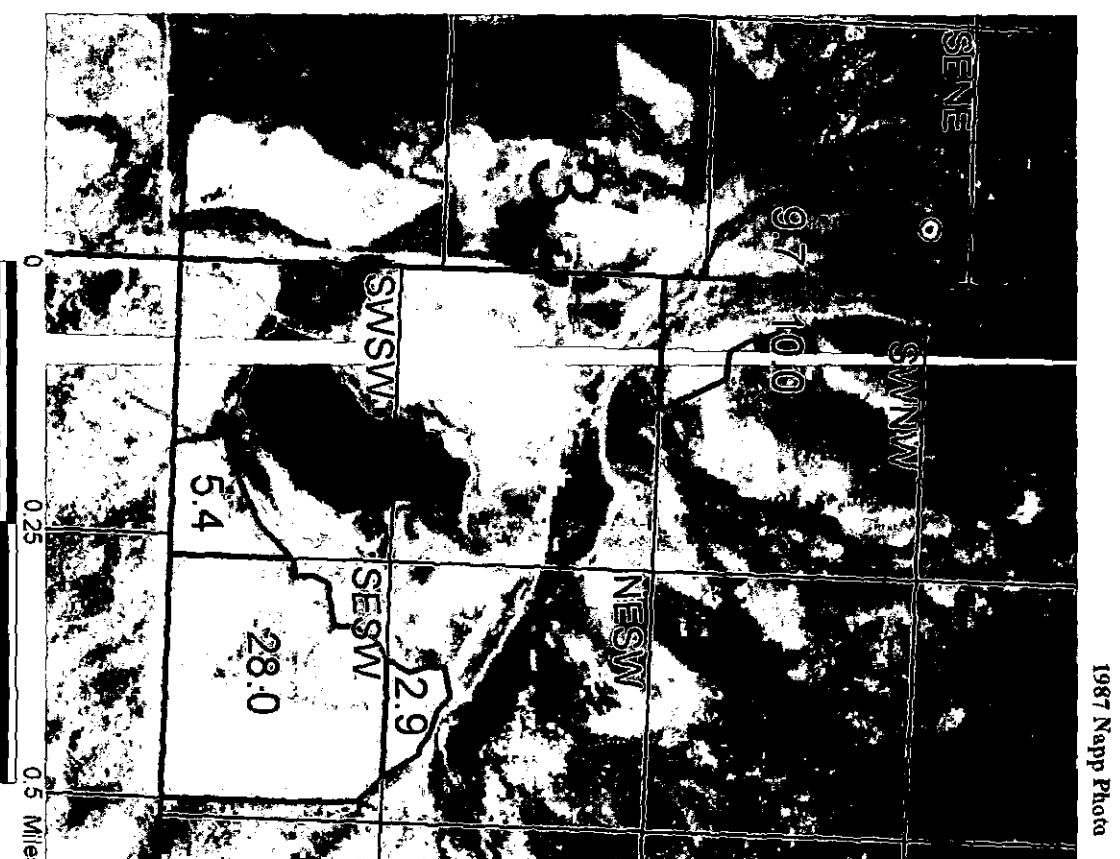
COMMENTS:

County data indicates claimant doesn't own all these parcels. Imagery doesn't have full coverage. I mapped with 25.4W over 25.3W. I included some acreage not shown on map to get acres.

Idaho Department of Water Resources

Claim Number: 57-00249
Legal: T02S, R03W, S18
T02S, R04W, S13
Reviewed By:

- ☒ Point of Diversion
- ☐ Place of Use
- ☐ Section Lines
- ☐ Quarter Quarter Lines
- ☐ Township/Range Lines



DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 30 2002	
By _____	_____ 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 AMENDED PARTIAL DECREE For Water Right 57-00249
--	-----------------------	---

On October 10, 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 I*, 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 57-00249 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 30, 2002.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

MICROFILMED

1990 02 18

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed,
has a senior existing water right, and
claimant does not have a valid water
right.

2. Owner of the water right:

Name: claimant Junayo Ranch Limited Partnership
Address: 1087 River St., Suite 230
Boise, ID 83702

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

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

Case No. 57-00249
(You must insert the
water right number you
are objecting to)

OBJECTION RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

MICROFILMED

MAR 02 1993

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

The State of Idaho, ex rel.

R. Keith Higginson in his

official capacity as Director

of the Idaho Department of

Water Resources,

Petitioner,

vs.

The United States; the State

of Idaho; and all claimants to

the use of water from the Snake

River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, objects to this water right recommendation because the claimant is a private individual claiming a water right on public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source. BLM specifically objects to the quantity, priority date, and/or purpose of use of the claimed right because granting this right will adversely affect the United States senior water right downstream.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Directors report should be changed to recommend
disallowance of this claim.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

MAR 02 1998

(Over)

OBJECTION - 3

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I ~~mailed~~^{filed} the original and ~~copies~~^{filed} of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Junayo Ranch Limited Partnership
Owner's address: 1087 River St., Suite 230
Boise, ID 83702

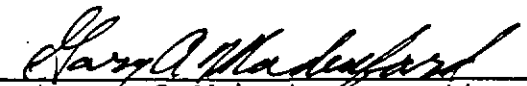
3. One copy to:

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

RECEIVED
MAR 2 1993

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



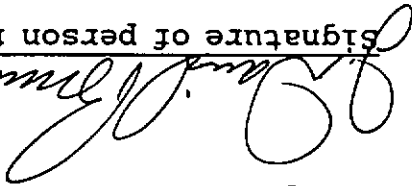
Signature of Objector or attorney
mailing on Objector's behalf

(over)

MAR 02 1998
MICROFILMED

Charles D. Bole
Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

Subscribed and sworn to before me this 23 day of February, 1998.
By: _____
(Attorney signing in representative capacity)

Signature of person filing objection


That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly sworn, upon oath, deposes and says:
(Name of person filing objection)

State of Idaho
County of Ada

VERIFICATION (Must be Completed)

1. Map of claim on public land.
2. Conflicting USDI claims.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

CLAIM NUMBER: 57-00249

CONFLECTING CLAIMS FOUND IN THE DIRECTORS REPORT

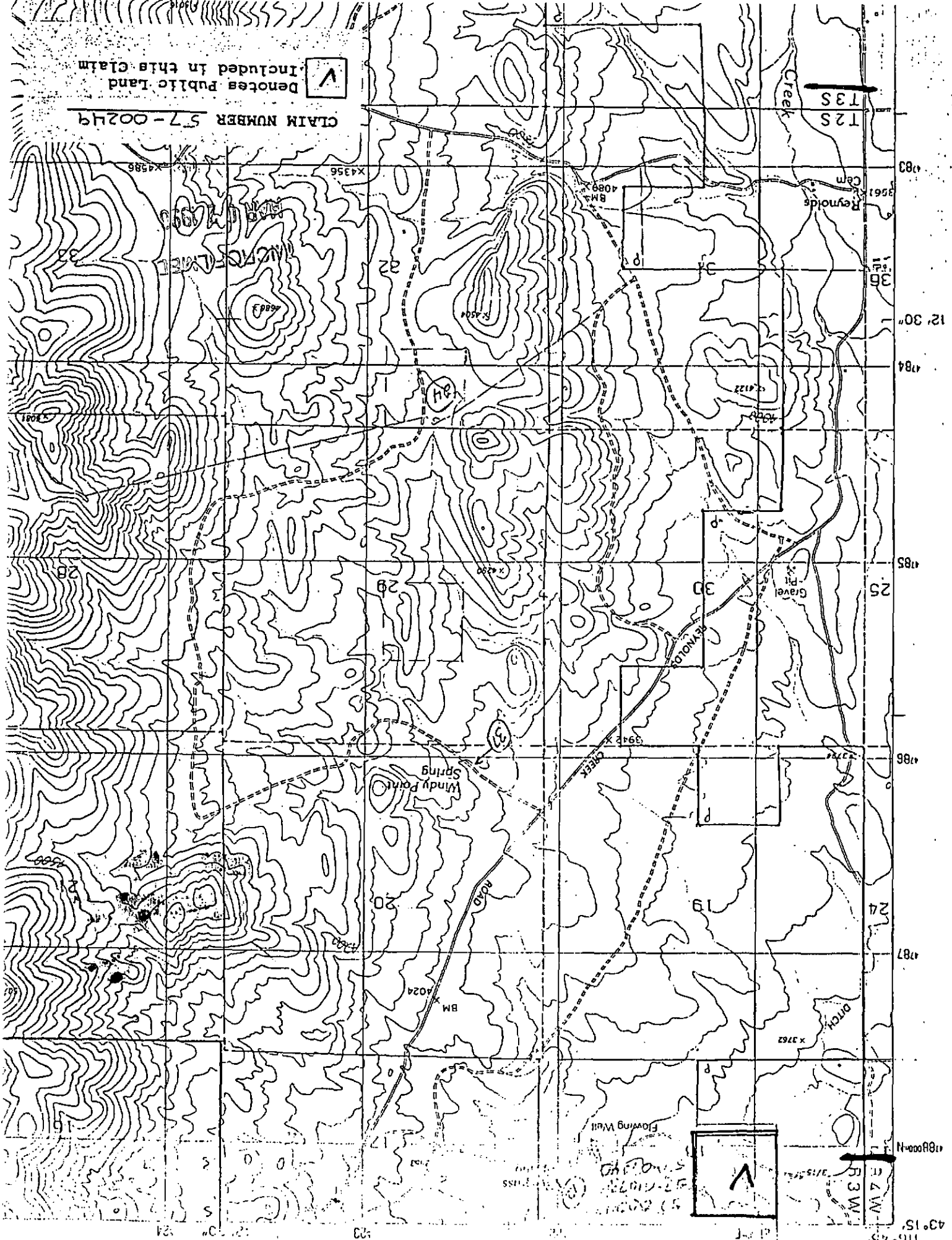
57-11159

57-11160

57-11164

MICROFILMED

MAR 6 1998



CLAIM NUMBER 57-00249
Denotes Public Land
Included in this claim

57-00249
57-00249
57-00249

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
4. ☒ Priority Date: I respond to the objection concerning the priority date.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

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

Case No. 57-00249 -0001

RESPONSE TO OBJECTION

MICROFILMED

MAR 02 1993

I. GENERAL INFORMATION

In Re the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System
The State of Idaho, ex rel.
R. Keith Higinson in his
official capacity as Director
of the Idaho Department of
Water Resources,
Petitioner,
vs.
The United States, the State
of Idaho, and all claimants to
the use of water from the Snake
River Basin Water System,
Respondents.

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES

P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

VERIFICATION (Must be Completed)

UNRECORDED

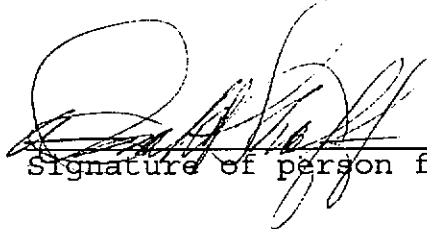
MAR 6 1998

State of IDAHO

County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



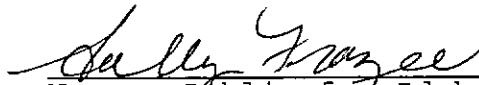
Signature of person filing response

By:



(Attorney signing in representative capacity)

Subscribed and sworn to before me this 22nd day of June, 1993.



Notary Public for Idaho

Residing at: Bose

My Commission expires: 11-14-1998

(Over)

MICROFILMED
MAR 02 1990

Notice of Claim No. A57-00249

No. of
Pages
3

Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

The director proposes no changes to the description of this claim in the Director's Report.

CHANGES TO THE DIRECTOR'S REPORT

In response to Statement of the Objection items 1, 2, 3, 4, 7, 8, 9, 10, 12 and 12a, and all allegations of the objection regarding these items, IDWR responds as follows:
IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the claims listed in the objection are recommended in the director's report. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

REASONS SUPPORTING EACH BOX CHECKED

12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: JUNAYO RANCH LTD PARTNERSHIP
Address: 1087 RIVER ST STE 230
BOISE ID 83702

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED

MAR 6 2 1998

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed,
has a senior existing water right, and
claimant does not have a valid water
right.

2. Owner of the water right:
Name: claimant Junayo Ranch Limited Partnership
Address: 1087 River St., Suite 230
Boise, ID 83702
3. If this objection is filed by an attorney:
Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

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MAR 3 2 1988

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

Case No. 57-00249
(You must insert the
water right number you
are objecting to)

RECEIVED OBJECTION

FEB 26 1993

Department of Water Resources
Adjudication Bureau

MICROFILMED

MAR 8 2 1993

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the clerk of the adjudication court and arrange for an appointment to file multiple objections.

(over)

OBJECTION - 1

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,
Petitioner,

vs.

The United States; the State
of Idaho; and all claimants to
the use of water from the Snake
River Basin Water System,
Respondents.

MICROFILMED

MAR 8 1988

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, objects to this water right recommendation because the claimant is a private individual claiming a water right on public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source. BLM specifically objects to the quantity, priority date, and/or purpose of use of the claimed right because granting this right will adversely affect the United States senior water right downstream.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Directors report should be changed to recommend disallowance of this claim.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

MICROFILMED

MAR 8 1988

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.

2. ☒ Source: I object to the source of water.

3. ☒ Quantity: I object to:

a. ☐ the total quantity of water used in cubic feet per second; or

b. ☐ the total quantity of water stored in acre-feet per year; or

c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.

4. ☒ Priority Date: I object to the priority date.

5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.

6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.

7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.

8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.

9. ☒ Place of Use: I object to:

a. ☐ the legal description of the place of use; or

b. ☐ the number of irrigated acres within each forty (40) acre subdivision.

10. ☒ Consumptive Use: I object to the annual volume of consumptive use.

11. ☐ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

MAR 02 1993

(over)

OBJECTION - 3

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I ~~mailed~~ ^{filed} the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Junayo Ranch Limited Partnership

Owner's address: 1087 River St., Suite 230

Boise, ID 83702

3. One copy to:

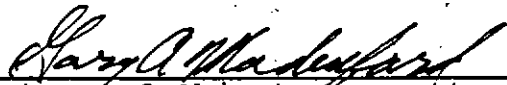
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

MICROFILMED

MAR 02 1993

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



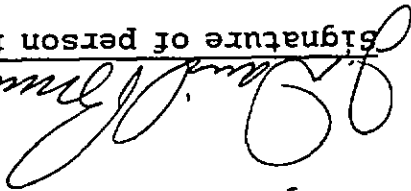
Signature of Objector or attorney
mailing on Objector's behalf

(over)

MICROFILMED
MAR 02 1993

Charles D. Bole
Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

Subscribed and sworn to before me this 22 day of February, 1993.
By: _____
(Attorney signing in representative capacity)

Signature of person filing objection


That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly sworn, upon oath, deposes and says:
(Name of person filing objection)

State of Idaho
County of Ada

VERIFICATION (Must be Completed)

1. Map of claim on public land.
 2. Conflicting USDI claims.
- Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

CLAIM NUMBER: 57-00249

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11159

57-11160

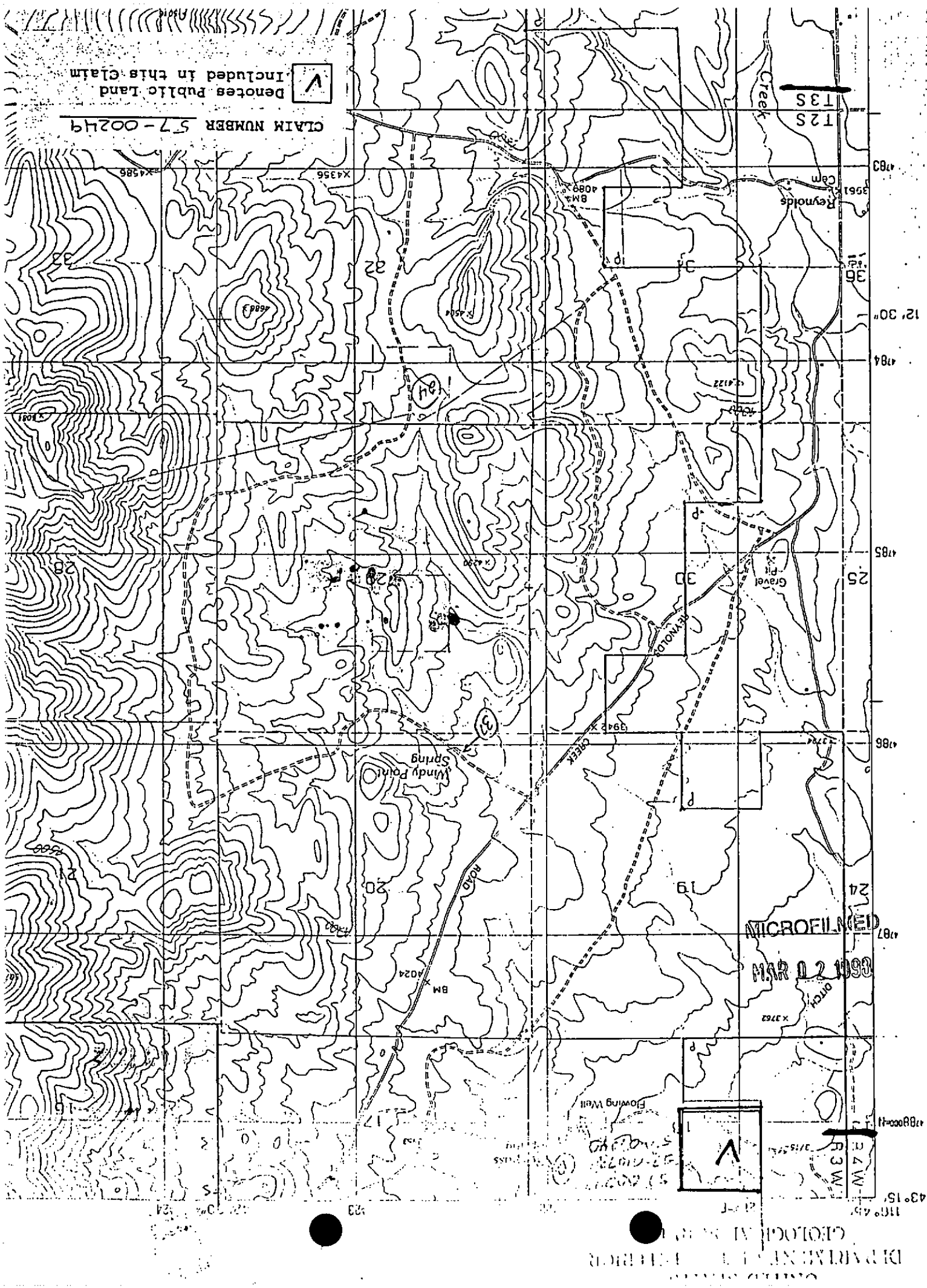
57-11164

MICROFILMED

MAR 6 1968

Denotes Public Land
Included in this claim

CLAIM NUMBER 57-00249



57-00249

CONFLICTING CLAIMS ARE SENIOR.

CONTESTED POLY DECREED IN
REYNOLDS CREEK AD TO WHICH
BLM WAS PARTY.

MICROFILMED

MAR 02 1998

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **AMENDED ORDER SETTING MANDATORY SETTLEMENT CONFERENCE** was mailed on October 8, 1996, with sufficient first-class postage to the following:

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

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Richard L Harris
P O Box 1438
Caldwell, Idaho 83606
For: Harry Richard Bass/
Owen Orndorff/ Bruce Reuck/
Junayo Ranch Ltd. Partnership



Deputy Clerk

MICROFILMED

MAR 02 1998

RECEIVED
OCT 9 1996
Department of Water Resources

FILED
DISTRICT COURT SRBA
TWIN FALLS CO, IDAHO
OCT 9 1996

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: 57-00248, 57-01074, 57-00249,
57-01073, 57-07040, 57-00252, 57-01070,
57-02325, 57-00250, 57-00251, and
57-01075
AMENDED ORDER SETTING
MANDATORY SETTLEMENT
CONFERENCE

To help parties minimize litigation expenses and settle subcases the court has initiated a SETTLEMENT CONFERENCE process. These settlement conferences will proceed before a Settlement Moderator for the sole purpose of helping the parties work on settling their differences before trial. A settlement conference cannot be reset unless the procedures outlined in the Court's rules of procedure are followed.

IT IS ORDERED that this case shall proceed with a Settlement Conference before Settlement Moderator, TERENCE A DOLAN, as follows:

INITIAL DISCLOSURE: To be exchanged at Settlement Conference (See A.O. 9, Section g)

SETTLEMENT CONFERENCE

Date: October 22, 1996 Tuesday
Time: 10:00 AM
Location: Owyhee County Courthouse
Highway 78
Murphy, Idaho

IT IS SO ORDERED.
DATED October 8, 1996.

FRITZ X. HAEMMERLE

Fritz X. Haemmerle

Special Master, Reporting Area 2,
Snake River Basin Adjudication

RECEIVED

OCT 24 1996

Department of Water Resources
Adjudication Bureau

10:00 AM
10/22/96
MICROFILMED

MAR 9 1998

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

) SETTLEMENT CONFERENCE REPORT

) Subcase No.: 57-00248, 00249, 00250, 00251, 00252,
01072, 01073, 01074, 01075, 02325
+ 07340

This form is used to report the results of a Settlement Conference.

A. Attendance

The following individuals and person were present at the Settlement Conference held on

_____, 1996, before Settlement Moderator, Terrence A. Dolan:

Claimant(s): { Richard & Karen Bass *
Juwana O Ranch
Bruce & Terry Ruck

Attorney: Pro se

Objector(s): BLM

Attorney: Fritz Holleman (Fred Price, Don Jossie)

Also Present: IDWR

Attorney: Krogh/Howard/King/Spencer
Andrew Helmlinger (Roxanne McCarthy)

B. Standard Form 5

During the Settlement Conference, the parties reached an agreement as to all of the elements of this water right. The parties agree that a fully completed and executed Standard Form 5 reflecting their agreement shall be submitted to the court no later than

(30 days maximum)

If a fully executed Standard Form 5 is not received by this date, the parties agree this matter should immediately be set for a scheduling conference or trial.

SETTLEMENT CONFERENCE REPORT * only Richard Bass appeared; Owen Omdorff (Juwana O Ranch Lim. Partnership) participated by phone. Page 1

C. Partial Settlement

The parties reached agreement on these elements as follows:

248 and 250 settled. US will send stipulation to Orndorff by
November 8. Stipulation for US to withdraw objections.
249, ¹⁰⁷³ ~~1070~~, 7040 settled. Orndorff agreed to sign SF-5's.
Holleman will draft & mail to Orndorff by November 8
251, 252, 1070, 1074, 1075, 2325 - UNOBJECTED TO.

Dropping 4 acres from 249, 1073 and 7040 may raise issue
of quantity for 252 and related UN-OBJECTED TO rights.

D. Recommendation for Additional Settlement Conferences

57-002325, Storage volume particularly
in conjunction with 57-07040.

Settlement Moderator, Terrence A. Dolan, recommends this subcase be set for an additional Settlement Conference within 90 days. The parties have represented to the Settlement Moderator that they are available on _____.

The reason(s) an additional Settlement Conference may be beneficial is:

E. Recommendation for Trial Setting:

Settlement Moderator, Terrence A. Dolan, recommends this subcase be set for trial. The parties have been unable to reach a resolution of elements:

1 2 3 4 5 6 7 8 9 10

DATED 10-22, 1996.

By signing this document, the parties acknowledge receipt of a copy of this document.

Paul F. Holleman

Signature of Parties

Andrew Hill

Signature of IDWR

Terrence A. Dolan

Terrence A. Dolan, Settlement Moderator

Signature of Parties

Signature of Parties

MICROFILMED

MAR 02 1998

(continued)

The date for the scheduling conference will not be changed unless a Stipulation to Reset is received by the court fourteen (14) days before the date of the scheduling conference. Parties who wish to change the date of the scheduling conference must do the following:

1. Contact the clerk of the SRBA Court and obtain alternative dates and times (208-736-3011).
2. Contact each party to the subcase(s) or their attorney, if any, and reach an agreement on the alternative date(s) and time(s) provided by the clerk.
3. Prepare a Stipulation to Reset the hearing. The hearing must be reset on one of the dates and times provided by the clerk. The stipulation must specify the date(s) and time(s) agreed to and must contain a statement that you have contacted each party or their attorney and that all have agreed on the alternative date(s) and time(s). The court will send a notice resetting the hearing.
4. If the parties cannot agree on one of the alternative dates and times provided by the clerk, the party wishing to change the date and time must file an Expedited Motion to Reset with the court at least 21 days prior to the scheduled hearing.

IT IS SO ORDERED.

Dated: NOVEMBER 04, 1996

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

(Order Setting Scheduling Conference)

MICROFILMED

MAR 02 1998

Page 2
11/04/96

RECEIVED

NOV 05 1996

Department of Water Resources

1996 NOV 04 AM 08:59
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	)	ORDER SETTING SUBCASE	
	)	FOR SCHEDULING CONFERENCE	
Case No. 39576	)		
		SUBCASE NOS:	57-00248 57-00249
		57-00250	57-00251 57-00252
		57-01070	57-01073 57-01074
		57-01075	57-02325 57-07040

The Scheduling Conference for this subcase will be
held as follows:

THURSDAY, FEBRUARY 13, 1997 at 09:00 AM
OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

Parties and their attorneys, if any, shall attend the
Scheduling Conference and shall be prepared to discuss the
following matters:

1. Claimant representation and alignment of the parties;
2. Identification of the issues;
3. Admissions of facts and documents;
4. Amendment of pleadings, if required;
5. Discovery and discovery cut-off dates;
6. Expert witnesses, if planned;
7. Pre-trial conference dates;
8. Motions;
9. Settlement/alternative dispute resolution; and
10. Firm trial date.

MICROFILMED
MAR 02 1993

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING SUBCASE FOR SCHEDULING CONFERENCE was mailed on NOVEMBER 04, 1996, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

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

JUNAYO RANCH LIMITED PARTNERSH
1087 RIVER ST STE 230
BOISE, ID 83702
Phone: 208-343-8880

JUNAYO RANCH LTD PRTRNSHP
1087 RIVER ST STE 230
BOISE, ID 83702

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724-0663
Phone: 202-272-4134
Rep: USDI BLM

MICROFILMED

MAR 02 1998

IN Re SRBA
Case No. 39576

SUBCASE NO: 57-00249

PROPOSED ELEMENTS OF A WATER RIGHT

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

MICROFILMED

MAR 02 1998

1. The name and address of the claimant is:

Junayo Ranch Limited Partnership
1087 River St. Ste. 230
Boise, ID 83702

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Reynolds Creek, Tributary to
Snake River

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the
quantity of water stored in acre-feet per year is:

.6 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 06/01/1884

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the
claim is for an instream flow, then a legal description of the
beginning and ending points of the claimed instream flow:

T02S R04W S13 SENE

The following rights are also diverted through points of
diversion described above: 57-02296, 57-01073.

Required Statement: IDWR and the parties stipulate that this is
the correct description of the point of diversion.

6. The purpose of use is: Irrigation

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:

Irrigation Season

Required Statement: IDWR and the parties stipulate that this is the correct description of the period of year when the water is to be used.

8. The legal description of the place of use or of the reservation is:

T02S R03W S18	Lot 2 (SWNW)	8.0	Lot 4 (SWSW)	6.0
	Lot 5 (SESW)	24.0		
R04W S13	SENE	14.0		

52.0 Acres Total

All POU's are located in Owyhee County.

Use of this right with right nos. 57-01073 and 57-07040 is limited to the irrigation of a combined total of 52.0 acres in a single irrigation season.

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use.

9. The annual volume of consumptive use is:

Use of this right with right nos. 57-01073 and 57-07040 is limited to a total combined annual consumptive use volume of 140.4 AF.

Required Statement: IDWR and the parties stipulate that this is the correct description of the annual volume of consumptive use.

10. Other matters necessary to define this water right:

The use of water on the lands to which this right was appurtenant has been abandoned and failure to put the water to beneficial use on the place of use described above within five (5) years of the date of the administrative order approving the change in use to the place of use described above shall constitute forfeiture of this right.

Explanatory Material - Basis of Claim: Decree

If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name of Objector:

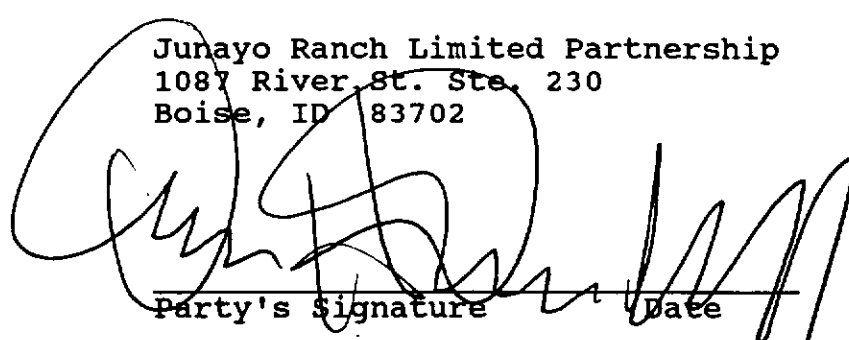
United States through
Dept. of Justice for BLM
601 Pennsylvania Ave., NW
Washington, DC 20004

Attorneys of Record: R. Lee Leininger/Daria Zane/William
Ferry/Paul F. Holleman

 1/29/97
Signature Date

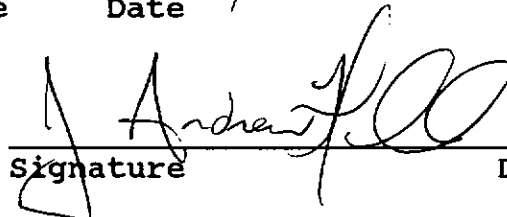
Name of Claimant:

Junayo Ranch Limited Partnership
1087 River St. Ste. 230
Boise, ID 83702


Party's Signature Date

Attorney's Signature Date

IDWR Concurrence:

 Jan 30 97
Signature Date

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on Jan 31, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

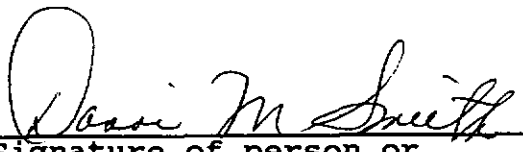
Department of Justice
C/O Boise Adjudication Team
380 Park Center Blvd.
Suite 330
Boise, Idaho 83706

Claimant
Owen Orndorff
Junayo Ranch
Limited Partnership
1087 River St., Suite 230
Boise, ID 83702

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

Idaho Department of Water
Resources
1301 N. Orchard St.
Boise, ID 83706

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098


Signature of person or
attorney mailing the form

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

DATE: FEB-18-1997

PAGE: A-1

RIGHTS FROM: SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00249

NAME AND ADDRESS: JUNAYO RANCH LIMITED PARTNERSHIP
1087 RIVER ST STE 230
BOISE ID 83702

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T02S R04W S13 SENE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.6 CFS
		03/13 11/13	

PLACE OF USE: IRRIGATION Within Owyhee County

T02S R03W S18	Lot 2 (SWNW) 8.0	Lot 4 (SWSW) 6.0	Lot 5 (SESW) 24.0
R04W S13	SENE 14.0		
R03W S18	NESE 14.0		

✓ 52.0 ACRES TOTAL
///3610 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 52.0 ACRES IN
A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
140.4 AF.

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

THE USE OF WATER ON THE LANDS TO WHICH THIS RIGHT WAS
APPURTENANT HAS BEEN ABANDONED AND FAILURE TO PUT THE WATER TO
BENEFICIAL USE ON THE PLACE OF USE DESCRIBED ABOVE WITHIN FIVE
(5) YEARS OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE
CHANGE IN USE TO THE PLACE OF USE DESCRIBED ABOVE SHALL
CONSTITUTE FORFEITURE OF THIS RIGHT.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57/02296, 57/01073
USE OF THIS RIGHT WITH RIGHT NOS. 57/01073 AND 57/07040 IS

MICROFILMED
MAR 02 1998

57-00249 (CONT.)

LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
151/2 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 96 ACRES IN
A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57-02296, 57-01073

MICROFILMED

MAR 02 1998

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JUN 04 1997

Department of Water Resources

1997 JUN -3 AM 10: 23

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

) Subcase 57-00249

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

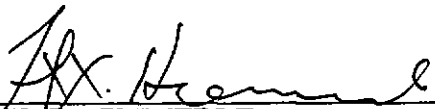
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1909(1990) by Junayo Ranch Limited Partnership. The Director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-00249 was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS RECOMMENDED that subcase 57-00249 be decreed as recommended in the *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED June 3, 1997.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

MAR 02 1998

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

RECEIVED

JUN 04 1997

Division of Water Resources

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR AM 10: 23
PARTIAL DECREE FOR
DISTRICT COURT-SRBA
Water Right 57-00249 TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: JUNAYO RANCH LIMITED PARTNERSHIP
1087 RIVER ST STE 230
BOISE ID 83702

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T02S R04W S13 SENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.6 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02S R03W S18 Lot 2 (SWNW) 8.0 Lot 4 (SWSW) 6.0 Lot 5 (SESW) 24.0
R04W S13 SENE 14.0
52.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 52.0 ACRES IN
A SINGLE IRRIGATION SEASON.

~~CONSUMPTIVE USE:~~

~~USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
140.4 AF.~~

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

THE USE OF WATER ON THE LANDS TO WHICH THIS RIGHT WAS
APPURTENANT HAS BEEN ABANDONED AND FAILURE TO PUT THE WATER TO
BENEFICIAL USE ON THE PLACE OF USE DESCRIBED ABOVE WITHIN FIVE
(5) YEARS OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE
CHANGE IN USE TO THE PLACE OF USE DESCRIBED ABOVE SHALL
CONSTITUTE FORFEITURE OF THIS RIGHT.

DATED: 6/3/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED

MAR 02 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00249

PAGE 1
MAR-3-1997

RECEIVED

JUN 04 1997

Department of Water Resources
1997 JUN -3 AM 10: 23

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO

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
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-00249

On June 03, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before June 17, 1997.

DATED June 03, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 02 1998

RECEIVED

JUN 04 1997

Department of Water Resources

1997 JUN -3 AM 10: 23

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): 57-00249

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 03, 1997, with sufficient first-class postage prepaid to the following:

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

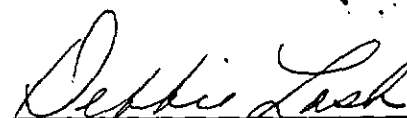
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

JUNAYO RANCH LTD PRTRNSHP
1087 RIVER ST STE 230
BOISE, ID 83702

MICROFILMED

MAR 02 1998


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
06/03/97

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)
_____)

1997 JUN 23 AM 9:29
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-00249 FILED *PL*

NAME & ADDRESS: JUNAYO RANCH LIMITED PARTNERSHIP
1087 RIVER ST STE 230
BOISE ID 83702

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T02S R04W S13 SENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.6 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02S R03W S18 Lot 2 (SWNW) 8.0 Lot 4 (SWSW) 6.0 Lot 5 (SESW) 24.0
R04W S13 SENE 14.0
52.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 52.0 ACRES IN
A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

~~USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
140.4 AF.~~ *AKT*

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

THE USE OF WATER ON THE LANDS TO WHICH THIS RIGHT WAS
APPURTENANT HAS BEEN ABANDONED AND FAILURE TO PUT THE WATER TO
BENEFICIAL USE ON THE PLACE OF USE DESCRIBED ABOVE WITHIN FIVE
(5) YEARS OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE
CHANGE IN USE TO THE PLACE OF USE DESCRIBED ABOVE SHALL
CONSTITUTE FORFEITURE OF THIS RIGHT.

DATED: *6/23/97*

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED

MAR 02 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00249

PAGE 1
MAR-3-1997

RECEIVED

JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9: 29

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED PL

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 57-00249
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
_____	)	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Junayo Ranch Limited Partnership . The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-00249 was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

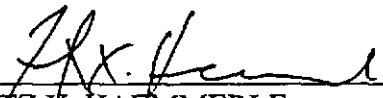
A *Preliminary Special Master's Report and Recommendation* for this right was issued. No motion to alter or amend was filed and the time for filing such motions has now expired; therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-00249 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 6/23 1997.

MICROFILMED

MAR 02 1998


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

1997 JUN 23 AM 9: 29

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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): 57-00249
57-01073 57-07040

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 June 23, 1997, with sufficient first-class postage prepaid to the following:

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

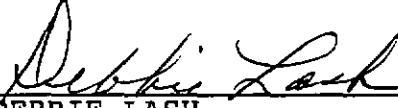
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

JUNAYO RANCH LTD PRTNRSHIP
1087 RIVER ST STE 230
BOISE, ID 83702

MICROFILMED

MAR 02 1998


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
06/23/97

1997 JUN 23 AM 9: 29

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

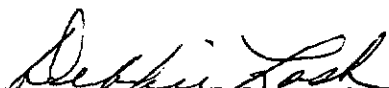
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-00249
57-01073 57-07040

On June 23, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED June 23, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 02 1998

RECEIVED

SEP 16 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 10:02

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

) ORDER OF PARTIAL DECREE

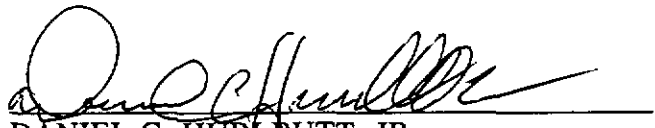
) For Water Right 57-00249

On June 23, 1997, 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 14a, 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 57-00249 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 9, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

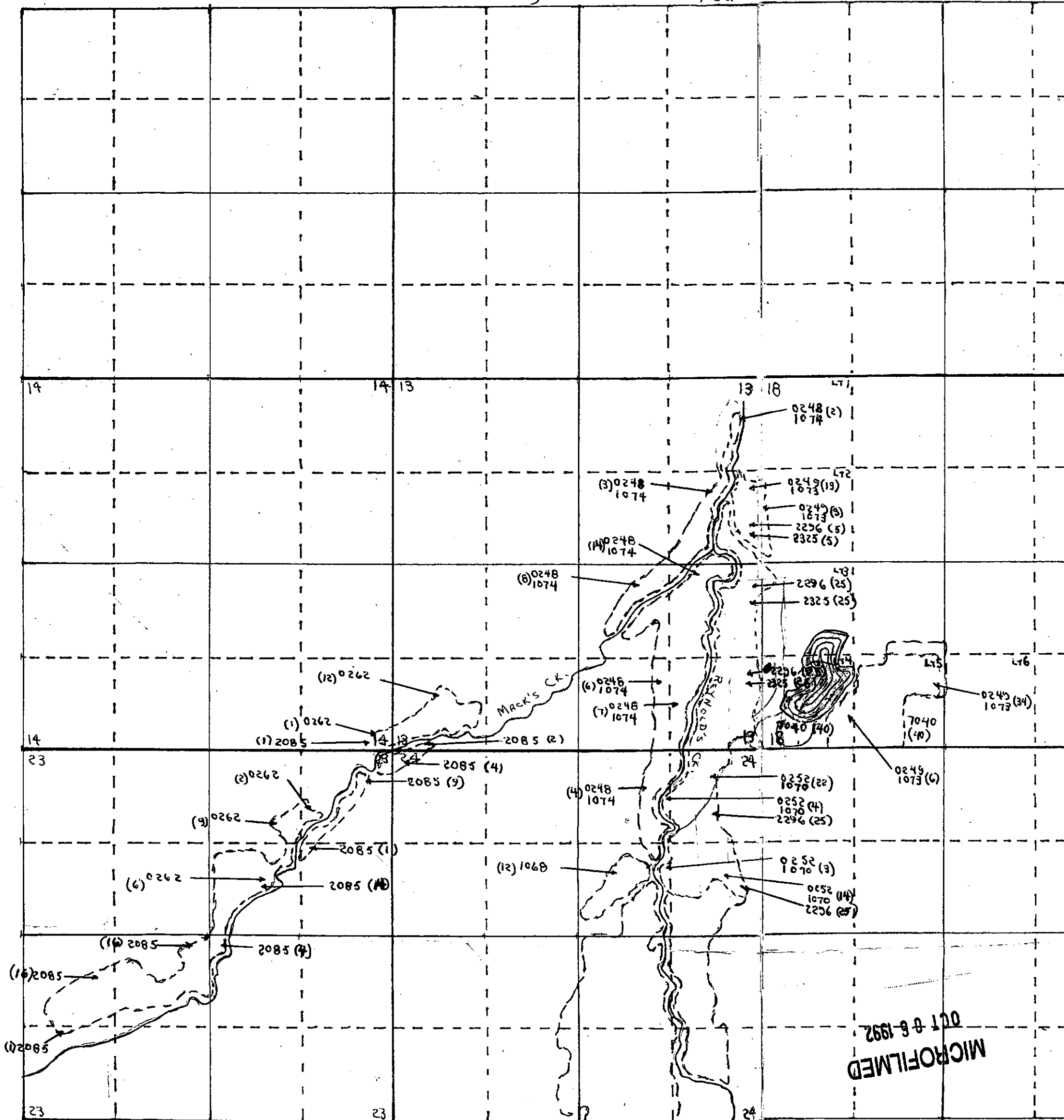
MICROFILMED

MAR 02 1998

C.T. RANCH RTS. (As Presently Recommended) (SEE MAP OF 5/23/85)

4W

3W



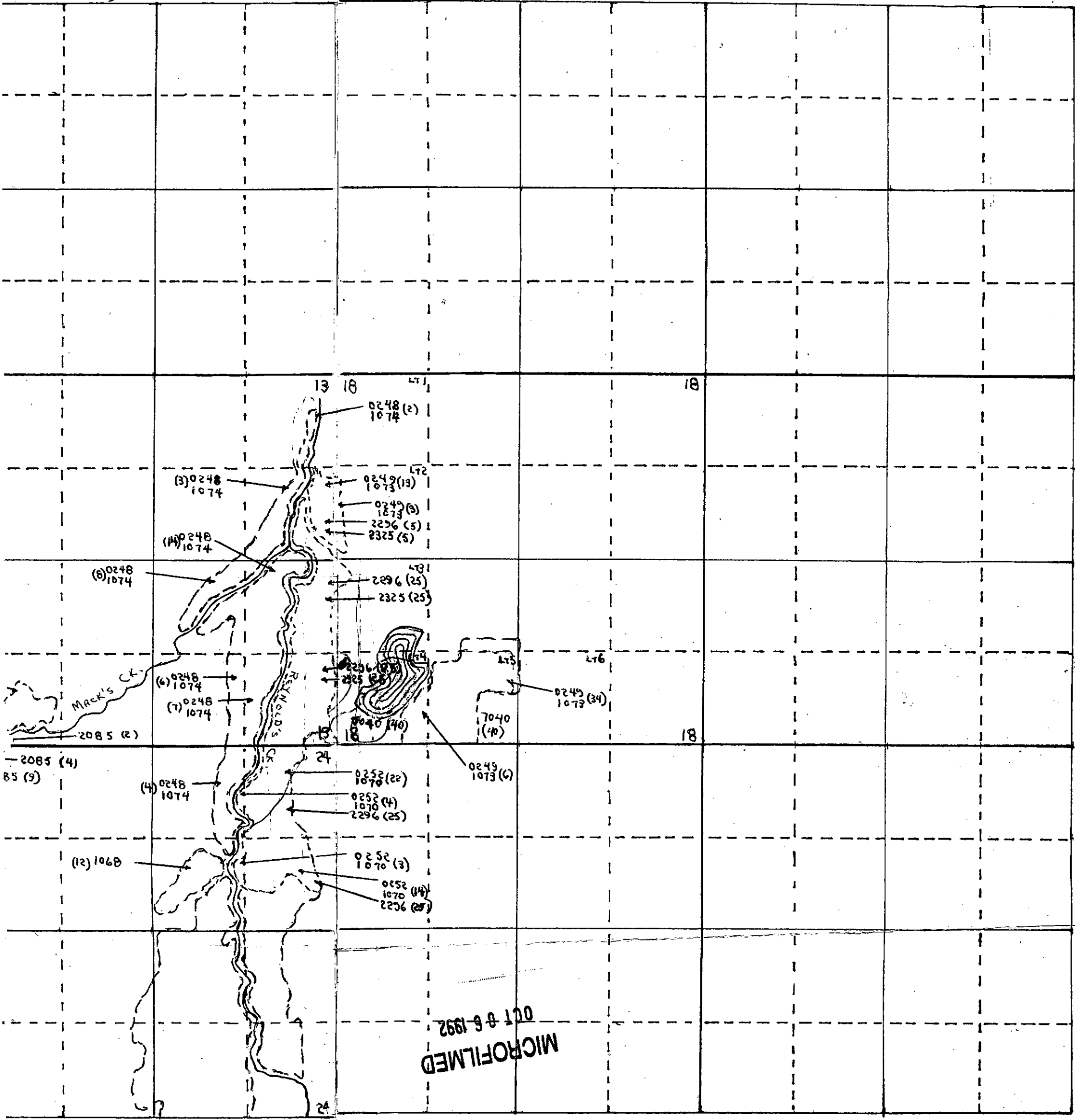
MICROFILMED
001-6-1992

4W

3W

RECOMMENDED) (SEE MAP OF 4W 3W 5/23/85)

3W



4W

3W

AJ0749NP
No. R57-00249

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

DATE: 07/15/92
PAGE: 1

OWNER
CODE
C JUNAYO RANCH LIMITED PARTNERSHIP
1087 RIVER ST STE 230
BOISE ID 83702
(208) 343-8880

PRIORITY
DATE
06/01/1984

WATER USE
IRRIGATION

USE PERIOD
FROM TO
03-15 11-15

DIVERSION
RATE
0.60 CFS

DIVERSION
VOLUME
0.60 CFS

TOTAL DIVERSION:
0.60 CFS

Water Source: REYNOLDS CREEK
Tributary to: SNAKE RIVER
Stage: DECREEED
ONYHEE County

Point(s) of Diversion: T02S R04W S13 SENE

Place of use Legal Description for: IRRIGATION																			
NE				NW				SW				SE							
T		R		S		NENE		NWNE		SUNW		SENE		NENE		NWSE		SESE	
Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac	
---		---		---		---		---		---		---		---		---		---	
02S		03W		18		:		:		02-03		:		04		04-06		05-29	
02S		04W		13		:		:		:		:		:		:		:	
14														:		:		:	
TOTAL ACRES																			
														42.0					
														14.0					
														56.0					

POU County: ONYHEE

Other Rights: NONE

- Conditions of Approval:
- REVIEW BY IDWR THIRTY-FIVE (35) YEARS FROM THE DATE OF ISSUANCE
 - OF THE LICENSE UPON WHICH IT IS BASED. UPON APPROPRIATE FINDINGS
 - RELATIVE TO THE INTEREST OF THE PUBLIC, IDWR MAY CANCEL ALL OR
 - ANY PART OF THE USE AUTHORIZED HEREIN AND MAY REVISE, DELETE OR
 - ADD CONDITIONS UNDER WHICH THE RIGHT MAY BE EXERCISED.

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57-02296, 57-01073
USE OF THIS RIGHT WITH RIGHT NOS. 57-01073 AND 57-07040 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
151.2 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 56 ACRES IN
A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: 57R Field Inspection Flag:
Audit: 07/15/92 WERNER Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:31:10
05/25/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-00249

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y	No	In office NW 9-5-90		* 6 W 9-5-90	LW 9-5-90	OK LW 9-5-90	
POINT OF DIV	Y		ok		6			
SOURCE			ok		6			
PLACE OF USE	Y		ok		6			
DIV. AMOUNT CFS/VOLUME			ok		1 & 4 * 4-6			
CONSUMPTIVE USE			added 10k		6			
PURPOSES			ok		6			
PERIOD OF USE			ok		6			
BASIS OF CLAIM			ok		6			

"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.

MICROFILMED

OCT 0.6 1992

6: Same as decree
Consumptive use restrictions will apply. See overlap map in A57-00248
R file created on 11-18-91 by JPPW

07:31:10
05/25/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A57-00249

PAGE: 1
GENERAL INFORMATION

LAST: C. T. RANCH CO.
ADDRESS:
CITY: MURPHY
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: STATE: ID ZIP: 83650

LAST: JUNAYO RANCH LIMITED PARTNERSHIP
ADDRESS: 1087 RIVER ST. STE. 230
CITY: BOISE
PHONE NUMBER: 208-343-8880
OWNER CODE: C
FIRST: STATE: ID ZIP: 83702

FIELD EXAMINATION INFORMATION

CONTACT PERSON: N/A PHONE NUMBER: () - -
DATE OF FIELD EXAM: 1/1/ APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT:
DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
OCT 06 1992

PRIORITY DATE REVIEW PAGE

A. AJ CLAIM: # A57-00249 PRIORITY DATE: 06-01-1984 STAGE: D
 B. WR RECORD: # 57-00249 PRIORITY DATE: 06-01-1984 STAGE: D

C. FIELD EXAM REQUIRED? FIELD EXAMINER
 DUE TO PRIORITY DATE DISCREPANCY? (Y/N) Y

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

REMARKS: *Quoted*

RECOMMENDED PRIORITY DATE:

6-1-1984

REVIEWED BY

Linda Warner

DATE

9-5-90 x 1-2-91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00249	02S	04W	13	SE	NE			OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD WR RECORDS IN SAME 40 ACRE TRACT

A57-01073 57-02296
A57-02296 A57-00249
- A57-01073
- A57-02296
- 57-01073

SOURCE: REYNOLDS CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-00249	02S	04W	13	NE	SE	NE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD AJ CLAIMS IN SAME 40 ACRE TRACT

57-01073 A57-01073
- A57-02296

SOURCE: REYNOLDS CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
22	40	13	SE	NE	—	OWAY

SOURCE: REYNOLDS CREEK

TRIB: SNAKE RIVER

REVIEWED BY: Linda WarnerDATE: 9-5-90 & 1-2-91MICROFILMED
OCT. 06 1992

A. ROOT WATER RIGHT NUMBERS: A57-00249

B. POU LISTING

TWP RNG SEC 1/4 1/4 LOT NAME

LANDSAT
DATA

WR
#/ACRES

AJ
#/ACRES

FIELD
EXAM.

RECOMM.
ACRES

02S 04W 13 SE NE JUNAYO RANCH LIMITED PARTNERSHA57-00249 /14.0 57-00249 /14.0 19

JUNAYO RANCH LIMITED PARTNERSHA57-00248 / 3.0 - /

JUNAYO RANCH LIMITED PARTNERSHA57-01073 /14.0 57-01073 /14.0

JUNAYO RANCH LIMITED PARTNERSHA57-01074 / 3.0 - /

JUNAYO RANCH LIMITED PARTNERSHA57-02325 / 5.0 57-02325 / 5.0

THE TRAVELERS INSURANCE CO. 57-02296 / 5.0

JUNAYO RANCH 57-07473 / 3.0

JUNAYO RANCH CO. 57-07400 /21.0

C. T. RANCH CO. A57-00248 / 3.0

C. T. RANCH CO. A57-00249 /14.0

C. T. RANCH CO. A57-01073 /14.0

C. T. RANCH CO. A57-01074 / 3.0

C. T. RANCH CO. A57-02325 / 5.0

02S 03W 18 SW NW 2 JUNAYO RANCH LIMITED PARTNERSHA57-00249 / 3.0 57-00249 / 8.0 3

JUNAYO RANCH LIMITED PARTNERSHA57-01073 / 3.0 57-01073 / 8.0

ORNDORFF, HARVEY H. 57-07040 / 8.0

JUNAYO RANCH CO. 57-07400 / 8.0

C. T. RANCH CO. A57-00249 / 3.0

C. T. RANCH CO. A57-01073 / 3.0

02S 03W 18 SW SW 4 JUNAYO RANCH LIMITED PARTNERSHA57-00249 / 6.0 57-00249 / 6.0 6

JUNAYO RANCH LIMITED PARTNERSHA57-01073 / 6.0 57-01073 / 6.0

JUNAYO RANCH LIMITED PARTNERSHA57-07040 / 6.0 57-07040 / 6.0

JUNAYO RANCH CO. 57-07400 /28.0

C. T. RANCH CO. A57-00249 / 6.0

C. T. RANCH CO. A57-01073 / 6.0

C. T. RANCH CO. A57-07040 / 6.0

02S 03W 18 SE SW 5 JUNAYO RANCH LIMITED PARTNERSHA57-00249 /29.0 57-00249 /24.0 29

JUNAYO RANCH LIMITED PARTNERSHA57-01073 /29.0 57-01073 /24.0

JUNAYO RANCH LIMITED PARTNERSHA57-07040 /29.0 57-07040 /24.0

C. T. RANCH CO. A57-00249 /29.0

C. T. RANCH CO. A57-01073 /29.0

C. T. RANCH CO. A57-07040 /29.0

02S 03W 18 NE SW JUNAYO RANCH LIMITED PARTNERSHA57-00249 / 4.0 57-00249 / 4.0 7

JUNAYO RANCH LIMITED PARTNERSHA57-01073 / 4.0 57-01073 / 4.0

JUNAYO RANCH LIMITED PARTNERSHA57-07040 / 4.0 57-07040 / 4.0

JUNAYO RANCH CO. 57-07400 / 4.0

C. T. RANCH CO. A57-00249 / 4.0

C. T. RANCH CO. A57-01073 / 4.0

C. T. RANCH CO. A57-07040 / 4.0

TOTAL ACRES A57-00249 56.00 56.00

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OCT 06 1992

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

C. FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

Transfer 3352

7-15-92-added AO5 condition making right subject to Dept.
review from 35 yrs. of ~~land~~ right Chasmed. J. R. W.

RECOMMENDATIONS:

TOTAL ACRES: 56

REVIEWED BY: Linda Warner

DATE: 9-5-90 v 1-2-91

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A. AJ CLAIMED USES:

PURPOSES
A57-00249 IRRIGATIONMONTH/DAY
FROM 03-15 TO 11-15DIVERSION QUANTITY
.600 CFS
.600 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
57-00249 IRRIGATIONMONTH/DAY
FROM 03-15 TO 11-15DIVERSION QUANTITY
.600 CFS
.600 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)Y(☐) N(☐)

Explain in remarks, below.

REMARKS:

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Y(☒) N(☐)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.600 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 remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y A

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

FLOW MEASUREMENT

MEASUREMENT METHOD N/A , SEE ATTACHED CALCULATIONS.

B.

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

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00249	REYNOLDS CREEK	JUNAYO RANCH LIMITED PARTNERSH	0.600	0.010		
A57-00248	REYNOLDS CREEK	JUNAYO RANCH LIMITED PARTNERSH	0.600	0.013		
A57-01074	REYNOLDS CREEK	JUNAYO RANCH LIMITED PARTNERSH	0.280	0.006		
A57-02325	REYNOLDS CREEK	JUNAYO RANCH LIMITED PARTNERSH	4.600	0.090	160.00	3.13
A57-07040	REYNOLDS CREEK	JUNAYO RANCH LIMITED PARTNERSH	4.600	0.117	195.00	5.00

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 56 x 0.02 CFS/ACRE = 1.12 CFS
(Taken from p/u review)

1b. CALCULATIONS

Combined flow w/ 57-1073 =
1.12 cfs.

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 151.2 AF/A

ACRES 56 x CONSUMPTIVE VOL. AF/A FOR AREA 2.7 =
TOTAL CONSUMPTIVE USE 151.2 AF/A

Also acreage = 56

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 56 x DIVERSION VOL. AF/A FOR AREA 5.0 =
TOTAL DIVERSION VOLUME 280 AF/A

5.0 = VS 0.6 cfs x 1.9835 AF/D x 246 Days = 292.8 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

See overlap map in A 57-00248.

EOI: Use of this right w/ 57-1073 & 57-7040 is limited to' C.U. = 151.2';
Acre = 56

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FOR: Other rights w/ same POD = 57-02296, 57-01073, 57-00249

OCT 06 1992

=====

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 0.600 0.600	DATABASE EXAMINER 280	DATABASE EXAMINER 151.2 151.2
TOTAL FOR THIS RIGHT		0.600		151.2

REVIEWED BY: *Linda Warner* DATE: *9-5-90 & 1-2-91*

=====

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OCT 06 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW N/A

ROOT WATER RIGHT NUMBER: 57-00249

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00249	0.600	57-00249	0.600
-	-		A57-00249	0.600
TOTAL CFS		0.600		0.600

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)

REMARKS:

AUTHENTICATION

SIGNATURE: Linda Werner

NAME OF FIELD EXAMINER: Linda Werner

DATE: 9-5-90 & 1-2-91

TITLE: Sr. W.R. Agent

(Add. Cont.)

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OCT 06 1992

PART 1

6. General Information:

a. Description of diversion system Ditch, Reservoir, ditches; pump & pipelineb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Abandon as to irrigation

d. Remarks:

The combined storage capacity for rights 57-2325 & 57-7040 is
160 acre-feet. Right 57-7040 when combined with rights 57-0252,
57-1070 & 57-2325 shall not exceed 4.60 cfs.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 57-0249/1073/7040And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.
3. Use of water under these rights is subject to control by the watermaster of State Water District No. 57A, Reynolds Creek.
4. This transfer is subject to conditions contained in the decree for the Reynolds Creek general adjudication, Civil No. 3456, District Court of the Third Judicial District, Owyhee County.

Witness my hand this 16th day of February, 19 89J. Blum Supton
Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 57-7040 issued by the Idaho Department of Water Resources.

c. Claim No. 57-7040 on file with the Idaho Department of Water Resources, & shown in
Department's Proposed Finding for which no Objection was filed as to place of
d. Transfer No. _____ which produced this right. use.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Reynolds Creek tributary to Snake River

4. Date or priority 2-24-1970

5. Water is used for the following purpose:

Diversion to _____
amount 4.60 cfs for Storage purposes from 1-01 to 12-31
(cfs/ac-ft) 195 afa for Irrigation from _____ to _____
amount _____ for Storage purposes from 1-15 to 11-15
(cfs/ac-ft) 60 afa for Storage purposes from _____ to _____
amount _____ for Irrigation purposes from 1-01 to 12-31
(cfs/ac-ft) _____

6. Total amount of water under right 4.60 cubic feet per second and/or 195 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	25	2S	4W	Owyhee	Reservoir Ditch

8. Lands Irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	3W	18									4		6	29					39

Total acres 39

9. Describe any other water rights used for the same purpose as described above

57-0249, 57-1073, 57-7400

MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED
1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ Issued by the Idaho Department of Water Resources.
- c. Claim No. 57-1073 on file with the Idaho Department of Water Resources,
 and shown in the Department's Proposed Finding for which no Objection was
 d. Transfer No. _____ which produced this right, filed as to place of

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Reynolds Creek tributary to Snake River

4. Date or priority 9-21-1911

5. Water is used for the following purpose:

amount .52 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right .52 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/2	3/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	13	2S	4W	Owyhee	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	4W	13				14													14
2S	3W	18						13	2	4	6	4	29	5					42

Total acres 56

9. Describe any other water rights used for the same purpose as described above

57-0249 & 57-7040 & 57-7400

MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 57-0249 Decreed to George McClung & Elmer Armfield
in case of R.J. Gifford et al vs. Joseph Babbington et al
dated Sept. 20, 1911 in Third Judicial District county of Owyhee

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. 57-0249 on file with the Idaho Department of Water Resources, shown in Department's Proposed Finding for which no Objection was filed as to place of
d. Transfer No. _____ which produced this right, that is re- us
flected in Proposed Finding.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Reynolds Creek tributary to Snake River

4. Date or priority 6-01-1884

5. Water is used for the following purpose:

amount .60 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	13	2S	4W	Owyhee	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2S	4W	13																	14
2S	3W	18																	42

Total acres 56

9. Describe any other water rights used for the same purpose as described above

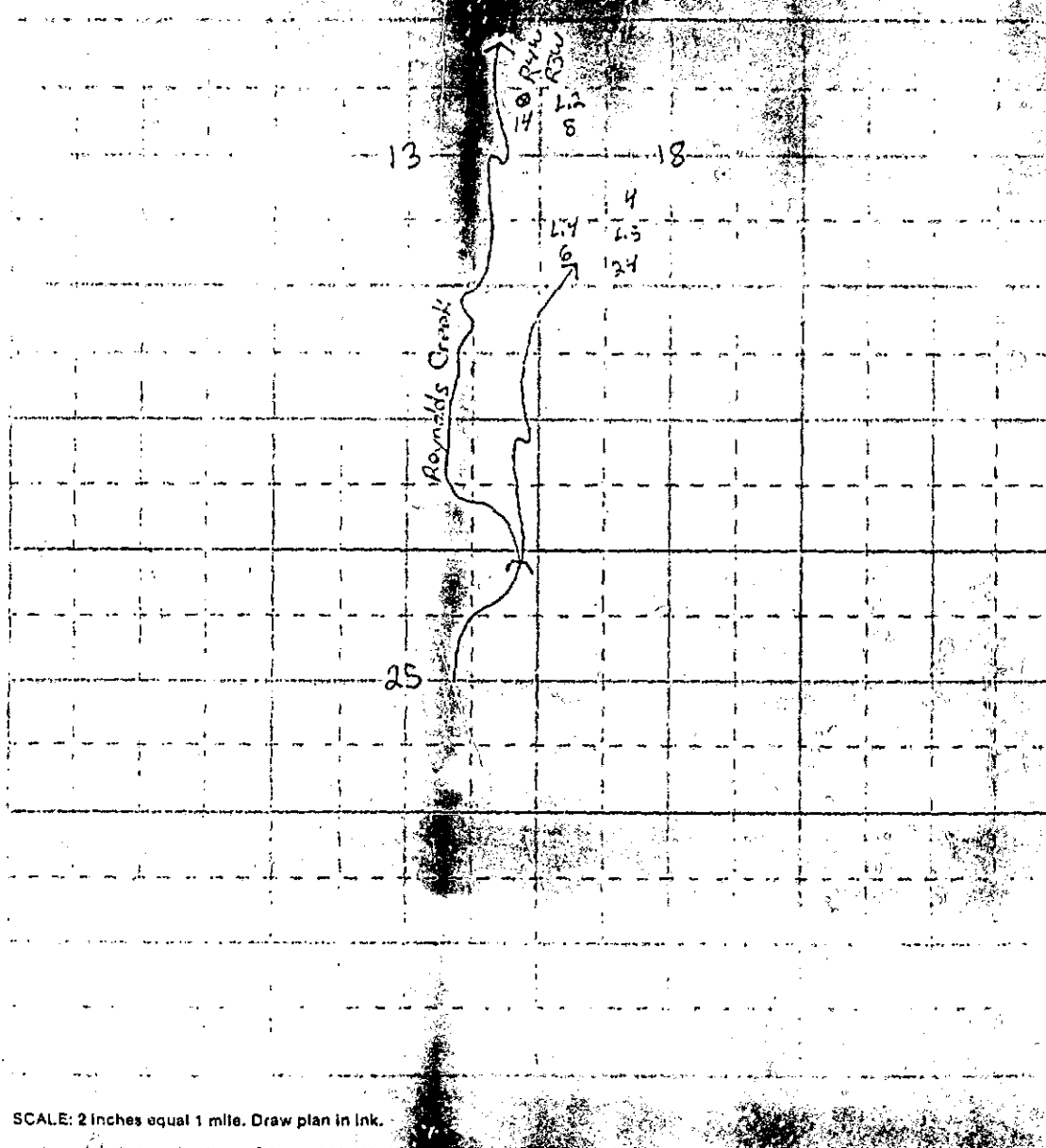
57-1073 & 57-7040 & 57-7400

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OCT 06 1962

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to
2.	Quantity and quality of return flows and location of discharge:			
3.	Describe effects on other water uses resulting from the proposed change:			

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

20 day of August, 1987.

(Signature of Applicant)

(Notary Public)

My commission expires

Life

FOR DEPARTMENT USE ONLY

Transfer contains	<u>7</u> pages and <u>4</u> attachments	ATTORNEYS: Herbert W. Retti & William S. Schroeder
Received by	<u>[Signature]</u> Date <u>8/20/87</u>	Protest filed by <u>with brown</u> 3/9/88
Prelim. check by	<u>[Signature]</u> Fee <u>150 - #44467</u>	
Receipted by	<u>[Signature]</u> Date <u>8/20/87</u>	
Published in	<u>Owyhee Avalanche</u>	Copies of protest forwarded by <u>[Signature]</u>
Pub. dates	<u>9/2 & 9/9/87</u>	Hearing held by _____ Date _____
Watermaster recommendation requested on	<u>8/20/87</u>	Recommended for ☒ approval ☐ denial
_____ rec'd.	_____ by <u>[Signature]</u>	
Copy of transfer sent to lien holder _____		

MICROFILM

01 WATER RIGHT NUMBER - A57-0249 02 OLD (D) NUMBER - 04001 - FIRST NAME
03001 - C. T. RANCH CO. LAST NAME
06 ADD LINE 1 - 07 ADD LINE 2 -
08 ADD LINE 3 - 09 CITY - MURPHY 10 STATE - ID 11 ZIP - 83650
12 STAGE - D DECREE 13 STATUS -

SOURCE
14001 - REYNOLDS CREEK
15001 - SNAKE RIVER
16 DIVERSION MEANS - 17 COUNTY - 73 OWYHEE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .600 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 57R

TRACT SEC TWN RNG LOT DIVERSION POINTS RFLG STREAM INDEX FIELDS

22001 - SENE 23001 - 13 24001 - 02S 25001 - 04W 26001 - 27001 - 0.0 0.0 0.0 0.0 0.0 0.0 0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 02S	32001 - 04W	33001 - 13	34001 - SENE	35001 - 14	36001 -
30002 - 01 IRRIGATION	31002 - 02S	32002 - 03W	33002 - 18	34002 - SWNW	35002 - 03	36002 - 02
30003 - 01 IRRIGATION	31003 - 02S	32003 - 03W	33003 - 18	34003 - SWSW	35003 - 06	36003 - 04
30004 - 01 IRRIGATION	31004 - 02S	32004 - 03W	33004 - 18	34004 - SPSW	35004 - 29	36004 - 05
30005 - 01 IRRIGATION	31005 - 02S	32005 - 03W	33005 - 18	34005 - NESW	35005 - 04	36005 -

TOTAL ACRES: 56

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME
37001 - 0315 38001 - 1115 39001 - 01 IRRIGATION 40001 - 0.600 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

	D A T E S	D A T E S	F L A G S
47 PRIORITY	1-JUN-1884	55 LICENSE	63 TRANSFER/AMENDED
48 PROOF DUE		56 APPL RECEIVED	64 DLE/CAREY ACT
49 PROOF MADE		57 FIELD EXAM MADE	65 FLAG_1
50 APPROVE/DENIED		58 DECREE	66 FLAG_2

51 PROTESTED
52 HEARING
53 VERIFIED
54 LAST UPDATE

D A T E S
-
-
- 14-MAR-1984

59 START WORK
60 ORDER SHOW CAUSE
61 DATE-1
62 DATE-2

67 FLAG-3

0841320000

0841320000

MEMO TO FILES

DATE: 5/23/85

APPLICANT: CT RANCH

CLAIM NO: 57-0249 & 57-1073

SUBJECT: CHANGE IN RECORDED IRR. ACRES

A RE-CHECK OF IRRIGATED ACRES USING U2-3428-80-152 GIVES
THE SLIGHTLY DIFFERENT ALIGNMENT OF IRRIGATED ACRES INDICATED ON
WORK-SHT. OF 5/23/85

SEE 57-1073



IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-0249 I.D. No. Fee Paid	TEST 4W D ACR: 2.55.86 U-2 3428-80-152 Map No. 414546 Receipt No.
--	--

Notice is hereby given that C. T. Ranch Company

(Name of Claimant)

Murphy, ID

(Mailing Address)

Telephone No. 495-2889

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 6-1-1884
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds CREEK tributary to SNAKE RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>.6 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |

- (4) .6 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE NE
Sec. 25 13, Twp. 2S, Rge. 4W, B.M., Owyhee County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

headgate PUMP & SPRINKLER SYSTEM.

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

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
2S	4W	13				17.2							4.4	4.4					17.24
2S	3W	18				14			3		4		15.8	34.2					40.42
													6	29					

Total no. of acres 47.256

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

NOTE: Include here the type and number of stock watered:

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

- (8) Remarks EAST SIDE REYNOLDS CREEK

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case. R. J. Gifford et al vs Joseph Babington et al; Sept. 20, 1911, 7th Judicial District. transfer 2194
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 26, 1979

(Date)

Idaho

State of

Ada

County of

Organization

Seal

Organization

Charles D. Tyson President
(Signature of Authorized Agent)

(Signature of Spouse)

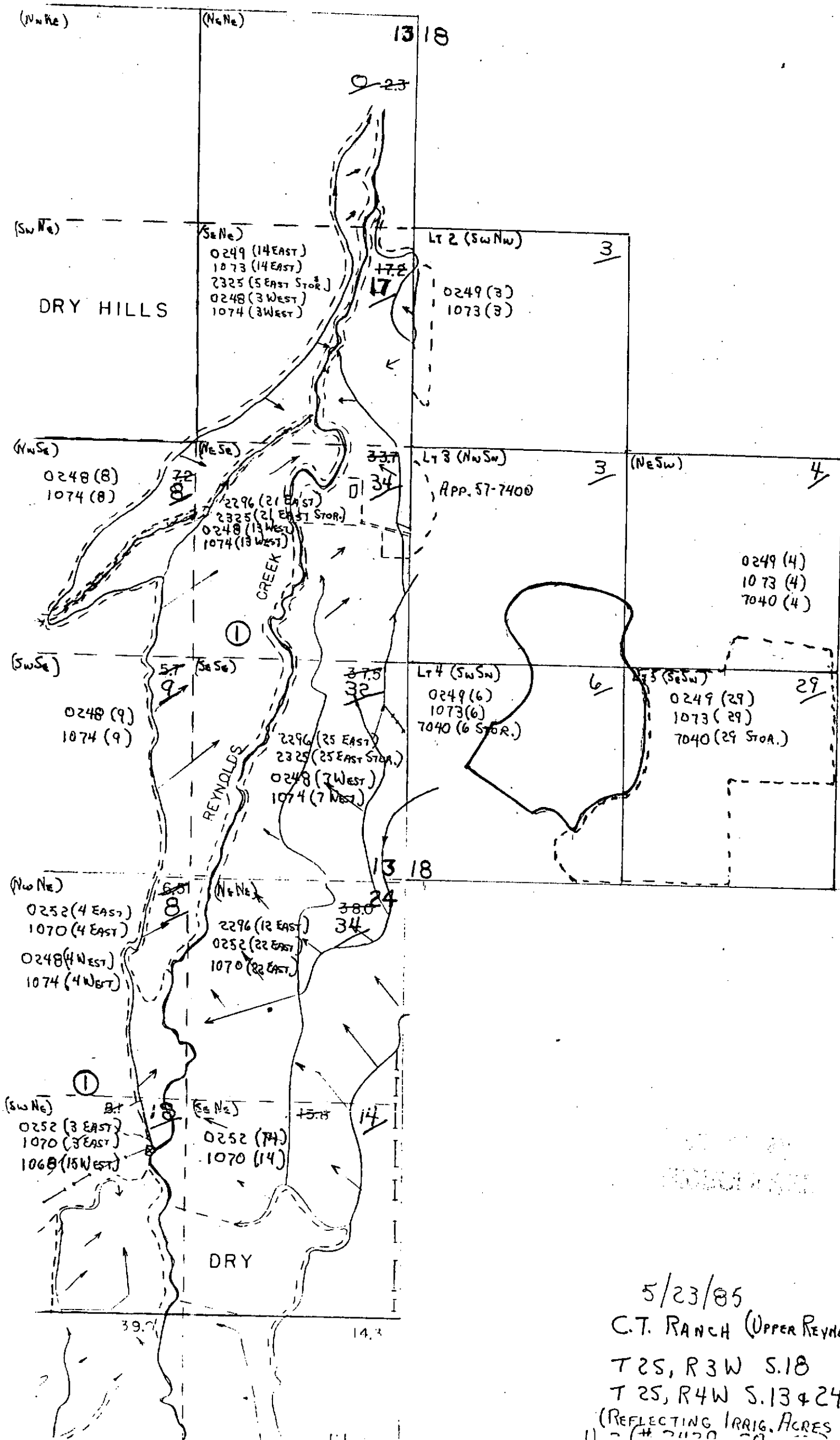
On this 26th day of July, in the year 1979 before me
a notary public, personally appeared Charles D. Tyson, President

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

5/23/85
My commission expires 8/12/82

Notary Public residing at

Boise, ID



UPPER KEYNOLDS
C.T. RANCH

[illegible]

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK

NOTICE OF CLAIM
TO A
WATER RIGHT

57-0249 T2SR9W D
REQ: 2-53-86
I.D. No. Map No.
\$ 10 414546
Fee Paid Receipt No.

Notice is hereby given that C. T. Ranch Company

(Name of Claimant)

Murphy, ID 83650

(Mailing Address)

(Zip Code)

Telephone No. 495-2889

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 6-1-1884

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

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity .6 cfs Use Irrigation Period of Use From 03/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .6 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source
Sec. 25 13, Twp. 2S, Rge. 4W, B.M., Owyhee County

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

headgate PUMP & SPRINKLER SYSTEM

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	4W	13																	13 17.2
2S	3W	18							3					34.2					43 48

Total no. of acres 56 17.0

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks: THE RATE OF DIVERSION FROM THIS RT. SHALL NOT EXCEED THE RATE OF FLOW AVAILABLE AT THE HISTORIC P.D. NW 1/4 SEC 29, T 2S, R 4W AT THAT TIME

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. ☒ B) Right decreed by court, cite title of case. R. J. Gifford et al vs Joseph Babington et al; Sept. 20, 1911, 7th Judicial District. transfer 2194

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

KEYPUNCHED 9-21-79

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 26, 1979

(Date)

(Signature of Claimant)

(Signature of Spouse)

State of Idaho

Organization

County of Ada

Organization

On this 11/30/79 day of July

Seal

Charles D. Tyson President
(Signature of Authorized Agent)

a notary public, personally appeared Charles D. Tyson, President

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

10/22/79 My commission expires 8/12/82 6/23/80

Notary Public in and for

Boise, ID

STARTED WITH

~~0248 & 0249 W/~~ For 74.5 Acres

0248 - 6/1/71 30" 74.5 Ac

0249 - 6/1/84 30" 74.5 Ac

TFR #535 MOVED BORT FROM DOBS. CK

& SEC 26 POU TO REYN CK.

& SEC 13 POU

74.5 Ac @ .02 CFS = $\frac{74.5 \times .02}{1.490} = 1.49$ CFS

DIFF BTWN 1.49 CFS & 1.2 OF DECREASE
= .29 CFS.

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TFR. 57-0249 TFD .6 CFS FOR 0249

FROM SEC 13 TO 57.2 Ac. LN.

1 S 18-25-3W & 13-25-4W ONLY 17.2

Ac OF WHICH WERE ON THE ORIGINAL

NOW WE FIND BETWEEN 0248 THE
PORTION TFD ONLY ONCE AND 1074 THE
B/U RT TO BRING UP DIV RT TO 1"/Ac.

& 0249 THE PORTION TFD TWICE &
THE B/U RT. 1073 FOR BRING UP DIV. RT. A

TOTAL OF 56 + 44 = 100 ACRES & A INCREASE
IN DIV. RT. .80 CFS IN OTHER 25.5 AC. &
40

PD. NENE 24
 55.4W
 0248 .6 CFs
 0249 .6 CFs
 (1)
 74.5 AC S26-35.4W
 74.5 (1804)

TFR # 535 - 0248 & 0249

REYNOLDS CK -

P.D. SE SE 13 25 4W

P.U. BOTH 0248 5 13 25-4W
 0249

TFR 57-0249

P.D. SE NE 13-25 4W

.6 57.2 AC DN 18 25-3W

& 13 25 4W ONLY 17.2 AC

OF WHICH IS ORIGINAL

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C.T. RANCH

(1)

57-0248-49 GEO. MCCLUNG & ELMER ARMFIELD.

DECREED FOR 16 CFS. EACH FROM REYNOLDS CK TO IRRIGATE
74.5 ACRES IN E₂ NE & E₂ SE S26 35-4W OF
WHICH 30 AC WERE UPLAND & 44.5 ACRES WERE BOTTOM-LAND.
PRIORITY FOR 48 WAS JUNE 1, 1871 & 49 JUNE 1, 1884.

IN 1934 ERNEST & A.W. LARSON TRANSFERRED (TFR #535) THESE TWO RTS.
DOWNSTREAM TO BE USED ON SE NE, NE SE, SE SE, & NW SE, S13 25-4W
TO BE DIVERTED FROM SE SE S13 25-4W. AT THIS POINT THE
TRANSFER MENTIONS THAT THE DIVERSION FOR THESE RTS WAS ORIGINALLY
FROM DOBSON CK. RATHER THAN AS DECREED FROM REYNOLDS CK.

A COMPANION TRANSFER #534 ON THE SAME DATE TRFD. 96 CFS
UPSTREAM TO THOSE LANDS & POINT OF DIVERSION LEFT VACANT
BY TFR #535.

IN 1977 C.T. RANCH CO. APPLIED FOR A SECOND TFR (57-0249)
MOVING THE POINT OF DIVERSION & PARTIALLY CHANGING THE PLACE
OF USE FOR 0249. AT THIS TIME IN THE REMARKS MENTION IS MADE
THAT THE POD GIVEN IN TFR #535 CANNOT SERVE THE NW SE S13
AND THAT THE HISTORIC POD HAD ALWAYS BEEN THROUGH A DITCH
IN THE SE SE S24 25-4W. THAT THE LAND GAVE NO EVIDENCE OF
WATER EVER HAVING BEEN TIED TO THE SE SE S13 25-4W.

THE TFR STATES THAT THE RT. AS BEING USED WAS
17.2 AC. IN SE NE, 19 AC. IN NE SE, 17.3 AC IN NW SE, & 21 AC.
IN SE SE, SEC 13 25-4E, A TOTAL OF 74.5 AC. THE DESC.
AFTER THE TFR WAS TO USE 16 CFS DIVERTED FROM SE NE

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C.T. RANCH
57-0249 49

(2)

SEC 13, 2S-4W. WITH PUMP & SPRINKLER SYSTEM.
TO BE USED ON 57.2 AC., 5.8 AC. IN SW SW 34.2 IN.
SE SW S18 2S-3W; ALSO, 17.2 AC. IN SE NE S13 2S-4W.

IN A MEETING AT WESTERN REG OFFICE 5/14/1980 MATYSON
WAS OF THE OPINION THAT THE 1884 WATER HAD NEVER BEEN
TRAD. FROM SE SE & NE SE S13 2S-4W. HOWEVER TR. 5249
DEFINITELY DOES DO THIS. THE ONLY POSSIBLE EXCEPTION
WOULD BE THAT THE DIFFERENCE, 17.3 ACRES, BETWEEN
THE 74.5 IRRIGATED ACREAGE BEFORE TRANSFER & THE 57.2 ACRES
DESCRIBED AFTER TRANSFER IS EXACTLY THE SAME AS DESCRIBED
BEFORE TRANSFER ON NW SE SEC 13, 2S-4W. IT IS NOT
KNOWN IF THIS OMISSION WAS INTENTIONAL. HOWEVER, IT
IS RATHER A COINCIDENCE CONSIDERING THE AGREEMENT
OF THE ACREAGE, BUT ALL THIS WOULD NOT APPEAR TO AFFECT
THE E2 SE S13 MENTIONED IN MR TYSON'S CONVERSATION.

THE EFFECT OF THE TWO TRANSFERS, THE ORIGINAL #535 IN
1934 WHICH TRAD. BOTH RTS & 57-0249 APPROVED IN 1978
WHEN COUPLED WITH BENEFICIAL USE RTS AS PRESENTLY RECOMMENDED
IS INTERESTING. THE ORIGINAL 74.5 ACRES WAS DEC REED WITH A
1.2 CFS DIVISION RATE WHEN THE RTS WERE USED JOINTLY.
THIS MEANT THAT WHEN SO USED 74.5 ACRES WERE IRRIG.
WITH 8054" / ACRE. THIS WOULD HAVE HELD TRUE IMMEDIATELY
FOLLOWING TR. #535 ALSO, EXCLUDING ANY B/V RTS.
UTILIZED OR DEVELOPED SUBSEQUENT TO 9/20/1911.

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C.T. RANBH
57-0248-49

(3)

HOWEVER, WITH THE ADVENT OF TFR # 57-0249 WHICH PARTIALLY SEPARATED THE PLACES OF USE & THE RECOMMENDATION OF B/V R 57-1073 TO ACCOMPANY 57-0249 & 57-1074 TO ACCOMPANY 57-0248 WE NOW HAVE A SITUATION WHERE 100 ACRES IS NOW IRRIGATED AT 1" / AC. THIS AMOUNTS TO A 34% EXPANSION OF THE ACREAGE OVER THE OLD RIGHTS & A 67% EXPANSION IN DIVERSION RATE.

PROBABLY HELP IN CAUSING THE ABOVE EXPANSION WAS GIVEN BY THE RECOMMENDATION OF 2 AC. IN THE NE NE SEC 13 & 4 AC. IN THE NW NE 25-4W. LOGIC SAYS THIS LAND SHOULD HAVE BEEN COVERED BY TFR # 535 SINCE THEY ARE SOME OF THE OLDEST IRRIGATED LANDS IN THE VALLEY & ARE SERVED BY THE SAME DITCH, YET ON PAPER HAD NO WATER.

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①
MEETING: WESTERN REG. OFFICE DATE: 5/14/1980

CONCERN: C. TYSON RIGHTS FROM REYNOLDS CK.

PRESENT: CHAS. TYSON, CLMNT.; JOHN NOYES, IDWA; F.E. LUTNY, IDWA

① MR. TYSON QUESTIONED CERTAIN LIMITERS UNDER CONSIDERATION TO BE APPLIED TO HIS ACQUIRED RTS., 57-0248 & 0249. THESE POINTS OF DIVERSION & PLACES OF USE HAD BEEN TRANSFERRED IN THE PAST FROM NEAR THE TOP OF THE UPPER REYNOLDS CK AREA TO TYSON'S SUBSEQUENTLY ACQUIRED LANDS NEAR THE BOTTOM OF THE UPPER REYNOLDS AREA.

② BY WAY OF ARGUMENT, MR. TYSON STATED THAT, AS NEAR AS HE COULD DETERMINE BY ALL EVIDENCE, EXPERIENCE, & HEARSAY HE COULD GATHER, AS A MATTER OF PRACTICE, ALL OF THE RIGHTS ALONG REYNOLDS FROM THEIR INCEPTION HAD BEEN DIVERTED AT THE RATE OF 1" / AC. RATHER THAN THE $3\frac{1}{4}"$ & $7\frac{1}{8}"$ FOR LOW LAND & HIGH LAND RESPECTIVELY, AS SET FORTH IN THE GIFFORD, ET AL VS. BABBINGTON, ET AL DECREE OF 1911.

③ MR. TYSON ALSO VOICED THE OBJECTION THAT HE WOULD BE UNFAIRLY PENALIZED IF THE BENEFICIAL USE RIGHTS WERE TO CONTEND THAT THE BENEFICIAL USE RIGHTS ON THESE TRANSFERRED RIGHTS TO BRING THE DIVERSION RATE UP TO 1" / ACRE WERE TO HAVE A PRIORITY DATE OF 1934, THE DATE OF TRANSFER, RATHER THAN IMMEDIATELY FOLLOWING THE 1911 DECREE DATE. INDEED, IT IS TYSON'S OPINION IN THE LIGHT OF PARAGRAPH ② THAT THE PRIORITIES SHOULD BE THE SAME AS THE DECREE DATES FOR THESE BENEFICIAL USE RIGHTS.

①
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MTG.: TYSON, NOYES, LUTHEY ② 5/19/80
CONCERN: TYSON REYNOLDS CR. RAS.

- ④ AS ADDITIONAL CONFUSION TO THE MATTER MR. TYSON BROUGHT OUT THAT DOBSON CREEK WHERE THE PROBABLE POINTS OF DIVERSION WERE FOR THESE RIGHTS NORMALLY FLOWS LATER IN THE YEAR THAN REYNOLDS CREEK PROPER TO WHICH DOBSON CREEK IS TRIBUTARY. THIS COULD POSSIBLY MAKE THE PROPOSED LIMITERS FOR THE RATE OF DIVERSION ON THE TRANSFERRED RIGHTS TO AMOUNTS AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION SOMEWHAT QUESTIONABLE IN NATURE?
- ⑤ CONCERNING THE ABOVE; THE DECREE DOES NOT SPEAK TO THE POINTS OF DIVERSION EXCEPT AS TO THE RIGHT TO THE USE OF CERTAIN AMOUNTS OF THE WATERS OF REYNOLDS CREEK FROM CERTAIN DATES AND UPON CERTAIN LANDS. ONLY THE TRANSFER FILED WITH THE DEPT IN 1934 MAKES MENTION OF THE DESCRIPTION OF THE POINTS OF DIVERSION FOR THESE RIGHTS AS BEING FROM DOBSON.
- ⑥ THERE WERE NO PROTESTS OR RESTRICTIONS PLACED ON THE TRANSFERS EXCEPT MATTERS HAVING NOTHING TO DO WITH THE DEPT. IN 1934, WHICH POSSIBLY MAY GIVE SOME VALIDITY TO ARGUMENT THAT NONE SHOULD BE APPLIED AT THE PRESENT TIME.
- ⑦ INVESTIGATION SHOULD BE PURSUED ON THE LOWER LAND OF MR. TYSON WHICH AT THE PRESENT SEEMS TO LACK RIGHTS BECAUSE THE TRANSFERS INVOLVED.

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C.T. RAN

CHUCK TYSON - GEN. PROBLEMS

57-7040 - WATER FROM RSVR FOR SE SE 1/4 SEC 13
T2S R4W NEVER TO TYSON'S KNOWLEDGE TRFD. OFF LAND.
FROM 1884 WATER (TR 57-0290) APPEARS TO
HAVE PLACED WATER ON SEC 13 & 18 T2S R3W.

57-2085 - TYSON THOUGHT B/U RT ON MACK'S CR PRECEDED
THIS LICENSE. (MAP, ENGINEER'S RPT. & PROOF OF APPL. TO
B/U DEPOSITIONS OF BOTH HOLOER & WITNESSES SEEM TO REFUTE
THIS SAYING USE DID NOT START UNTIL 1917-18.)

57-1075 - CHECK COMPUTER FOR RECORD OF LOTS
25 3W SEC 31 NW 1/4 SW (LT. 3) SW 1/4 SW (LT. 4)

57-7040 - QUESTION MR TYSON ABOUT RESERVOIR CAPACITY
INVENTORY. SAYS 10 AC & 85 A.F. COUNT AT LEAST 17 AC ON
75 U-2 PHOTO. MR TYSON SAYS CAPACITY ABOUT 140 A.F.

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OCT 06 1992

570249	
I.D. No.	Map No.
\$ 10	#14546
Fee Paid	Receipt No.

{Zip Code}

Notary Public residing at

Transfer No. _____

Application No. 57-0249

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

To Change the Point of Diversion and/or the Place of Use

AMENDED

Name of applicant C. T. RANCH, CO. Phone 495-2889

Post office address Murphy, Idaho 83650

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to George McClng and Elmer Armfield
(Name)
in case of R. J. Gifford, et. al. vs Joseph Babington, et.al.

dated Sept. 20, 1911 in 7th Judicial District county of Owyhee
Transfer No. 535 (Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Reynolds Creek tributary to Snake River

4. Date of priority June 1, 1884

5. Water is used for the following purposes:
amount 0.6 for irrigation purposes from 4-1 to 10-31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 0.6 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24
Township 2S Range 4W B.M. in Owyhee County

Additional points of diversion, if any SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 13 T2S-R4W from transfer #535

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>2S</u>	<u>4W</u>	<u>13</u>				<u>17.2</u>									<u>19</u>	<u>17.3</u>		<u>21</u>	<u>74.5</u>

Total number of acres to be irrigated 74.5

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

[illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 0.6 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ NE ¼, Section 13 Township 25
Range 4W, B.M., Owyhee County
- Additional points _____

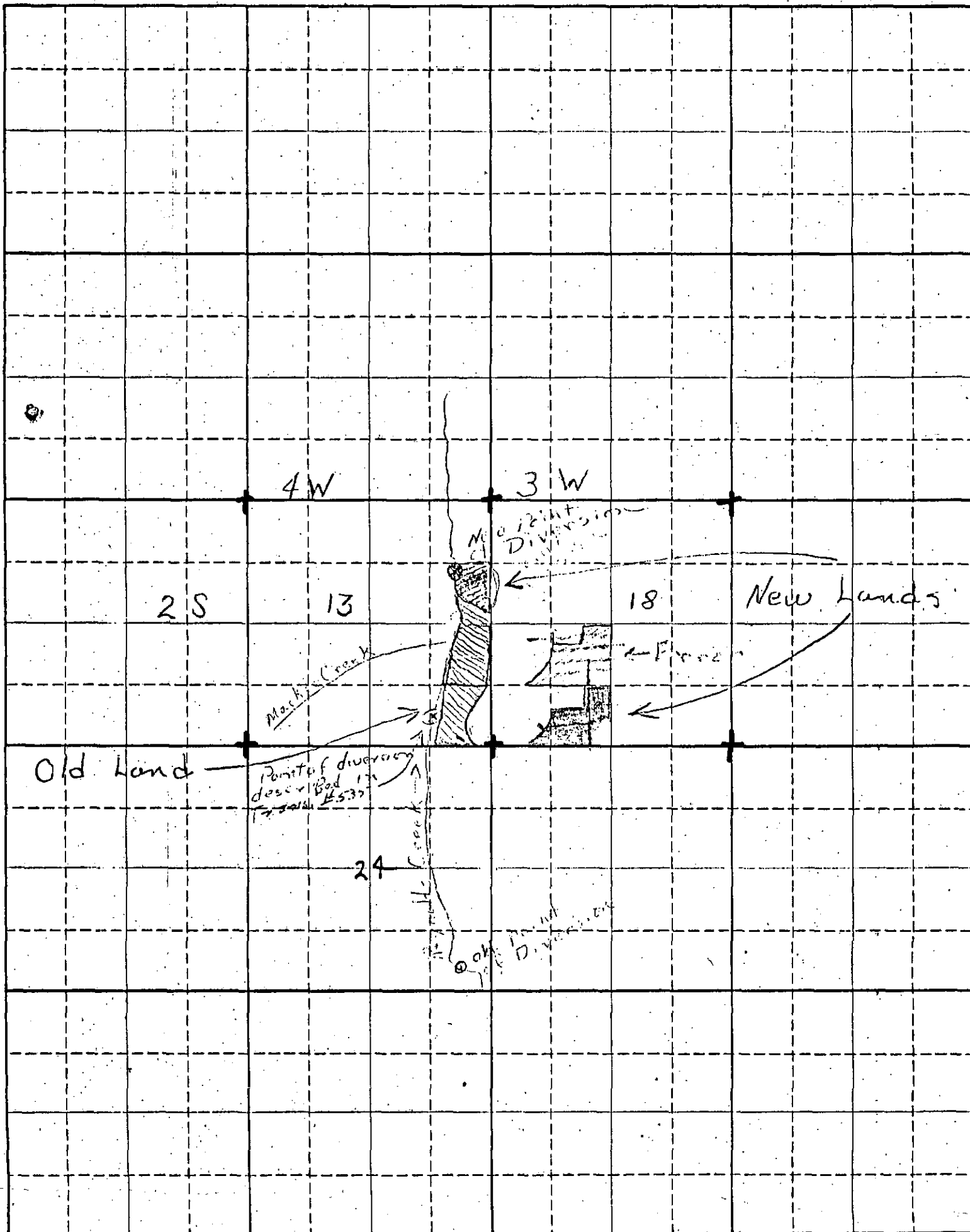
- c. Description of diverting works pump and sprinkler system
- d. Describe the reasons for applying for a change in the point(s) of diversion to make more efficient use of the water supply and present location is the economical point of diversion in terms of power hookup and length of pipe line need to reach land to be irrigated

2. Change in place of use
- a. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 57.2

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks Water is being used thru a ditch hearing in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 24 T2S-R4W,
while Transfer #535 shows the point of diversion as being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 13
T2S-R4W. Land shows no indication water was ever taken from the creek in the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 13 T2S-R4W. This water can not go to NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 13 T2S-R4W as
indicated in Transfer #535.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

CT Ranch Company, by
Charles A. Thompson, President
(Signature of applicant)

Subscribed and sworn to before me this 16th day of December, 19 77

Nicholas K. Sh
(Notary public)

My commission expires 1/31/80

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 57-0249,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
Pursuant to Memorandum Decision and Order of July 12, 1978.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of July, 19 78

Stephen A. Alar
DIRECTOR

FOR DEPARTMENT USE ONLY

Received by MB Date 12-19-77
11-29-77

Prelim. check by R.W.H. Fee ✓

Received by _____ Date _____

Published in Cumby's Nugget

Pub. dates Jan 5 + 12, 1978

Watermaster recommendation requested on _____

rec'd.

Protest filed by SEE LIST

Copies of protest forwarded by rf

Hearing held by LCS+BDF Date 4-21-78

Recommended for approval denial

by MB

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 535.

THIS IS TO CERTIFY That ERNEST R. AND A. W. LARSON are the
owners of and using certain water rights for

0.6 c.f.s., with a priority of June 1, 1871

0.6 c.f.s., with a priority of June 1, 1884

from Reynolds Creek, tributary to the Snake River, County of Owyhee, State
of Idaho, decreed to Geo. McClung and Elmer Armfield, by Decree of Judge
John F. MacLane, of the Seventh Judicial District of the State of Idaho,
in and for the county of Owyhee, in the case of:

R. J. Gifford, et al vs. Joseph Babington, et al.

said decree bearing date of September 20, 1911, for the purpose of irri-
gating the following described lands, situate, lying and being in Water
District No. 13-B, in the County of Owyhee, State of Idaho, to wit:

E $\frac{1}{2}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26, Township
3 South, Range 4 West, B. M.

AND THAT SAID Decree has been entered in the Records of the De-
partment of Reclamation of the State of Idaho in Book 3 of Decrees at Page
964.

THAT THE Said ERNEST R. and A. W. LARSON have become the owners
of said land and said water rights by the purchase thereof.

THAT NOW, UPON THE APPLICATION of ERNEST R. And A. W. LARSON for a
transfer of 1.2 cubic feet per second of said water made before the Commissioner
of Reclamation of the State of Idaho, and said application having been granted,
subject to the provisions hereinafter stated, the right to the use of

1.2 cubic feet per second of the waters of Reynolds Creek
upon the lands above described is hereby ABANDONED and the lands to be irri-
gated under such right, and to which water right hereby confirmed shall become
appurtenant by the certificate, for irrigation and domestic purposes, is des-
cribed as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13,
Township 2 South, Range 4 West, B. M.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In The Matter of the Application of)

ERNEST R. & A. W. LARSON :

ORDER GRANTING TRANSFER

For a Transfer of Water, County of)
Owyhee.)

WHEREAS, On the 18th day of July, 1934, at the Department of Reclamation of the State of Idaho, the matter of the Application of ERNEST R. and A. W. LARSON for a Transfer of Water Right came on regularly for hearing, pursuant to the published notice; and

WHEREAS, No protest has been filed against the said application and the evidence filed by the applicant with the said application shows that a greater duty of water would result by reason of the transfer and that no one would be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be and the same is, HEREBY GRANTED and that a certificate of Transfer of Water Right be issued the applicant herein, as provided by the laws of the State of Idaho.

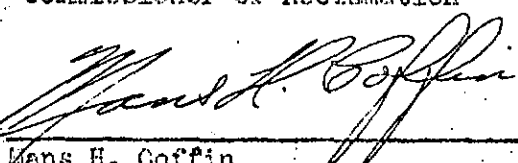
IN WITNESS WHEREOF, I Have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be affixed

at Boise, Idaho, this 26th day of September, 1934.

R. W. PARIS

Commissioner of Reclamation

By


Hans H. Coffin

Director of Water Resources

situate, lying and being in the County of Owyhee, State of Idaho, said water to be limited at any given time to an amount actually needed and beneficially

used for such purposes, and shall not exceed the following amounts, to wit:

0.6 c.f.s., as of June 1, 1871
0.6 c.f.s., as of June 1, 1884

THE WATER RIGHT HEREBY Transferred has heretofore been diverted from said Dobson Creek, a tributary to Reynolds Creek, in the

NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 3 South,
Range 4 West, S. M.

and will hereafter be diverted from Reynolds Creek at a point in the

SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 2 South,
Range 4 West, S. M.

and conducted to the last above described lands through a privately owned ditch.

THAT THE RIGHT TO THE Use of the Water aforesaid, hereby confirmed is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

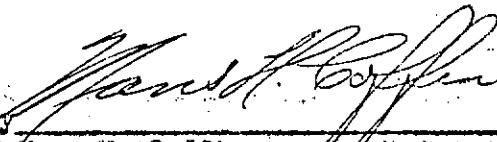
THAT, IN ADDITION TO THE FOREGOING RIGHT, The last above named lands have appurtenant to them the following water right

0.46 c.f.s. with a priority date of June 5, 1865

said last above named water right being this day transferred away through a companion application made by C. A. JOHNSTON.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this twenty-sixth day of September, 1934.

R. W. Faris
Commissioner of Reclamation

By 
Mans H. Coffin
Director of Water Resources

Memo To: 57-0249 & 57-1073 From: F.E.L. DATE: 10/18/79

TOTAL ACREAGE ON THESE CLAIMS WAS MIS-ADDED. THE 41.2 ACRES ROUNDED DOWN TO 47 ON THE CLAIMS SHOULD HAVE BEEN 57 ROUNDED DOWN FROM 57.2. WE HAVE FOUND A TOTAL OF 56 IRRIGATED ACRES. THUS THE CFS. CALCULATED FOR 57-1073 TO BRING THE TOTAL RATE OF FLOW TO ONE INCH PER ACRE WHEN COMBINED WITH 57-0249 FALLS SHORT BY .18 CFS FOR THE ADDITIONAL 9 ACRES IRRIGATED. AS A CONSEQUENCE WE HAVE INCREASED THE FLOW ON OUR WORK-SHEET TO .52 FOR 57-1073 PENDING A DECISION WHETHER TO SOLICIT AN AMENDED CLAIM OR ~~OTHER~~ ROUTE TO PURSUE.

[Signature]

Memo To 57-0249 & 57-1073 DATE: 6/23/1980

FROM: F.E.L.

THE COMBINED CFS OF THESE TWO CLAIMS WAS INTENDED TO BRING THE TOTAL DIVERSION RATE FOR THE LANDS DECREED UNDER 57-0249 UP TO ONE MINER'S INCH PER ACRE. OF THE TWO 57-1073 THE BENEFICIAL USE RIGHT WAS ORIGINALLY CLAIMED WITH A PRIORITY OF 6/1/1884, THE SAME AS THE DECREED RIGHT. SINCE THE DECREE DATE IS 9/20/1911, THE EARLIEST DATE THAT CAN BE RECOMMENDED FOR 57-1073 IS ONE DAY FOLLOWING, 9/21/1911.

MICROFILMED

OCT 06 1992

MEMORANDUM DECISION & ORDER FOR APPROVED TRANSFER NO 57-0249 STATES THAT AS ONE OF THE CONDITIONS FOR APPROVAL FOR THE TRANSFER THE RATE OF DIVERSION AT THE NEW DOWNSTREAM POINT OF DIVERSION SHALL NOT EXCEED THE RATE OF FLOW AVAILABLE AT THE EXISTING UPSTREAM POINT OF DIVERSION AT THE SAME TIME THIS CONDITION APPLIES TO BOTH THE DECREED RIGHT AND THE COMPANION BENEFICIAL USE RIGHT AND THEY ARE RECOMMENDED IN THAT MANNER.

57-0247

57-0248

57-0249

Decree Holder - McCleung & Armfield

60" for 74½ acres: 30"-⁰²⁴⁸6/1/1871, 30"-⁰²⁴⁹6/1/1884.

E²NE, E²SE, S.26, T3S, R4W Probably from Dobson Creek, not Reynolds

23" for 26 acres⁻⁰²⁴⁷, 6/1/1865

SENE, E²SE, S.13, T2S, R4W.

W. T. Pratt filed Posted Notices (Bk. 4, p. 55, 56, 57)

for water rights on E²NE, E²SE, S.26 on 1/23/1902:

from Reynolds Creek, Dobson Creek and a spring.

SENE, N²SE, SESE, S.13 patented by Effie Labbington

in 8/04/1880. J. Labbington located on Reynolds

on 3/11/1864.

MICROFILMED

OCT 06 1992

WRD437

ADJUDICATION PROOF READING REPORT

03/15/84

PRDE

WATER RIGHT NUMBER 57-1075

OWNER LAST NAME - C. T. RANCH CO. ✓

FIRST NAME -

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

STATE - ID ZIP CODE - 83850

ADDRESS LINE 3 -

CITY - MURPHY

TRIBUTARY OF - SNAKE RIVER

PRIORITY - 09-21-1914

COUNTY - QUAYLE

TOTAL DIV. RATE -

SOURCE - REYNOLDS CREEK

STATUS -

200 AFR TRFR/MEND

WATER DIST. - 57R DLE/CAREY ACT

RIGHT BASIS - R

200 AFR

TOTAL DIV. VOLUME -

420 AFR TRFR/MEND

USE DIV. RATE -

2400 CFS USE DIV. VOLUME -

200 AFR

DIVERSION POINT - MEND 06 025 RND LOT 03 RNDIV

FROM - 03-15 TO - 11-15

TRFCT MESN LOT

AC 09 TRFCT

USE - IRRIGATION

PLACE OF USE - TWIN 025 RND 03M SEC 34

TRFCT MESN LOT 04 AC 34 TRFCT

AC 09

DEGREE NAME -

REMARKS -

NON IRRIG USE -

D/HIGH RIGHTS FOR SAME USE -

PERMIT/DENIED -

PROTESTED -

HERRING

OLD NO. -

PROOF DATE -

ELD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

3-13-85

WRD437

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER OF WATER RIGHT NO. 57-0249
IN THE NAME OF C. T. RANCH COMPANY

MEMORANDUM DECISION
AND ORDER

The C. T. Ranch Company is the owner of a decreed water right from Reynolds Creek for 0.60 cubic feet per second of water with a priority of June 1, 1884. The decree was silent as to the point of diversion, but transfer #535 issued on September 26, 1934, by the Department of Reclamation (Department of Water Resources) described the point of diversion as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W B.M., Owyhee County, but the right has historically been diverted at a point near the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 2S, Rge. 4W B.M., Owyhee County. The place of use described in transfer #535 is SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W B.M.

On December 19, 1977, the C. T. Ranch Company applied to the Department of Water Resources for a water right transfer which would change the point of diversion on Reynolds Creek to a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W, which is approximately 1 3/4 miles downstream from the diversion historically used (SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 2S, Rge. 4W) and would partially change the place of use. Notice of the application was published in the Owyhee Nugget, Marsing, Idaho on February 9 and 16, 1978, and was subsequently protested by several individual waterusers.

A conference in the matter was held on April 21, 1978 in Murphy, Idaho. The parties involved agreed to waive a formal hearing and allow the Department to reach a decision based upon the information presented at the conference and upon the information contained in the records of the Department.

The Department having now reviewed the available information and based upon the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. The applicant's existing point of diversion and proposed new point of diversion are upstream from the protestant's diversions and use of water.
2. Mack's Creek, a tributary of Reynolds Creek flows into Reynolds Creek at a point downstream from the existing point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 2S, Rge. 4W, and upstream from the proposed new point of diversion is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W.

3. The flow in Reynolds Creek at the upper point of diversion (SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24) is sometimes nonexistent while at the same time there usually is some flow in Reynolds Creek at the proposed new point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13.

4. The flow in Reynolds Creek decreases naturally each year to a flow that will not fill all existing water rights.

CONCLUSIONS OF LAW

1. Water could be diverted for a longer period of time at the proposed new point of diversion than at the existing point of diversion since the flow in Reynolds Creek is available for a longer period of time at the lower point.

2. The rights of the protestants with points of diversion located downstream of the applicant would be injured by the diversion of more water by the applicant at the proposed new point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W, than had historically been diverted at the applicant's existing point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 2S, Rge. 4W.

3. The protestants are entitled to protection of their water rights under conditions which existed prior to filing of the application for transfer by the C. T. Ranch Company.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Transfer of Water Right No. 57-0249 is APPROVED subject to the following conditions:

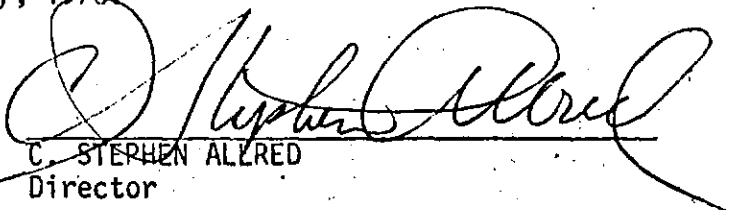
1. The applicant shall install and maintain a permanent measuring device in Reynolds Creek which will measure the flow in Reynolds Creek adjacent to the existing upper diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 2S, Rge. 4W.

2. A measuring device shall be installed and maintained at the proposed new point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W, B.M.

3. The rate of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, Twp. 2S, Rge. 4W, shall not exceed the flow rate available for this right occurring at the same time at the existing upper point of diversion.

4. Use of water under this transfer is subject to the control of the Reynolds Creek Watermaster.

Dated this 12 day of July, 1978.


C. STEPHEN ALLRED
Director