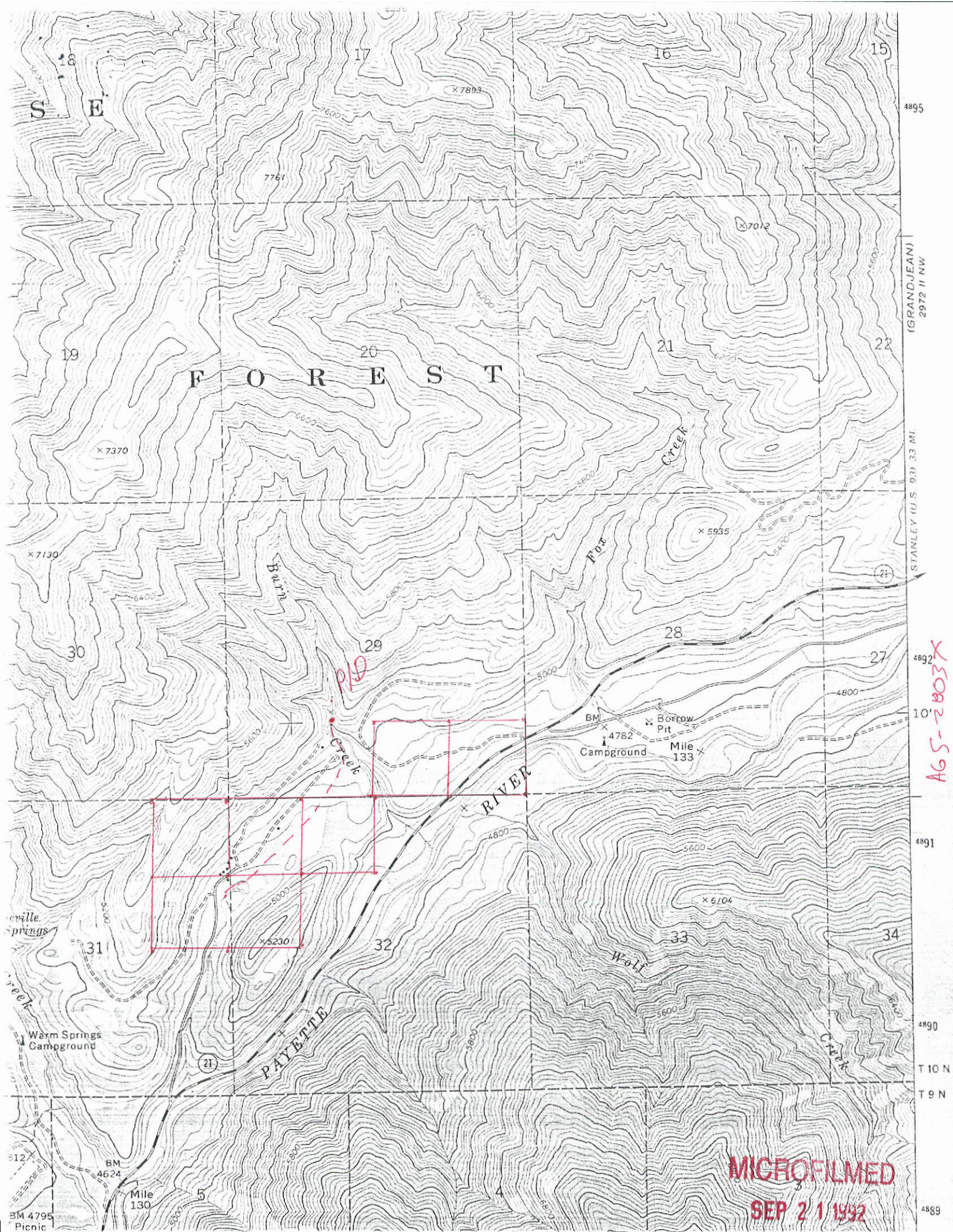
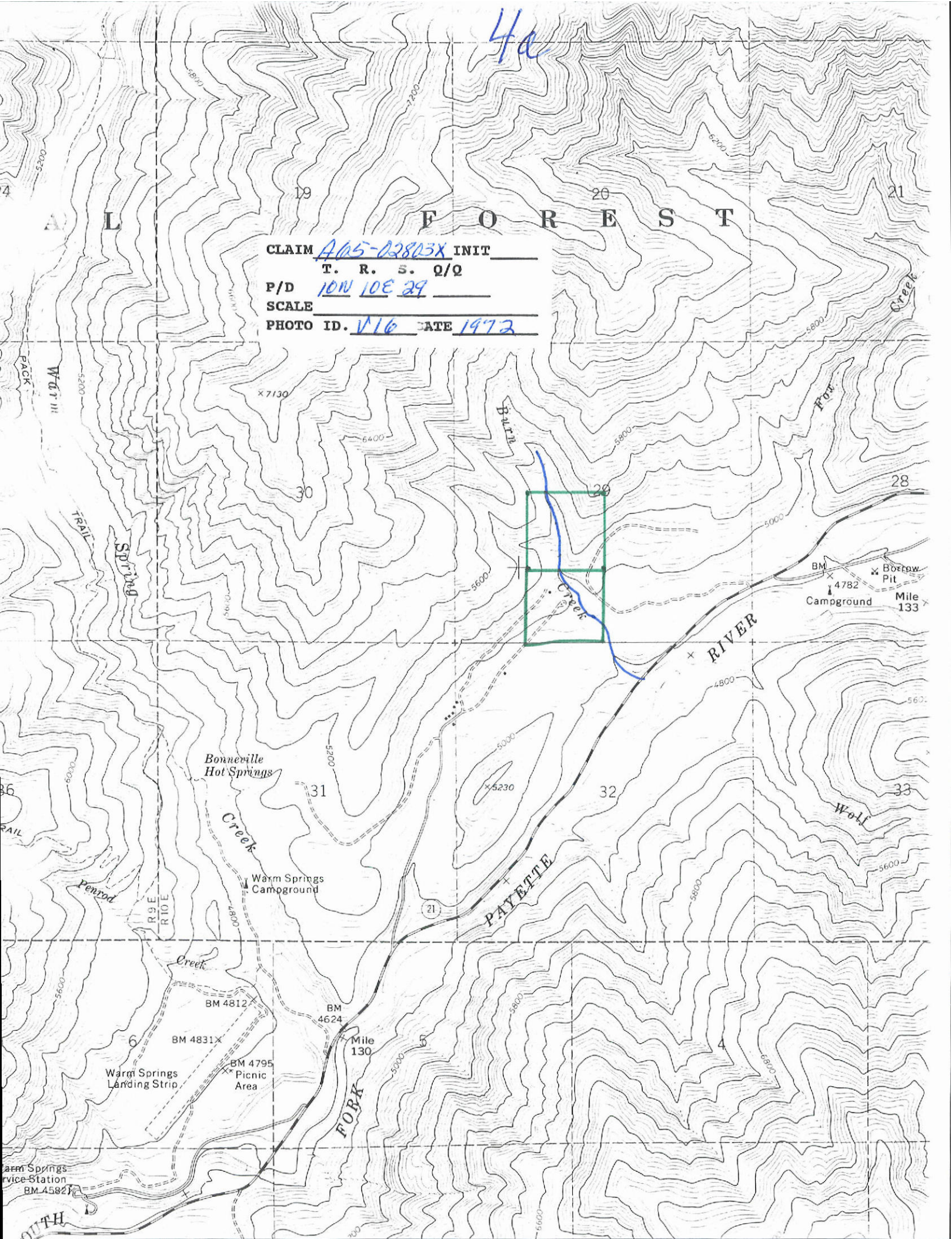




4a

ALF O R E S T

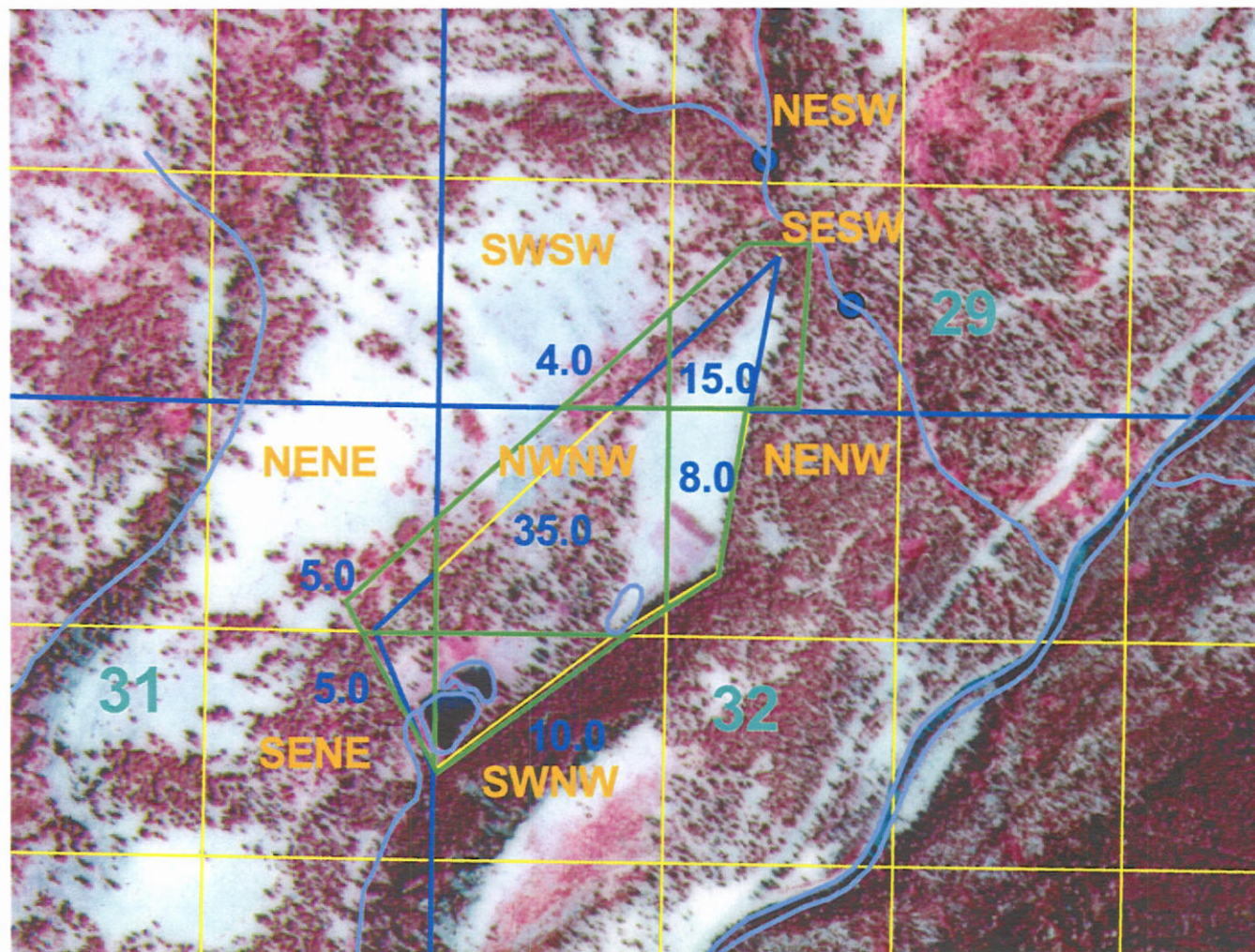
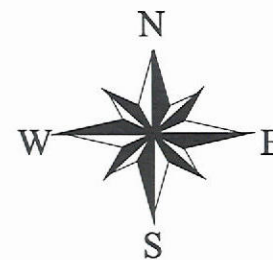
CLAIM A05-02803X INIT _____
T. R. S. Q/Q
P/D 10N 10E 29
SCALE _____
PHOTO ID. V16 DATE 1972



5b

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R10E, S29, 31 & 32



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02803x

OWNER(S): HANGING VALLEY RANCH

Prepared by Mel Schulte

DATE: DECEMBER 29, 1999

This map describes area
irrigated and location
of pipes per meeting
with the Lewis on 12-28-99

5005 X

30 29

31 32

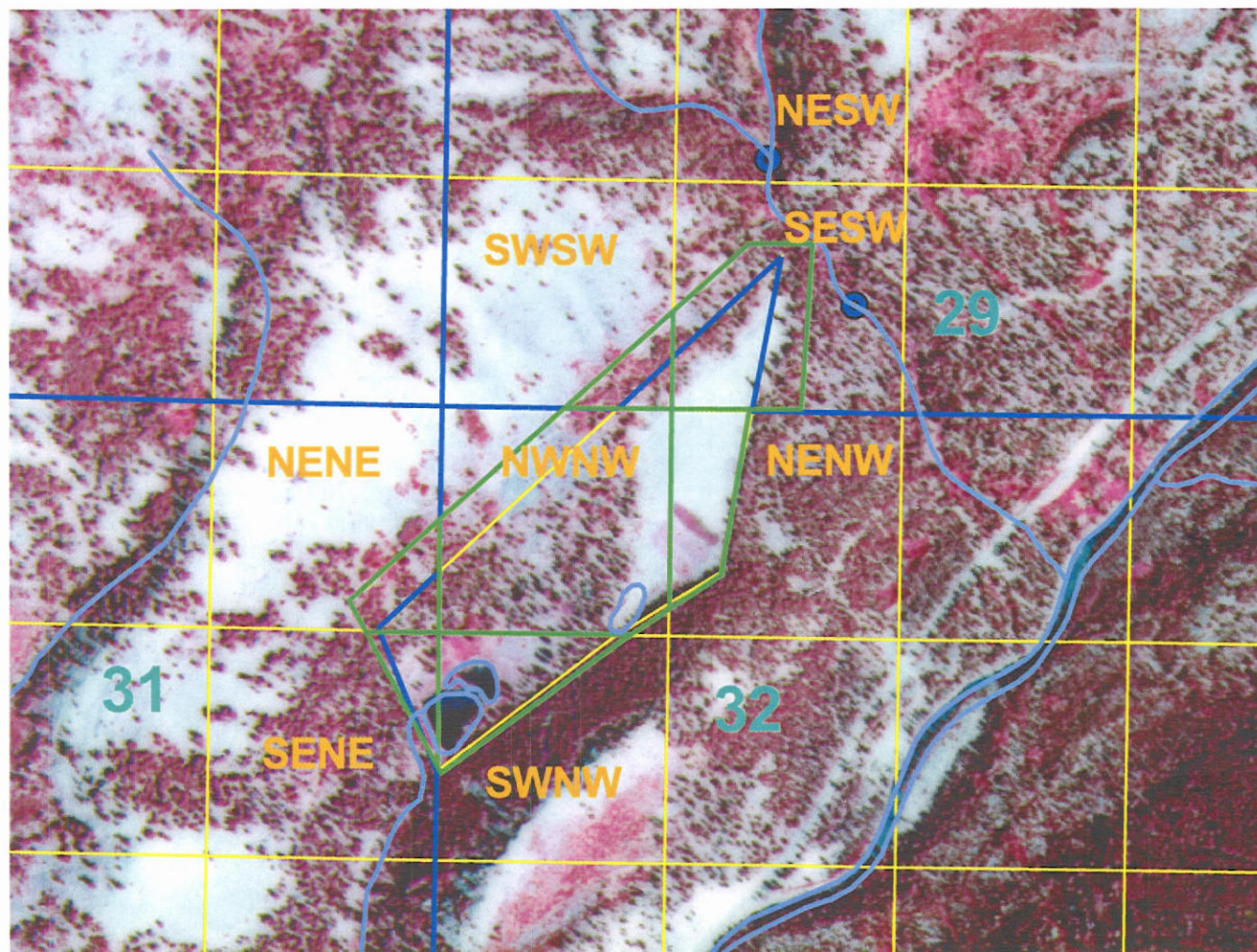
150

0

5d

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R10E, S29, 31 & 32



1987 NAPP PHOTO

-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

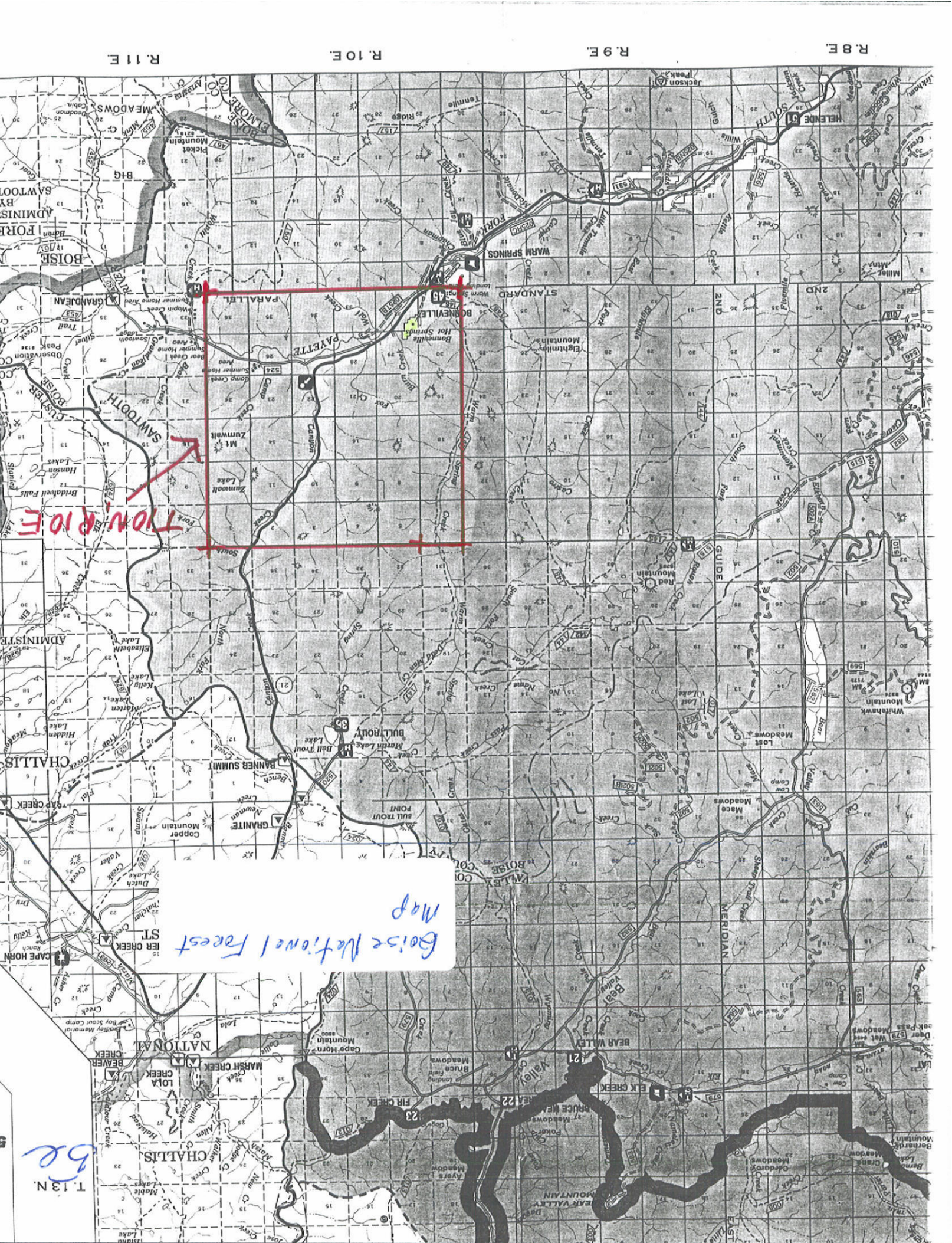
CLAIM(S): 65-02803X

OWNER(S): HANGING VALLEY RANCH

Prepared by Mel Schulte

DATE: DECEMBER 29, 1999





R.11E

R.10E

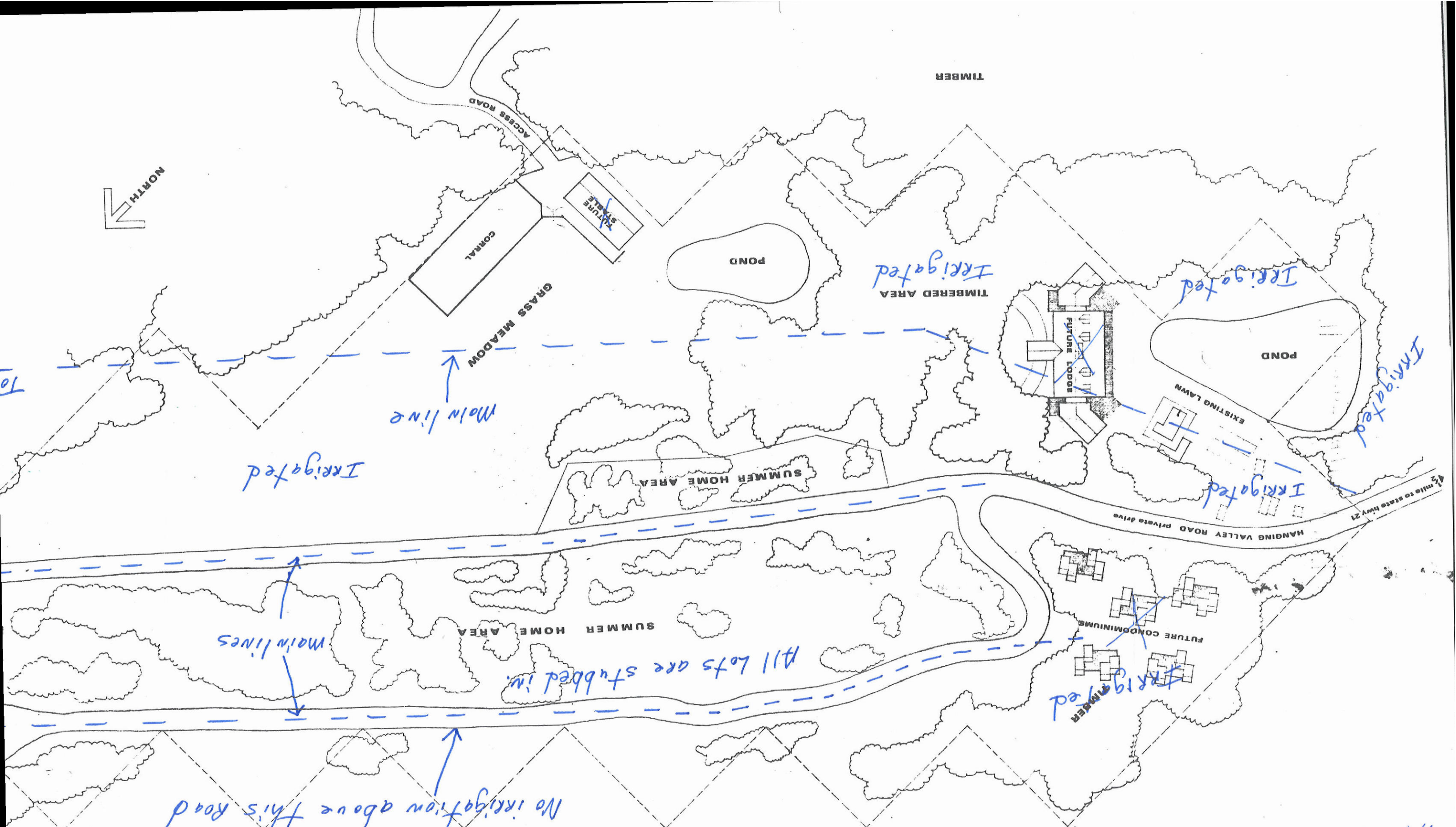
R.9E

R.8E

Boise National Forest
Map

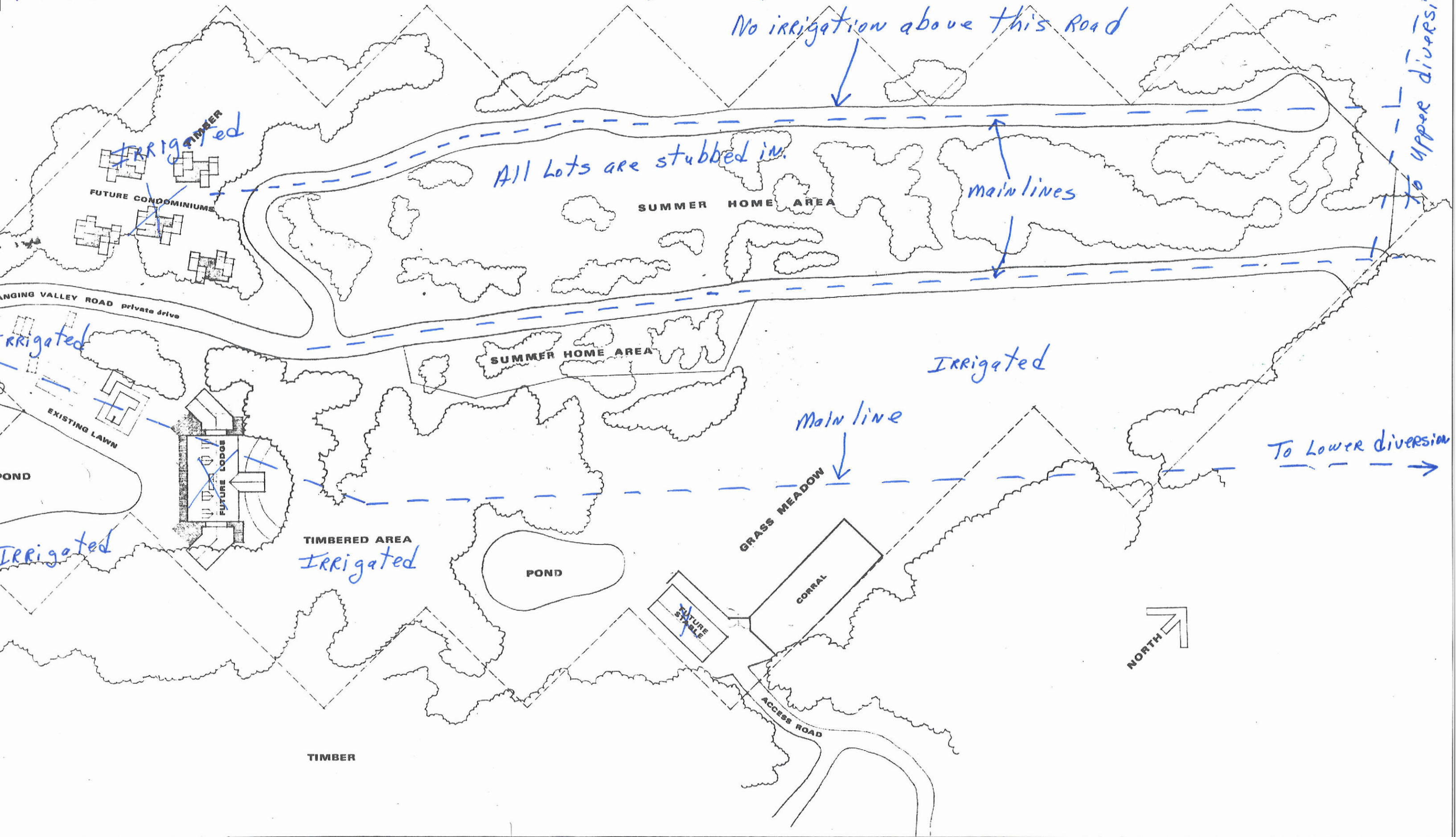
T.13N

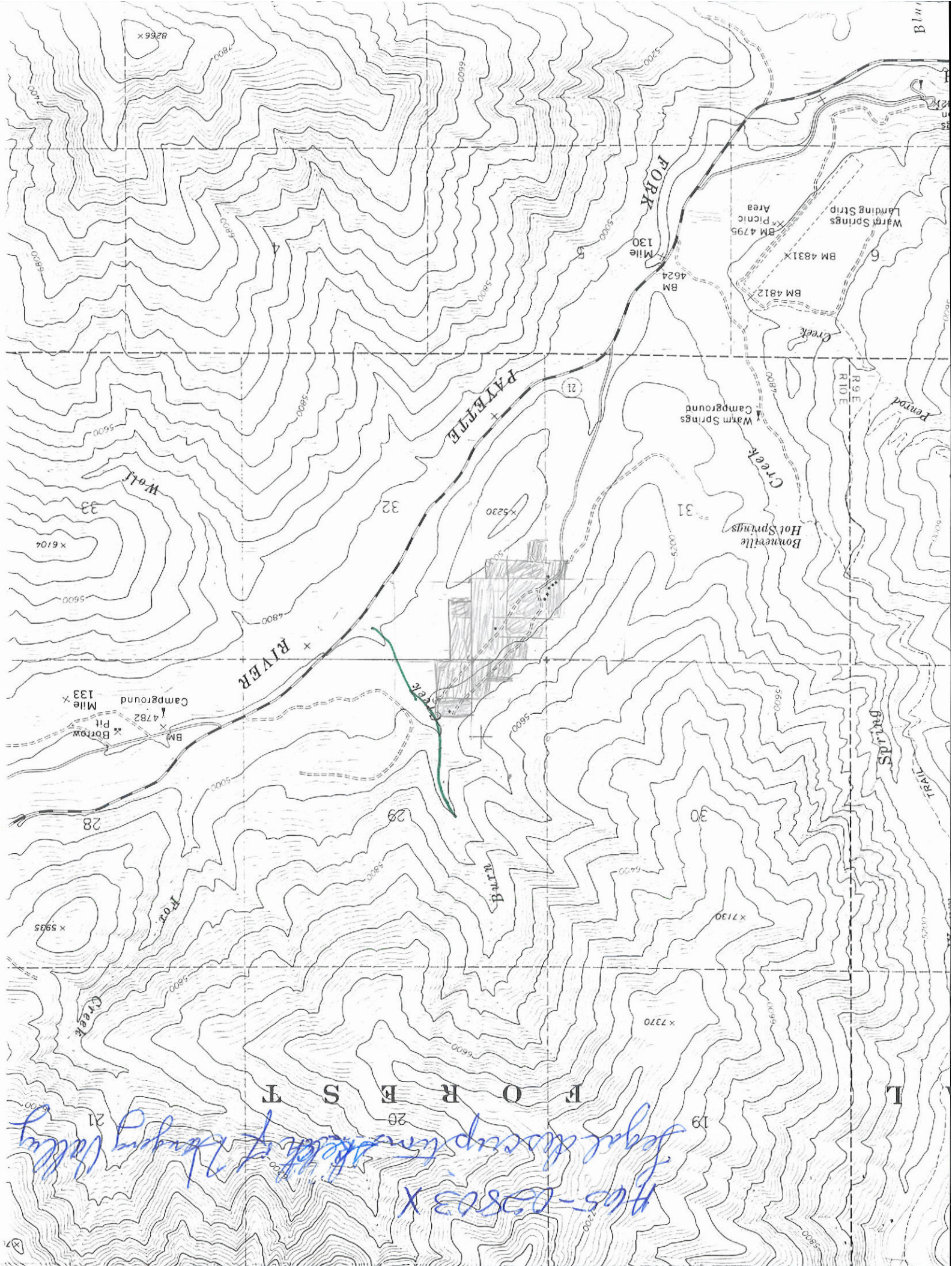
5P
 A65-02803X & A65-07149
 Proposed future development map used to show
 irrigation pipelines
 No irrigation above this road



X 2 A65-07149

Proposed future developments map used to show
irrigation pipelines





405-05803 X
Legal description of property
in the State of 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02803X
Date Received: 5/10/1989
Receipt No: X999999
Received By: RA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HANGING VALLEY RANCH, INC. 208-344-4070
Address: 1625 ANNETT ST.
BOISE, ID 83705
2. Date of Priority: MAY 27, 1965
3. Source: BURN CREEK Trib. to: PAYETTE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	10E	29	NE	SW			BOISE
5. Description of diverting works:
WATER TAKE OFF BOX PIPED TO RANCH APPROX 1/4 MILE, 10" & 6" PIPE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.650		
DIVERSION TO STORAGE	01/01	12/31	0.650		
FISH PROPAGATION	01/01	12/31	0.650		
FISH PROP. FROM STORAGE	01/01	12/31	0.650		8.80
7. Total Quantity Appropriated is:
0.650 C.F.S. (and/or) 8.80 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
FISH PROPAGATION

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	10E	29	SW		SE		IRR	7.0
			SE		SE		IRR	10.0
							Section Acres	17.0
		31	NE		NE		IRR	5.0
			SE		NE		IRR	5.0
							Section Acres	10.0
		32	NE		NW		IRR	5.0
			NW		NW		IRR	35.0
			SW		NW		IRR	15.0
							Section Acres	55.0
							Total Acres	82.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
A65-02803A, A65-07149

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHT 65-7149 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Secretary Treasurer of Hanging Valley Ranch Inc that I have signed the foregoing document in the space below as Secretary Treasurer of Hanging Valley Ranch Inc and that the statements contained in the foregoing document are true and correct.

Don K. Carson
Signature of Authorized Agent

Secretary Treasurer
Title and Organization

May 10, 1989
Date

State of Idaho)
County of ADA) SS.

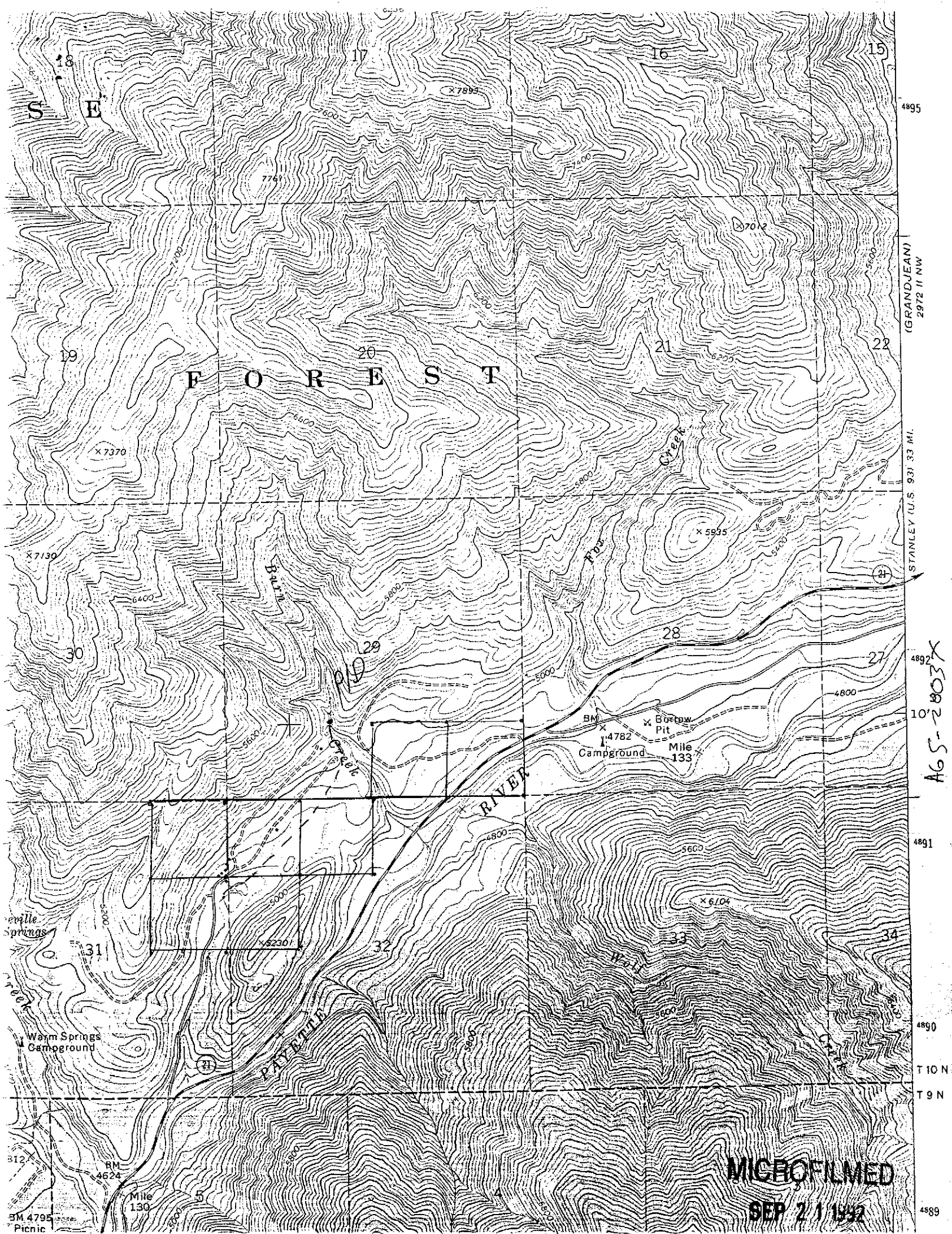
Subscribed and sworn (or affirmed) before me this 10th day
of MAY 19 89

Seal

Ron Howerton
Notary Public
My Commission Expires December 3, 1991

Residing at _____

My Commission Expires _____



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

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A

WATER RIGHT

65-2803X

65-5407

Boise

Notice is hereby given that

Vernon Court

HANGING VALLEY RANCH, INC.

P.O. Box 5815

Boise

Idaho

claims a right to the diversion

and beneficial use of the surface or groundwater, or of tributary to the Payette River;

The extent and nature of said claim is as follows: (When was the water first applied to a beneficial use, or date that permit was issued) 5/27/65

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Burn Creek (Trib To S. fr Payette R)

235.6 AFA IRR. 0.65 CFS Use IRRIGATION Period of Use From 4-15 To 10-15
8.8 AFA IRR. 0.65 CFS Use DIVERSION TO STORAGE Period of Use From (Mo. Day) (Mo. Day) (Both Dates Inclusive)
244.4 AFA IRR. 0.65 CFS Use FISH PROPAGATION Period of Use From 1-1 To 12-31
(CFS, GPD, AF, I) (Domestic, Irrigation, Stock, etc.) (Mo. Day) (Mo. Day) (Both Dates Inclusive)

(4) 0.65 CFS. TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 Sec. 29 Twp. 10 N Rge. 10 E B.M.; 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.

(6) 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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
10N	10 E	29																	17
		31	5				5												10
		32						35	15										55

Total No. of acres 82

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

(7) Effluent, sewage waste, or return water from this use is discharged into

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

(9) Remarks ORIGINAL LICENSED CFS REDUCED BY TER #1695 FROM 1.15 TO .30 BY GRANTING RT 65-2803-H .30 CFS & ADDITIONAL P.O. DIV. & CHG. IN NATURE & PLACE OF USE. (THIS RT WHEN COMBINED W/ RT # 65-7199 SHALL PROV. NO MORE THAN 3.0 AFA (AS.)

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

LICENSE Permit No. 65-2803

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.

Individual

Vernon Court (Signature of Claimant)

Organization (Signature of Agent)

Organization (Signature of Authorized Agent)

State of Idaho ss. Organization of Hanging Valley Ranch, Inc.

County of Boise On this 1 day of Sept, 1971, before me,

a notary public, personally appeared Vernon Court 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.

Notary Public residing at Boise

My commission expires 2-15-1974

12/1/78 2/7/78



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

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

In Re SRBA	)	Subcase No. 65-02803X
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the 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; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:
Hanging Valley Ranch, Inc.



Frances Carson for: Date
Hanging Valley Ranch, Inc.

IDWR Concurrence

Carter Fritschle 9-14-00
Agent Date

Susan Hamlin Nygard 9/15/00
Susan Hamlin Nygard Date
Deputy Attorney General

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. You must also send a copy to all parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 10-31, 2000, 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:

Idaho Department of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720

Becky Hawley for: Frances Carson
Signature of person or attorney mailing the form

09/14/2000

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

RIGHT NUMBER: 65-02803X

NAME AND ADDRESS: HANGING VALLEY RANCH INC
1625 ANNETT ST
BOISE, ID 83705

SOURCE: BURN CREEK TRIBUTARY: Payette River

QUANTITY: 0.65 CFS

PRIORITY DATE: 05/27/1965

POINT OF DIVERSION: T10N R10E S29 NESW Within BOISE County
T10N R10E S29 SESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DIVERSION TO STORAGE	01-01 12-31	0.65 CFS
RECREATION	01-01 12-31	0.65 CFS
IRRIGATION	04-15 10-15	0.65 CFS
RECREATION STORAGE	01-01 12-31	8.8 AFY

cf
jc

THE RECREATION COMPONENTS ARE PONDS USED FOR RECREATIONAL
FISHING

sehn
dc

PLACE OF USE:

IRRIGATION Within BOISE County			
T10N R10E S29	SWSW	4	T10N R10E S29 SESW 15
T10N R10E S31	NENE	5	T10N R10E S31 SENE 5
T10N R10E S32	NENW	8	T10N R10E S32 NWNW 35
T10N R10E S32	SWNW	10	
82 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NO. 65-07149 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 82 ACRES IN A SINGLE
IRRIGATION SEASON

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS NESW, S29, 10N, 10E: 65-07149 AND 65-02803A

of
JC
seen
JC

AJ0749NP
No. R65-02803X

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

DATE: 06/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HANGING VALLEY RANCH INC 1625 ANNETT ST BOISE ID 83705 (208) 344-4070	05/27/1965	IRRIGATION RECREATION STORAGE RECREATION FROM STORAGE DIVERSION TO STORAGE	04-15 10-15 01-01 12-31 01-01 12-31 01-01 12-31	0.650 CFS 0.650 CFS 0.650 CFS	 8.80 AFA 8.80 AFA
TOTAL DIVERSION:					0.650 CFS	

Water Source: BURN CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion: T10N R10E S29 NESW SESW BOISE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE							
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10N	10E	29	:														04	15	:								19.0
10N	10E	31	:	05															:								10.0
10N	10E	32	:								08	35	10						:								53.0
																							TOTAL ACRES		82.0		

Place of use location for RECREATION FROM STORAGE is the same location as described for: IRRIGATION

POU County: BOISE

Other Rights: 65-07149

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C04 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
- TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: USE THE RECREATION COMPONENTS ARE PONDS USED FOR RECREATIONAL FISHING.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-07149 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 82 ACRES IN A SINGLE IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

AJ0749NP
No. R65-02803X

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

DATE: 06/14/00
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE AS NESW, S29, 10N, 10E: 65-07149 AND
65-02803A.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/29/1999 User-ID: MSCHULTE Subject: CHANGE IN USE
THE FISH PROPAGATION COMPONENT WAS CHANGED TO RECREATION TO
DESCRIBE THE HISTORICAL USE OF SEVERAL PONDS THAT SERVED THE
PURPOSE OF RECREATIONAL FISHING NOT COMMERCIAL FISH PRODUCTION.

Date: 01/31/2000 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 06/14/00 MSCHULTE

Schulte, Mel

From: Harvey, Becky
Sent: Monday, June 12, 2000 4:50 PM
To: Schulte, Mel
Cc: Hamlin Nygard, Susan
Subject: 65-02803X - Hanging Valley Ranch, Inc. - Basin 65, Part II

CONFIDENTIAL

Mel -

Did Dave T. talk to you yet about this objection? Mrs. Carson was in last week and Dave helped her prepare the objection form.

It appears to me, that we should get a Standard Form 5 prepared and sent out to Mrs. Carson soon. From what I can tell, the recreation for .65 cfs was inadvertently left off the final recommendation - it was on the preliminary recommendation. ????????

I will fax this objection to you so that you can look at it, then give me a call.

Thanks.

Becky

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

A Subcase 65-02803X
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: Hanging Valley Ranch Inc C/o Mrs. Frances CarsonAddress: 1625 Annet St.Boise Id 83705Daytime Phone: 344-4070

Name & Address of Attorney, if any:

C CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Same

Address: _____

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☒ **Purpose(s) of Use**

Should be: _____

*Recreation 1-1 to 12-31 0.65 cfs
Should be added to other uses*

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

11. **I object because:**

☐ This water right should not exist.

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

REASONS SUPPORTING OBJECTION(S): *See earlier Page He*

Adjudication decree

F

VERIFICATION (Must be Completed)

State of Id)
)ss.County of Ada)Mrs. Frances Carson

(Name of person filing objection)

, duly sworn, upon oath, deposes and says:

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

* Mrs. Frances Carson
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 7, 2000

D. R. Tuttle
Notary Public for Id Dept of Water Res
Residing at: 2913 N. El Rancho Boise
My Commission Expires: Sept 10, 2000

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 6-12-00, 1990, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name:

N/A

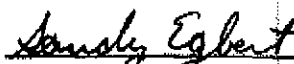
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

855NP
322IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: April 11, 2000
PAGE: 1

WT NUMBER: 65-02803X

E AND ADDRESS: HANGING VALLEY RANCH INC
1625 ANNETT ST
BOISE ID 83705

RCH: BURN CREEK

TRIBUTARY: PAYETTE RIVER, SOUTH FORK

NTITY: 0.65 CFS

ORITY-DATE: 05/27/1965

NT OF DIVERSION TION R10E S29 N3SW Within BOISE County
S3SW

POSE AND

MOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.65 CFS
	RECREATION STORAGE	01-01 12-31	8.8 AFY
	DIVERSION TO STORAGE	01-01 12-31	0.65 CFS
	Recreation	1-1 12-31	0.65 cfs

THE RECREATION COMPONENTS ARE PONDS USED FOR RECREATIONAL
FISHING.

MOD OF USE:	IRRIGATION	Within BOISE County
	TION R10E S29	S3SW 4 S3SW 15
	S31	N3SW 5 S3SW 5
	S32	N3SW 8 S3SW 35
	82 ACRES TOTAL	S3SW 10

USE OF THIS RIGHT WITH RIGHT NO. 65-07149 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 82 ACRES IN A SINGLE
IRRIGATION SEASON.

ER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

MANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE AS N3SW, S29, 10N, 10E: 65-07149 AND
65-02803A.

BS3NP IDAHO DEPARTMENT OF WATER RESOURCES
346 PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: February 3, 2000
PAGE: 1

WT NUMBER: 65-02801X

E AND ADDRESS: HANGING VALLEY RANCH INC
1625 ANNETT ST
BOISE ID 83705

RCE: BURN CREEK

TRIBUTARY: PAYETTE RIVER, SOUTH FORK

NTITY: 0.65 CFS
3.8 APY

IRITY-DATE: 05/27/1965

ET OF DIVERSION T10N R10E S29 NESW Within BOISE County
SESW

MODE AND MOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.65 CFS
	RECREATION STORAGE	01-01 12-31	0.65 CFS
	RECREATION FROM STORAGE	01-01 12-31	0.65 CFS
			8.8 APY
	DIVERSION TO STORAGE	01-01 12-31	0.65 CFS

THE RECREATION COMPONENTS ARE PONDS USED FOR RECREATIONAL FISHING.

TE OF USE:	IRRIGATION	Within BOISE County
	T10N R10E S29	SWSW 4 SESE 15
	S31	NENE 5 SESE 5
	S32	NENW 8 SESE 35
	82 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 65-07149 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 82 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for RECREATION FROM STORAGE is same as IRRIGATION

IR MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

ANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

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

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

2-3-00
SAME CHANGE IN
DESCRIPTION
WATER AMOUNT
S2.
SAME ACRES
FROM 4/28/83
PAGE 1

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 535

INDICATES TOTAL

SOURCE: TUNNEL NO. SEVEN WASTEWAY

TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-7423	LEONARD, MARTIN C. & LEONARD, HELENE M. 1222 EAST PHILLIPS STREET, EMMETT, IDAHO 83617 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	10/ 5/1973	IRRIGATION	3/15 11/15	--- AFA .40 CFS	SWNW S 8 T 6N R 2W	SWNW(20) S 8 T 6N R 2W *20*	PERMIT

INDICATES TOTAL

SOURCE: TUNNEL NO. TWO DRAIN

TRIBUTARY TO: TUNNEL NO. SEVEN WASTEWAY

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2900	BLACK CANYON IRRIGATION DISTRICT NOTUS, IDAHO 83656 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2433 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	9/13/1965	IRRIGATION	3/15 11/15	--- AFA 100.00 CFS	NENE S20 T 6N R 2W	*57020*	PERMIT

AJ5809NP
No. 65-02803X

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/13/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HANGING VALLEY RANCH INC 1625 ANNETT ST BOISE ID 83705 (208) 344-4070	05/27/1965	IRRIGATION RECREATION STORAGE DIVERSION TO STORAGE	04-15 10-15 01-01 12-31 01-01 12-31	0.650 CFS 0.650 CFS	8.80 AFA
TOTAL DIVERSION:					0.650 CFS	

Water Source: BURN CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion: T10N R10E S29 NESW SESW BOISE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10N	10E	29	:												04	15			19.0
10N	10E	31	:	05															10.0
10N	10E	32	:					08	35	10									53.0
TOTAL ACRES																			82.0

POU County: BOISE

Other Rights: 65-07149

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C04 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
- TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: USE THE RECREATION COMPONENTS ARE PONDS USED FOR RECREATIONAL FISHING.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-07149 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 82 ACRES IN A SINGLE IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS NESW, S29, 10N, 10E: 65-07149 AND 65-02803A.

AJ5809NP
No. 65-02803X

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/13/00
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
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Misc:	Water District Number: 65	Field Inspection Flag:
		Presumption Flag:

Comments: Date: 12/29/1999 User-ID: MSCHULTE Subject: CHANGE IN USE
THE FISH PROPAGATION COMPONENT WAS CHANGED TO RECREATION TO
DESCRIBE THE HISTORICAL USE OF SEVERAL PONDS THAT SERVED THE
PURPOSE OF RECREATIONAL FISHING NOT COMMERCIAL FISH PRODUCTION.

Date: 01/31/2000 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 12/29/99 MSCHULTE 01/31/00 AJU10-JS 04/06/00 JSHURTE 04/11/00 CPDSHAFF
04/14/00 ADT-DSHA

AJ0749NP
No. R65-02803X

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

DATE: 12/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HANGING VALLEY RANCH INC 1625 ANNETT ST BOISE ID 83705 (208) 344-4070	05/27/1965	IRRIGATION RECREATION STORAGE RECREATION FROM STORAGE DIVERSION TO STORAGE	04-15 10-15 01-01 12-31 01-01 12-31 01-01 12-31	0.650 CFS 0.650 CFS 0.650 CFS 0.650 CFS	8.80 AFA
TOTAL DIVERSION:					0.650 CFS	8.80 AFA

Water Source: BURN CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion: T10N R10E S29 NESW SESW BOISE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
10N	10E	29	:									:					04	15			:	19.0		
10N	10E	31	:	05								:									:	10.0		
10N	10E	32	:							08	35	:	10								:	53.0		
TOTAL ACRES																					82.0			

Place of use location for RECREATION FROM STORAGE is the same location as described for: IRRIGATION

POU County: BOISE

Other Rights: 65-07149

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C04 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
- TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: USE THE RECREATION COMPONENTS ARE PONDS USED FOR RECREATIONAL FISHING.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-07149 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 82 ACRES IN A SINGLE IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AS NESW, S29, 10N, 10E: 65-07149 AND 65-02803A.

Dates: **Exam Made Date:** **Verified Date:** **Objection Filed Date:**

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/29/1999 User-ID: MSCHULTE Subject: CHANGE IN USE
THE FISH PROPAGATION COMPONENT WAS CHANGED TO RECREATION TO
DESCRIBE THE HISTORICAL USE OF SEVERAL PONDS THAT SERVED THE
PURPOSE OF RECREATIONAL FISHING NOT COMMERCIAL FISH PRODUCTION.

Audit: 12/29/99 MSCHULTE

February 3, 2000

**NOTICE OF ERROR
REPLY**

RECEIVED

FEB 23 2000

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2000

Water right number: 65-02803X

HANGING VALLEY RANCH INC
1625 ANNETT ST
BOISE ID 83705

RECEIVED

FEB 24 2000

WATER RESOURCES
WESTERN REGION

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

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

DATE: 2-18-00 SIGNATURE: Sean K. Carson

Please print your name: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:31:45
12/20/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-02803X

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HANGING VALLEY RANCH INC	05/27/1965	IRRIGATION	04-15 10-15	0.650 CFS	
		47	~~FISH PROPAGATION~~	01-01 12-31	0.650 CFS	
		48	~~FISH PROP. FROM STORAGE~~	01-01 12-31	0.650 CFS	8.80 AFA
			DIVERSION TO STORAGE	01-01 12-31	0.650 CFS	
TOTAL DIVERSION:					0.650 CFS	8.80 AFA

Water Source: BURN CREEK

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion: T10N R10E S29 NESW

BOISE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	10E	29														07	10		17.0
10N	10E	31	05			05													10.0
10N	10E	32					05	35	15										55.0
TOTAL ACRES																			82.0

Place of use location for FISH PROPAGATION is the same location as described for: IRRIGATION

Place of use location for FISH PROP. FROM STORAGE is the same location as described for: IRRIGATION

POU County: BOISE

Non-Irrigation Uses: FISH PROPAGATION

Other Rights: A65-02803A, A65-07149

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-7149 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

3 not needed, combined they don't total 1/acre.
Objection Filed/Date:

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

EXP- F06
POU1- E11
C03 & C05
C04.

USE:

Comment: -fish

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:31:17
12/20/99

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-02803X

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS In office 12-29-99	N		MS 12-29-99	MS 12-29-99	
POINT OF DIV				Y				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			N				
PURPOSES OF USE				.				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED <u>1972 map</u> IDWR ID NO. _____	Y(☒) N() <u>4a</u>
(☒) NAPP <u>GIS (3)</u>	DATE OF PHOTO <u>1987, 12-29-99</u> IDWR ID NO. _____	Y(☒) N() <u>5a, c, d</u>
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(☒) OTHER <u>GIS table</u>	DATE <u>12-29-99</u>	Y(☒) N() <u>5a</u>
(☒) OTHER <u>Boise Nat. Forest map</u>	_____	Y(☒) N() <u>5e</u>
(☒) OTHER <u>Map of irrigated area and mainlines</u>	_____	Y(☒) N() <u>5f</u>

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
(☒) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED <u>10-8-70</u>	<u>4</u>	<u>4 plots 65-02803 into "A" & "B"</u>
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(☒) OTHER <u>Pool review report</u>	DATE <u>12-20-99</u>	<u>1</u>	_____
(☒) OTHER <u>Overlap review</u>	DATE <u>12-29-99</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:31:17
12/20/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02803X

LAST: HANGING VALLEY RANCH INC
ADDRESS: 1625 ANNETT ST
CITY: BOISE
PHONE NUMBER: 208-344-4070
FIRST:
STATE: ID ZIP: 83705

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-7149 SHALL PROVIDE NO
MORE THAN .02 CFS/ACRE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Leon Carson

PHONE NUMBER: (*344-4070*)

DATE OF FIELD EXAM: ___/___/___

APPOINTMENT MADE: Y() N()

TIME: ___:___ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office exam. This recommendation is based on information provided by Mr & Mrs. Leon Carson during a meeting in our office on 12-28-99. They have been associated with the property and subdivision for 30+ years.

A. AJ CLAIM: # A65-02803X PRIORITY DATE: 05-27-1965 STAGE: D

B. WR RECORD: # 65-02803X PRIORITY DATE: 05-27-1965 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Recommended as decreed in the PRBA.

=====

RECOMMENDED PRIORITY DATE:

05-27-1965

REVIEWED BY

McL Schulte

DATE

12-29-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02803X	10N 10E	29		NE	SW			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-02803A R65-02803A
A65-07149

WR RECORDS IN SAME 40 ACRE TRACT
65-02803A
65-07149

SOURCE: BURN CREEK

TRIB: PAYETTE RIVER, SOUTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02803X	10N 10E	29		NE	SW			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-02803A R65-02803A
A65-07149

65-02803A
65-07149

SOURCE: BURN CREEK

TRIB: PAYETTE RIVER, SOUTH FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: The source was confirmed by USGS topo map V16. Mr. Max Carson indicated that for at least 30 years there has been another diversion from Burn Creek on the SE SW, S29 that serves a lower mainline to irrigate a large meadow area. The NE SW, S29 POD serves two upper mainlines. (See attached map)

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP. 10N	RGE. 10E	SEC. 29	1/4	1/4 NE	1/4 SW	LOT	POD FLAG	COUNTY BOISE	DIVERSION NAME	DIVERSION NBR
—	—	29	—	SE	SW	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: BURN CREEK

TRIB: PAYETTE RIVER, SOUTH FORK

REVIEWED BY: *McSchutte*

DATE: 12-29-99

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A L L F O R E S T

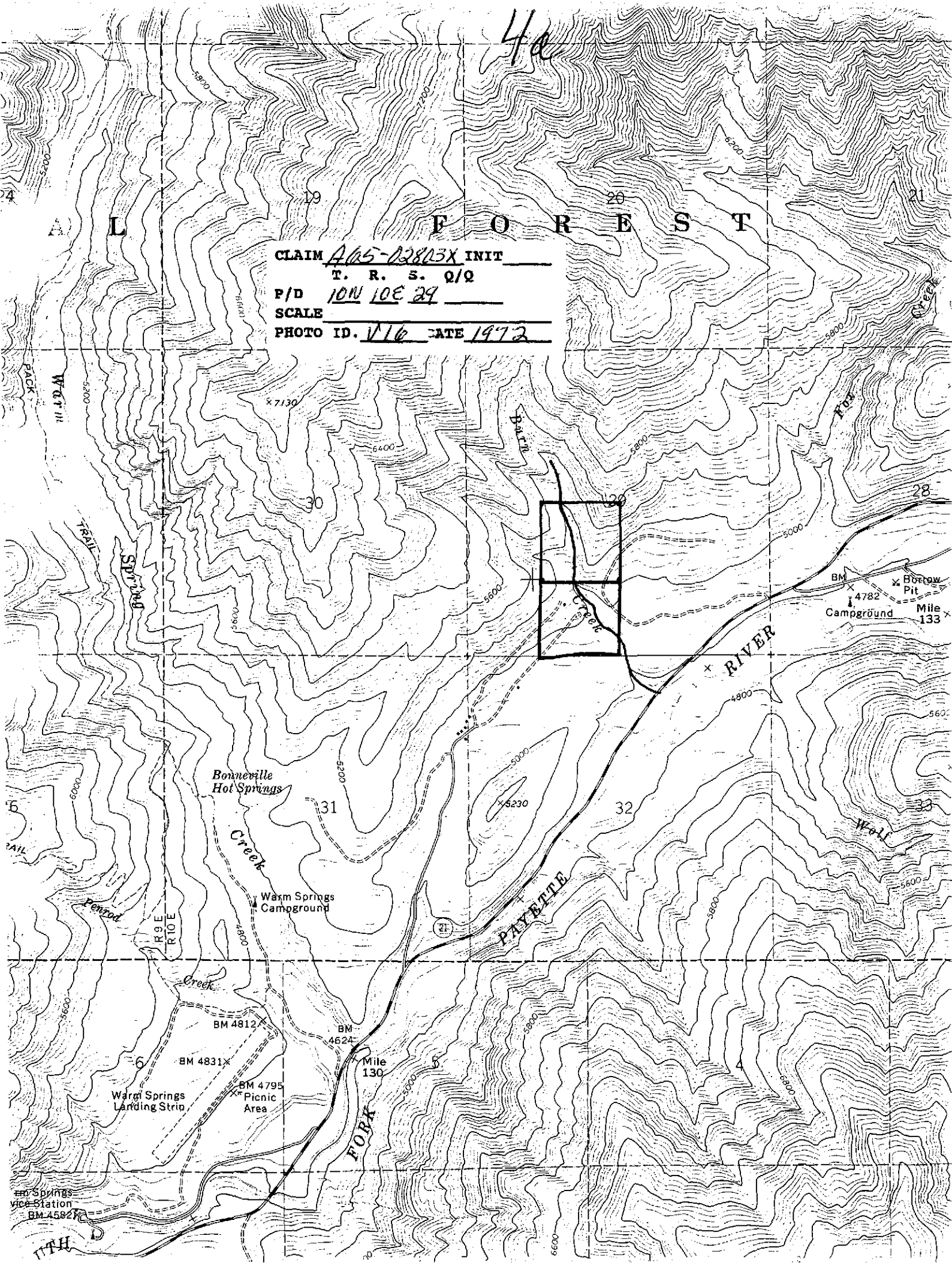
CLAIM A05-02803X INIT

T. R. S. Q/Q

P/D 10N 10E 29

SCALE

PHOTO ID. V16 DATE 1972



A. ROOT WATER RIGHT NUMBERS: A65-02803A
A65-02803X
R65-02803A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	10E	29	SW	~~SE~~ SW		HANGING VALLEY RANCH INC	A65-02803X / 7.0	65-02803X / 7.0			
			SW	SE		HANGING VALLEY RANCH INC	A65-07149 / 7.0	65-07149 / 7.0			4
10N	10E	29	SE	~~SE~~ SW		HANGING VALLEY RANCH INC	A65-02803X / 10.0	65-02803X / 10.0			
			SE	SE		HANGING VALLEY RANCH INC	A65-07149 / 10.0	65-07149 / 10.0			15
10N	10E	31	NE	NE		HANGING VALLEY RANCH INC	A65-02803X / 5.0	65-02803X / 5.0			5
10N	10E	31	SE	NE		HANGING VALLEY RANCH INC	A65-02803X / 5.0	65-02803X / 5.0			
			SE	NE		HANGING VALLEY RANCH INC	A65-07149 / 5.0	65-07149 / 5.0			5
10N	10E	32	NE	NW		HANGING VALLEY RANCH INC	A65-02803X / 5.0	65-02803X / 5.0			
			NE	NW		HANGING VALLEY RANCH INC	A65-07149 / 5.0	65-07149 / 5.0			8
10N	10E	32	NW	NW		HANGING VALLEY RANCH INC	A65-02803X / 35.0	65-02803X / 35.0			
			NW	NW		HANGING VALLEY RANCH INC	A65-02803A /	65-02803A /			
			NW	NW		HANGING VALLEY RANCH INC	A65-07149 / 21.0	65-07149 / 21.0			35
			NW	NW		HANGING VALLEY RANCH INC	R65-02803A /	- /			
10N	10E	32	SW	NW		HANGING VALLEY RANCH INC	A65-02803X / 15.0	65-02803X / 15.0			
			SW	NW		HANGING VALLEY RANCH INC	A65-07149 / 15.0	65-07149 / 15.0			10

ADDITIONAL POU FOUND

TOTAL ACRES A65-02803X 82.00 82.00

POU COUNTY: BOISE

82

5a

WESTERN REGION

OWNER (S): Hanging Valley Ranch

CLAIM NUMBERS: A65-02803X

AGENT: MEL SCHULTE

DATE 12-29-99

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	10N	10E	29											4	15				19
			31	5			5		2										10
			32					8	35	10									53
																			82

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS 12-30-99

ATTRIBUTES OF B65-POU.SHP (1547) () () () ()

ATTRIBUTES OF B65-POD.SHP (1551) (1552) () () ()

☒ B65-DBPOU.DBF UPDATED BY MTS

☒ B65-DBPOD.DBF UPDATED BY MTS

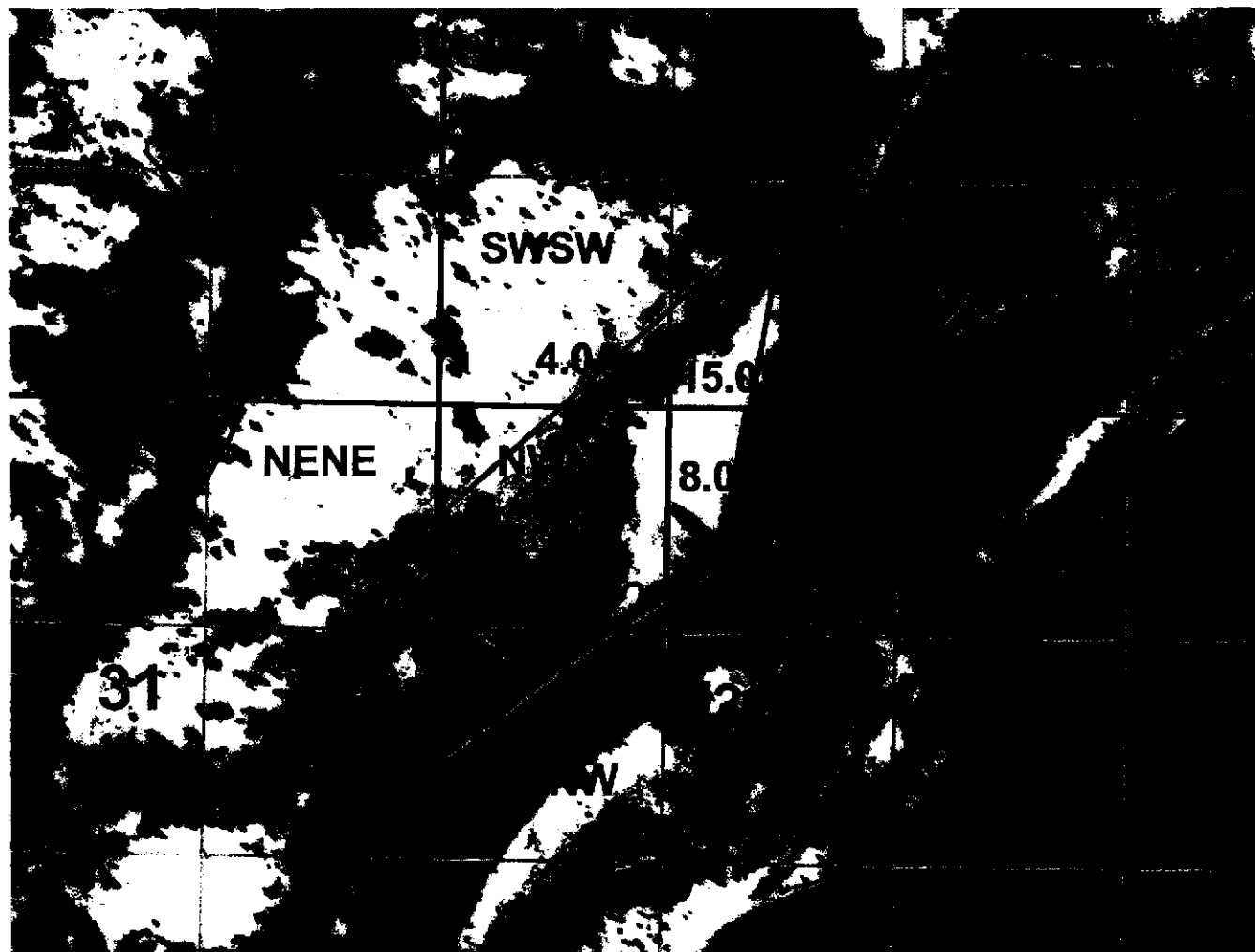
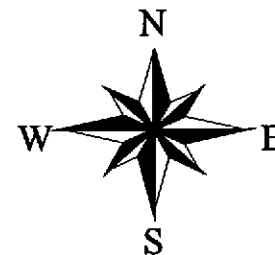
NOTES:

1551 = NESW
1552 = SESW

5b

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R10E, S29, 31 & 32



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02803x

OWNER(S): HANGING VALLEY RANCH

Prepared by Mel Schulte

DATE: DECEMBER 29, 1999



This map describes the
migration and location
of the personnel
with the camera in 1968-69

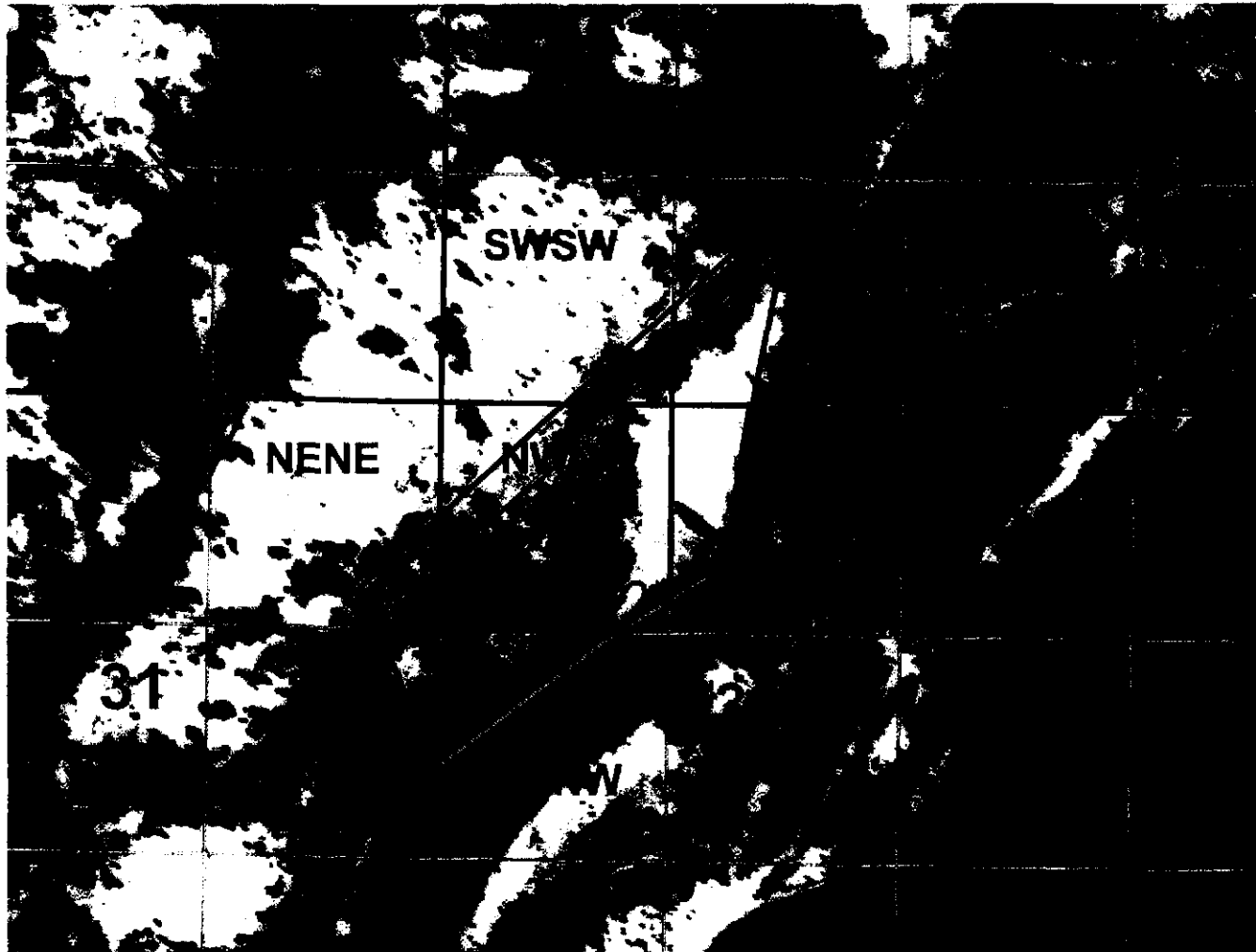
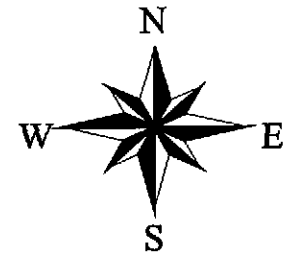
30 29

31

5d

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R10E, S29, 31 & 32



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02803X

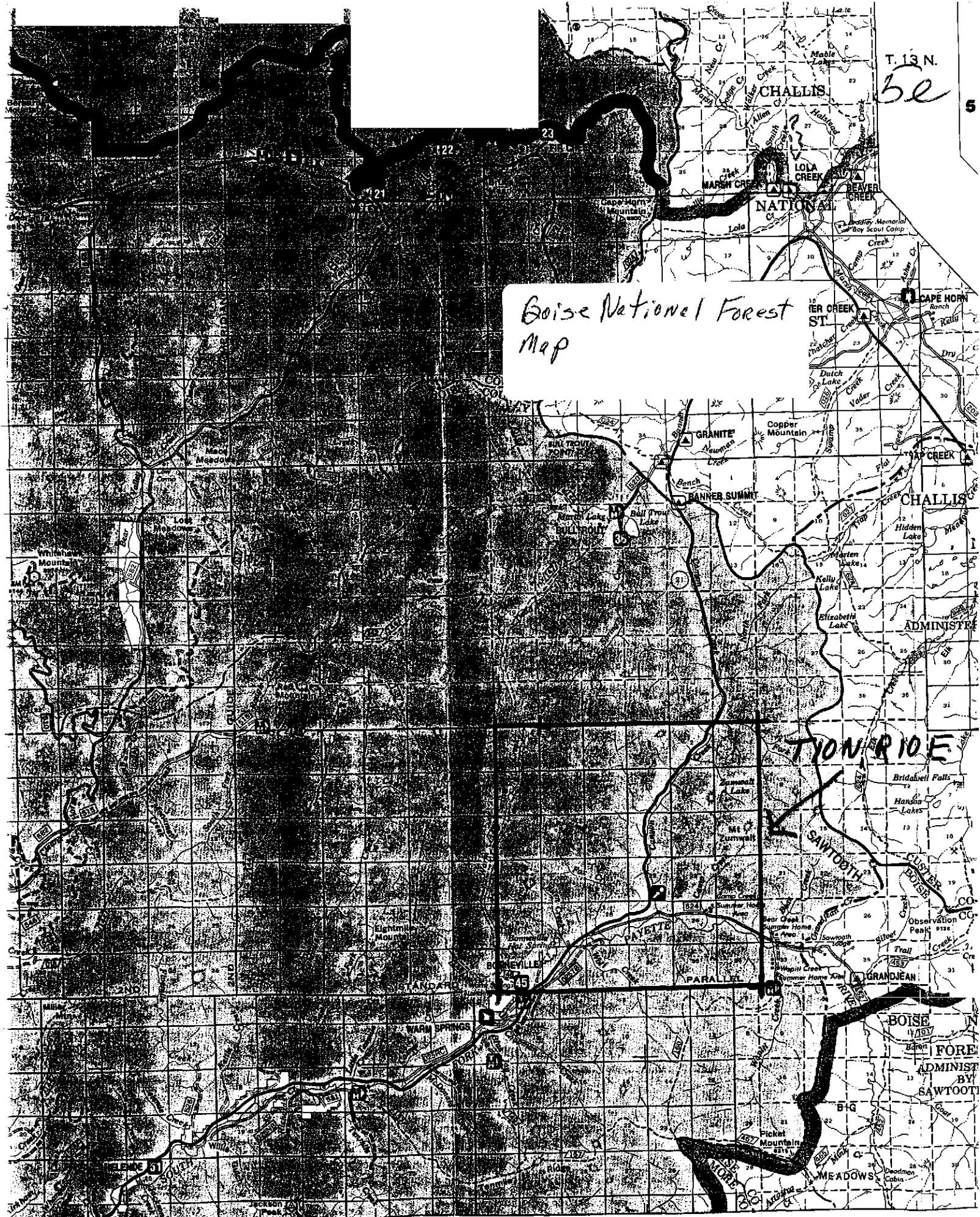
OWNER(S): HANGING VALLEY RANCH

Prepared by Mel Schulte

DATE: DECEMBER 29, 1999

0 0.25 0.5 0.75 1 Miles





Boise National Forest
Map

T. 13 N.
5e

R. 8 E.

R. 9 E.

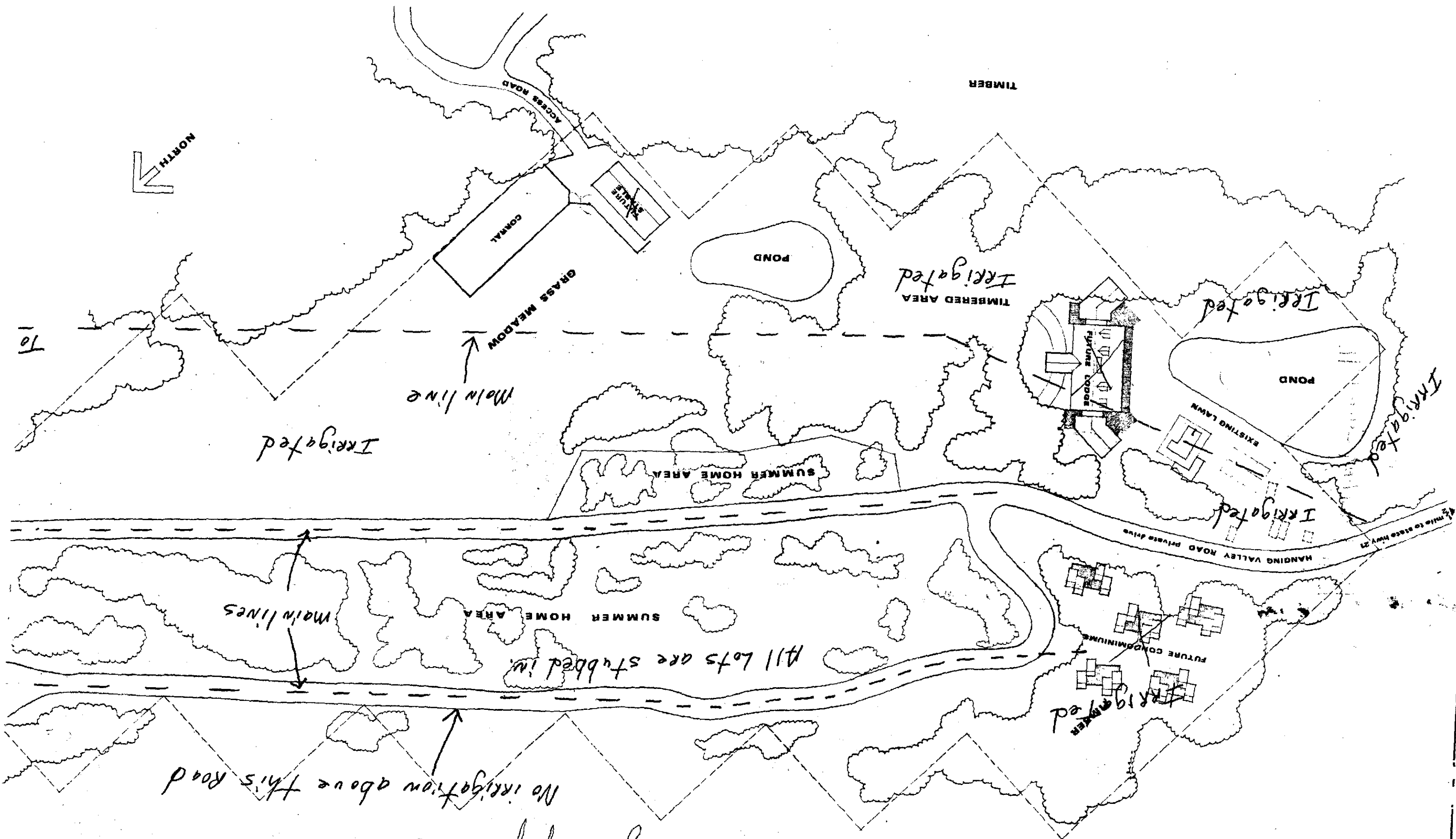
R. 10 E.

R. 11 E.

19

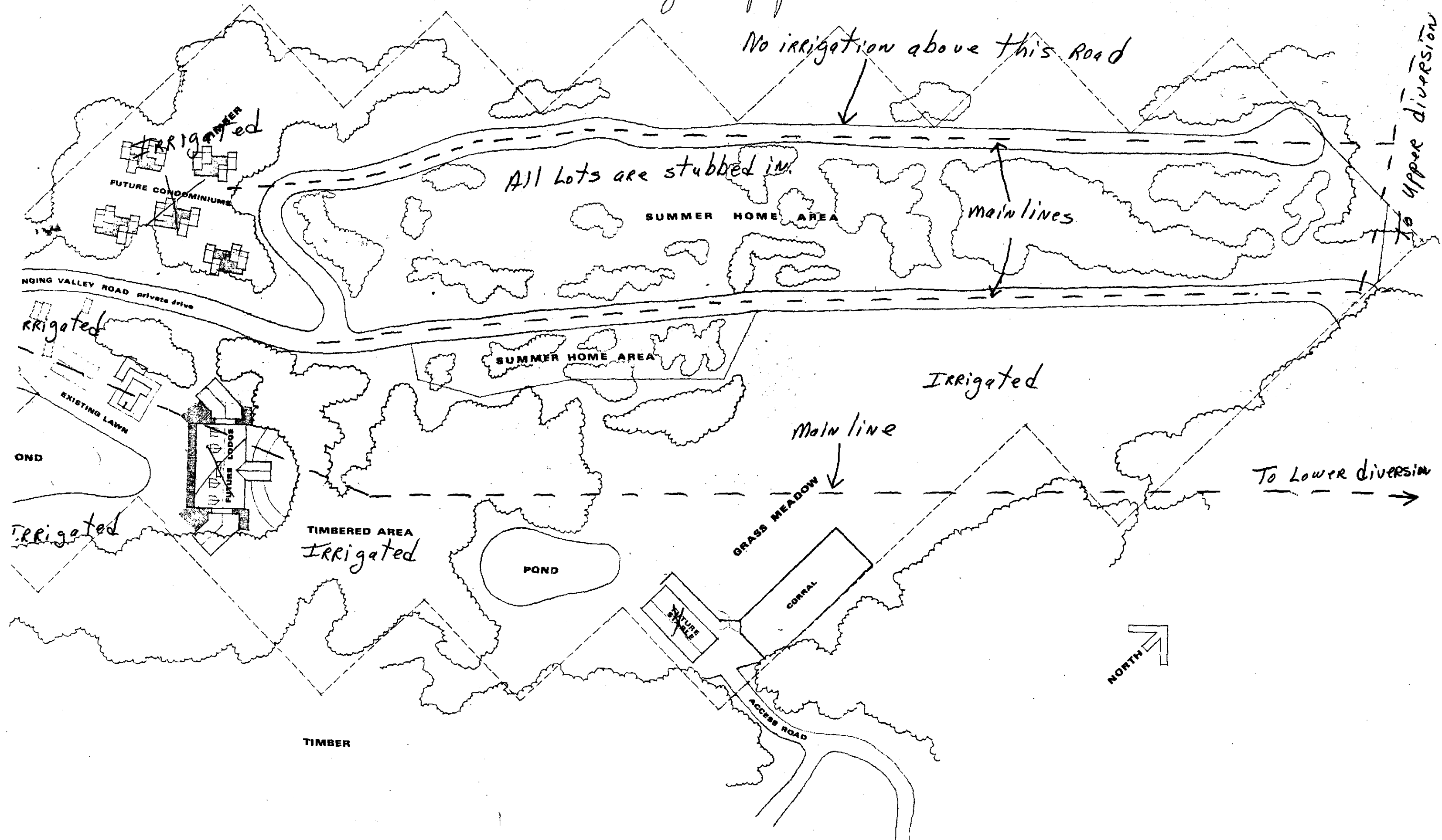
HA65-02803X & HA65-07149

Proposed future developments map west to show migration patterns



X & A65-07149

Proposed future developments map used to show
irrigation pipelines



C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y(☒) N(☐)

* IF YES, ARE THESE TRACTS LISTED ABOVE (☒) , OR ARE THEY LISTED ON AN ATTACHED SHEET (☒)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02803X	BURN CREEK	HANGING VALLEY RANCH INC	0.650	0.007	8.80	0.10
A65-07149	BURN CREEK	HANGING VALLEY RANCH INC	0.500	0.007		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-02803X	DIVERSION TO STORAGE	HANGING VALLEY RANCH INC	FROM 01-01 TO 12-31	0.650 CFS	
A65-02803X	FISH PROPAGATION	HANGING VALLEY RANCH INC	FROM 01-01 TO 12-31	0.650 CFS	
A65-02803X	FISH PROP. FROM STORAGE	HANGING VALLEY RANCH INC	FROM 01-01 TO 12-31	0.650 CFS	
A65-02803A	DOMESTIC	HANGING VALLEY RANCH INC	FROM 01-01 TO 12-31	0.500 CFS	60.00 AF/A
R65-02803A	DOMESTIC	HANGING VALLEY RANCH INC	FROM 01-01 TO 12-31	0.500 CFS	60.00 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☐) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-02803A, A65-07149

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () APCS PHOTO; () OTHER _____

NOTES: According to Mr. & Mrs. Carson in the 30+ years they have been associated with the property there has never been any irrigation East of Burn Creek. This deletes the SWSE and SESE S29 parcels that according to Boise County and Boise National Forest maps is Forest Service land. There is however irrigation in the SW 1/4 of S29 which is part of the Hodgson Valley Ranch Sub to which all lots are stubbed in. It appears there were either errors in the prior decree or accomplished transfers of the POU. This recommendation corrects the POU.

RECOMMENDATIONS:

TOTAL ACRES: 82 N/A ()

REVIEWED BY: Mel Schulte

DATE: 12-29-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02803X IRRIGATION	FROM 04-15 TO 10-15	0.650 CFS	
A65-02803X DIVERSION TO STORAGE	FROM 01-01 TO 12-31	0.650 CFS	
A65-02803X FISH PROPAGATION	FROM 01-01 TO 12-31	0.650 CFS	
A65-02803X FISH PROP. FROM STORAGE	FROM 01-01 TO 12-31	0.650 CFS	8.80 AF/A
TOTAL DIVERSION RATE/VOLUME		0.650 CFS	8.80 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02803X IRRIGATION	FROM 04-15 TO 10-15	0.650 CFS	
65-02803X DIVERSION TO STORAGE	FROM 01-01 TO 12-31	0.650 CFS	
65-02803X FISH PROPAGATION	FROM 01-01 TO 12-31	0.650 CFS	
65-02803X FISH PROP. FROM STORAGE	FROM 01-01 TO 12-31	0.650 CFS	8.80 AF/A
TOTAL DIVERSION RATE/VOLUME		0.650 CFS	8.80 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

Recommended as decreed in the PRBA. The fish propagation use is actually a recreational use rather than commercial fish production.

AJ CLAIM TOTAL DIVERSION RATE: 0.650 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.650 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 8.2 x 0.02 CFS/ACRE = 1.64 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 8.80 AF/A = Dish/recreation

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

NOTES: Recommended as decreed

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-15	10-15	DATABASE 0.650	EXAMINER	DATABASE	EXAMINER	DATABASE 0.0	EXAMINER
DIVERSION TO STORAGE	01-01	12-31	0.650				0.0	
<i>Recreation</i> FISH PROPAGATION	01-01	12-31	0.650				0.0	
FISH PROP. FROM STORAGE	01-01	12-31	0.650		8.80		0.0	
TOTAL FOR THIS RIGHT			0.650		8.80		0.0	

NON-IRRIGATION USES CLAIMED: FISH PROPAGATION

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY:

Michael Schulte

DATE:

12-29-99

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXP-F06

POU1 - E11 w 7149

USE - fish

EXPLANATORY CONDITIONS (CODE):

C05 & C03 & C04

EXPLANATORY REMARKS (CODE):

Comment - fish propagation

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

See note below - no splits

ROOT WATER RIGHT NUMBER: 65-02803

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.150	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02803A	0.500	R65-02803A	0.500	65-02803A	0.500
-	A65-02803X	0.650	-	-	65-02803X	0.650
TOTAL CFS		1.150		0.500		1.150

*Note:
as decreed*

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N	FIELD EXAMINER Y() N()
---------------	--------------------------------

NOTES:

AUTHENTICATION:

SIGNATURE: Neil Schulte DATE: 12-29-99

NAME OF FIELD EXAMINER: _____ TITLE: _____

Overlap review

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PERMIT																						
FOUND																						
OVERLAP																						
DIFFERENCE																						

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

[illegible]

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: A65-02803X

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02803A
A65-02803X
R65-02803A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
10N	10E	29	SW	SE		HANGING VALLEY RANCH INC	A65-02803X /01/ 7.0	65-02803X /01/ 7.0	
			SW	SE		HANGING VALLEY RANCH INC	A65-07149 /01/ 7.0	65-07149 /01/ 7.0	-
10N	10E	29	SE	SE		HANGING VALLEY RANCH INC	A65-02803X /01/10.0	65-02803X /01/10.0	
			SE	SE		HANGING VALLEY RANCH INC	A65-07149 /01/10.0	65-07149 /01/10.0	
10N	10E	31	NE	NE		HANGING VALLEY RANCH INC	A65-02803X /01/ 5.0	65-02803X /01/ 5.0	
10N	10E	31	SE	NE		HANGING VALLEY RANCH INC	A65-02803X /01/ 5.0	65-02803X /01/ 5.0	- overlap
			SE	NE		HANGING VALLEY RANCH INC	A65-07149 /01/ 5.0	65-07149 /01/ 5.0	
10N	10E	32	NE	NW		HANGING VALLEY RANCH INC	A65-02803X /01/ 5.0	65-02803X /01/ 5.0	
			NE	NW		HANGING VALLEY RANCH INC	A65-07149 /01/ 5.0	65-07149 /01/ 5.0	- overlap
10N	10E	32	NW	NW		HANGING VALLEY RANCH INC	A65-02803X /01/35.0	65-02803X /01/35.0	
			NW	NW		HANGING VALLEY RANCH INC	A65-02803A /43/	65-02803A /43/	
			NW	NW		HANGING VALLEY RANCH INC	A65-07149 /01/21.0	65-07149 /01/21.0	
			NW	NW		HANGING VALLEY RANCH INC	R65-02803A /43/	- / /	
10N	10E	32	SW	NW		HANGING VALLEY RANCH INC	A65-02803X /01/15.0	65-02803X /01/15.0	
			SW	NW		HANGING VALLEY RANCH INC	A65-07149 /01/15.0	65-07149 /01/15.0	
TOTAL ACRES						A65-02803X	82.00	82.00	

POU COUNTY: BOISE

INTER-DEPARTMENT MEMO — 1

FROM

RON H

DATE

5-10-89

TO

A65-02803X

SUBJECT

The 2- $\frac{1}{4}$ $\frac{1}{4}$ ^S in Section 29 may not be
IRRIGATED WHICH WOULD DROP THE ACREAGE
TO 65 ACRES.

MICROFILMED

SEP 21 1992

RL

SIGNATURE

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 86

INDICATES TOTAL

SOURCE: BURN CREEK

TRIBUTARY TO: SOUTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FRGM TC	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2803A	HANGING VALLEY RANCH, INC. P. O. BOX 5815, BOISE, IDAHO 83705	5/27/1965	DOMESTIC	1/ 1 12/31	60.00 AFA .50 CFS	NESH S29 T10N R10E	NW1/4 S32 T10N R10E SW1/4 SE1/4 S29 T10N R10E	LICENSE
65-2803X	HANGING VALLEY RANCH, INC. P. O. BOX 5815, BOISE, IDAHO 83705 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7149 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/27/1965	IRRIGATION	4/15 10/15	--- AFA .65 CFS	NESH S29 T10N R10E	SW1/4 (7) SE1/4 (10) S29 T10N R10E NENE1/4 (5) SENE1/4 (5) S31 T10N R10E NENE1/4 (5) NW1/4 (35) SW1/4 (15) S32 T10N R10E *82*	LICENSE
			DIVERSION TO STORAGE	1/ 1 12/31	--- AFA .65 CFS		SAME AS OTHER USE	
			FISH PROP	1/ 1 12/31	--- AFA .65 CFS		SAME AS OTHER USE	
			FISH PROP FROM STOR	1/ 1 12/31	8.80 AFA --- CFS *---*AFA *.65*CFS		SAME AS OTHER USE	
65-7149	HANGING VALLEY RANCH, INC. P. O. BOX 5815, BOISE, IDAHO 83705	7/29/1970	IRRIGATION	4/15 10/15	--- AFA .50 CFS	NESH S29 T10N R10E	SW1/4 (7) SE1/4 (10) S29 T10N R10E SENE1/4 (5) S31 T10N R10E NW1/4 (21) SW1/4 (15) NENE1/4 (2) NENE1/4 (5) S32 T10N R10E *65*	LICENSE

INDICATES TOTAL

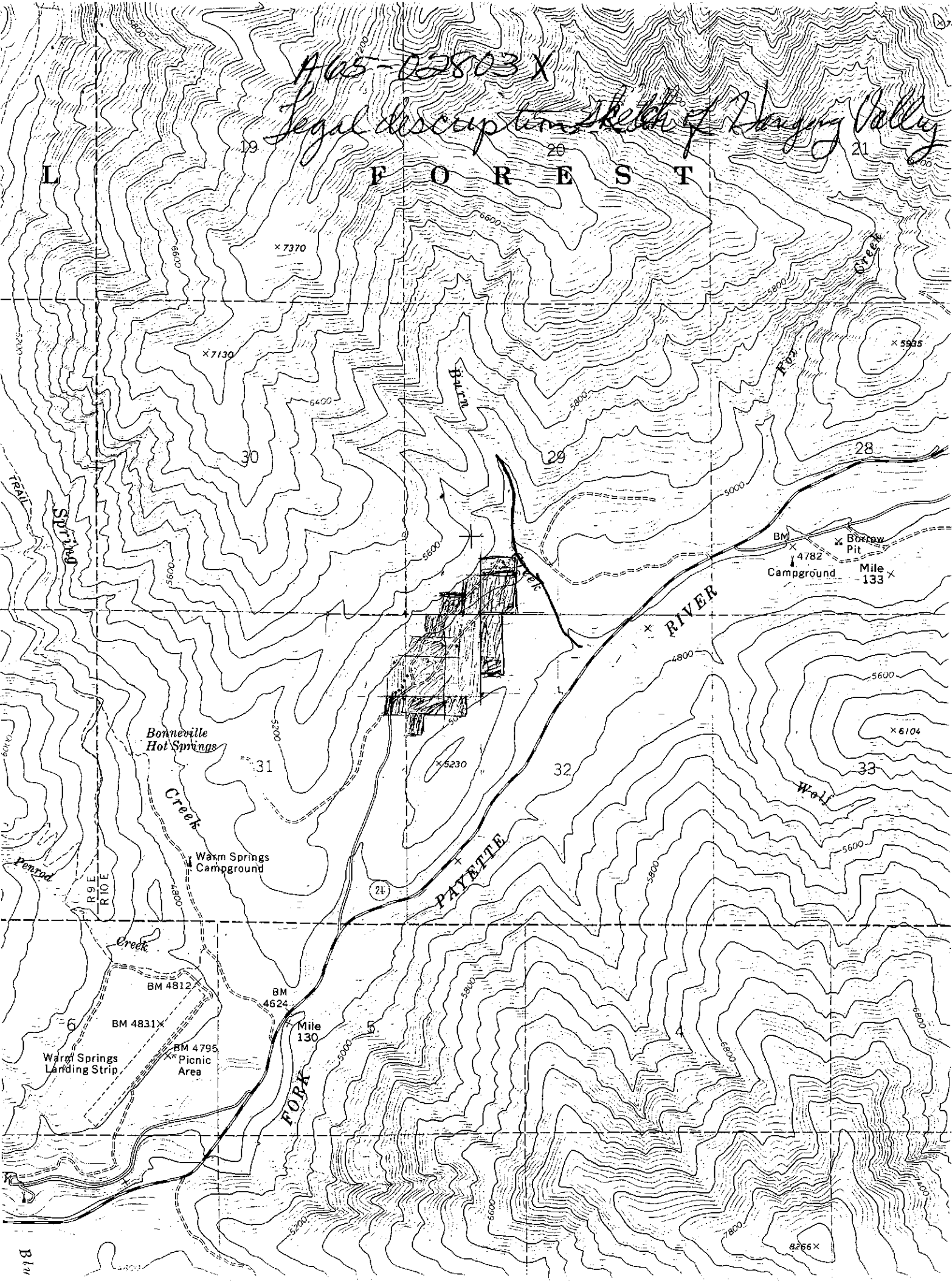
SOURCE: CALDERWOOD CREEK

TRIBUTARY TO: SOUTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FRGM TC	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-5656	IDRIL, PATRICK HOMER GARDEN VALLEY, IDAHO 83622	4/ 1/1887	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	NW1/4 S10 T 8N R 5E	NW1/4 S10 T 8N R 5E	BENEFICIAL USE

A05-02803 X
Legal description sketch of Hanging Valley

L F O R E S T



AGS-02803X

LEGAL DESCRIPTION
FOR
HANGING VALLEY RANCH
BOISE COUNTY, IDAHO

~~The South half of the Northwest quarter of the Southeast quarter of the Southwest quarter, the Southwest quarter of the Southeast quarter of the Southwest quarter, the East half of the Southeast quarter of the Southwest quarter of the Southwest quarter, and the Southwest quarter of the Southeast quarter of the Southwest quarter of the Southwest quarter of Section Twenty-nine (29); the East half of the Southeast quarter of the Northeast quarter of the Northeast quarter, and the Northeast quarter of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section Thirty-one (31), and the Northeast quarter of the Northwest quarter of the Northwest quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter of the Northwest quarter, the East half of the Northwest quarter of the Northwest quarter, the West half of the Northwest quarter of the Northeast quarter of the Northwest quarter, the Northwest quarter of the Southwest quarter of the Northeast quarter of the Northwest quarter, the Northwest quarter of the Northeast quarter of the Southwest quarter of the Northwest quarter, the north half of the Northwest quarter of the Southwest quarter of the Northwest quarter, and the Southwest quarter of the Northwest quarter of the Southwest quarter of the Northwest quarter of Section Thirty-two (32), in Township Ten (10) North, of Range Ten (10) East of the Boise Meridian, containing 85 acres, together with all water, water rights, permits, ditches and rights-of-way for ditches used upon or in connection with said premises.~~

Except that there is excluded from such property the following:

Lots 1 through 7 of Block 1 and Lots 1 through 37 of Block 2 of Hanging Valley Ranch Subdivision.

Also excluded is a triangular parcel,

Beginning at a point which is N. $89^{\circ}39'$ W., 58.74 feet from the northerly corner of Lot 36, Block 2, Hanging Valley Ranch Subdivision; thence N. $89^{\circ}39'$ W., 285.41 feet to a steel pin; thence S. $0^{\circ}09'$ W., 330.0 feet to a steel pin on the northwesterly boundary of said subdivision; thence along said boundary, N. $45^{\circ}14'$ E., 245.51 feet to a steel pin; thence on a curve to the left with a radius of 475 feet, a central angle of $13^{\circ}14'$, whose long chord bears N. $38^{\circ}37'$ E., 109.46 feet to a steel pin; thence N. $32^{\circ}00'$ E., 82.36 feet to the real point of beginning.

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

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

65-2803X

MAP NO.

Boise

Notice is hereby given that

Vernon Gossett

HANGING VALLEY RANCH, INC.

P.O. Box 5875, Boise, Idaho 83705

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

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 date that permit was issued) 5/27/65

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Burn Creek

(TRIG TO S. F. PAYETTE)

235.6 AFA IRR. 0.65 CFS Use IRRIGATION Period of Use From 9-15 To 10-15
8.8 AFA FISH 0.65 CFS Use DIVERSION TO STORAGE (Mo., Day) Both Dates Inclusive 9-30
244.4 AFA FISH 0.65 CFS Use FISH PROPAGATION (Mo., Day) Both Dates Inclusive 1-1 To 12-31
Quantity (CFS, GPD, AF, I) Use FISH PROPAGATION (Mo., Day) Both Dates Inclusive 1-1 To 12-31

(4) 0.65 CFS TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source. NE 1/4 Sec. 29, Twp. 10 N, Rge. 10 E, B.M.; 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.

(6) 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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
10N	10E	29															7	10	17
		31	5																10
		32					5	35	15										55

Total No. of acres 82

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

(7) Effluent, sewage waste, or return water from this use is discharged into:

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

(9) Remarks ORIGINAL LICENSED CFS. REDUCED BY TER. #1695 FROM 1.15 TO .50 CFS. BY GRANTING RT. 65-2803-A. 50 CFS. & ADDITIONAL PT. OF DIV. & CHG. IN NATURE & PLACE OF USE. (THIS RT. WHEN COMBINED W/ RT. #65-7159 SHALL PROV. NO MORE THAN 3.0 AFA (AS).)

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

LICENSE Permite No. 65-2803

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.

Individual

9-1-1971
(Date)

Vernon Gossett
(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho

County of Ada

On this 1 day of Sept, 1971, before me,

a notary public, personally appeared

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.

Notary Public residing at

My commission expires 2-1-1974

217170 SR,

DEC 5 1973

SPECIAL USE PERMIT

Act of June 4, 1897

This permit is revocable and nontransferable
(Ref. FSM 2710)

d. Record no. (1-2)	b. Region (3-4)	c. Forest (5-6)
70	04	Boise 02
e. District (7-8)	e. User number (9-12)	f. Kind of use (13-15)
Lowman 05	2720	Water Transmission 911
g. State (16-17)	h. County (18-20)	k. Cord no. (21)
Idaho 16	Boise 015	1

Permission is hereby granted to Hanging Valley Ranch, Inc., c/o Victor K. Hosford

of Box 5815, Boise, Idaho 83705

hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

Portions of E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 29, T. 10 N., R. 10 E., B.M., extending from Burn Creek in a southerly direction, crossing the creek and then in a westerly direction to the NW corner of private land;

Portions of SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29 and NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T. 10 N., R. 10 E., B.M., from Burn Creek in a southerly direction for approximately .175 miles then westerly for approximately .2 miles to private land; and

Beginning on the West Fork of Burn Creek in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, T. 10 N., R. 10 E., B.M., and proceeding in a southerly direction 1000 feet to private land.

This permit covers .23 acres and 0.70 miles ^{more or less} and is issued for the purpose of:

Maintaining a pipeline, headgate and trestle to bring irrigation water from Burn Creek to private land; using an existing irrigation ditch to bring water from Burn Creek to private land; and maintaining a 4" plastic pipeline for water transmission to summer homes and recreation cabins on private land.

1. Construction or occupancy and use under this permit shall begin within N/A months, and construction, if any, shall be completed within N/A months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of fifteen and no/100 - - Dollars (\$ 15.00) for the period from January 1 19 74, to December 31, 19 74, and thereafter annually on January 1.

fifteen and no/100 - - - - - Dollars (\$ 15.00) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3 This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 26 attached hereto and made a part of this permit

PERMITTEE	NAME OF PERMITTEE <u>HANGING VALLEY RANCH, INC.</u>	SIGNATURE OF AUTHORIZED OFFICER <i>Victor K. Hosford</i>	DATE <u>April 15 1973</u>
ISSUING OFFICER	NAME AND SIGNATURE <i>Richard L. Stauber</i>	TITLE <u>Acting Forest Supervisor</u>	DATE <u>DEC 5 1973</u>

18. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due or \$15, whichever is greater. If a due date falls on a non-workday, the service charge will not apply until the end of the next workday.
19. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.
20. (B-31) Avalanches, rising waters, high winds, falling limbs or trees, and other hazards are natural phenomenons in the forest that present risks which the permittee assumes. The permittee has the responsibility of inspecting his site, lot, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards.
21. (E-4) Unless sooner terminated or revoked by the Regional Forester, in accordance with the provisions of the permit, this permit shall expire and become void on December 31, 1982, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Forest Supervisor not less than 6 months prior to said date that such new permit is desired.
22. (X-5) The land herein described is subject to certain rights reserved by or outstanding in parties other than the United States, and nothing herein shall abridge said rights or authorize prevention or obstruction of the reasonable exercise thereof.
23. (X-33) This permit is granted with the express understanding that should future location of Government improvements or road rights-of-way require the relocation of the permittee's improvements, such relocation will be done by the permittee at his expense within sixty (60) days following request to relocate.
24. (X-49) This permit shall not be exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purpose, provided such use does not interfere with the rights and privileges hereby authorized.
25. (X-81) This permit confers no right to the use of water by the permittee.
26. (X-18) This permit supersedes special use permits designated: Vernon Gossi, Water Transmission (911), 8/13/65; Vernon Gossi, Water Transmission (911), 9/30/65; and Vernon Gossi, Water Transmission (911), 11/9/67.

Transfer No. 2222

APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of Use

obtained by

ecree jo

In Case of

(Name)

Dated

(Name of Court)

Court County of

License No. 65-2803 issued by the State of Idaho, Department of Reclamation

source of water: Burn Creek

tributary to S. Fk., Payetto River

(Name of stream or source)

Date of Priority 5-27-65

1415

Gifts and/or

acre feet/annum

1-1

12-31

Water is used for <u>irrigation & fish culture</u> from <u>5-1</u> to <u>10-15</u>	(Month, Day)	(Month, Day)
--	--------------	--------------

(Month, Day)

(Month, Day)

original location of point of diversion is NE 1/4 SW 1/4 of Section 2

ownship 10 N Range 10 E B.M. in Boise County

Additional points of diversion, if any:

8. Lands presently irrigated or place of use.

Total number of acres presently irrigated 82

15 2803

(16)

showing the water right in the original
water right and the water right provided by the applicant to explain your plan
of water being transferred to supply domestic water in irrigation
to be taken for use on the ground.

Other water right than you claim for the new ground upon which you wish to transfer (right)
No.

The above plan the new land to be irrigated and the point of diversion

assured that no one will be injured by such transfer and that the change will be made at my own
expense. I declare that the information contained in this application is true to the best of my knowledge.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 21 day of July, 1970

[Signature]
(Notary Public)

My commission expires 2/18/71

APPROVED

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 1045/65-2803

and find application in accord with **APPROVED**

I approve of said application subject to the following limitations and conditions:

Denial of said application is for the following reasons:

Which my hearing is on 8th day of October, 1970

[Signature]
State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 7-24-70

Protest filed by Date

Preliminary fee by [Signature] Date 7-24-70

Fee received by [Signature] Date 7/24/70

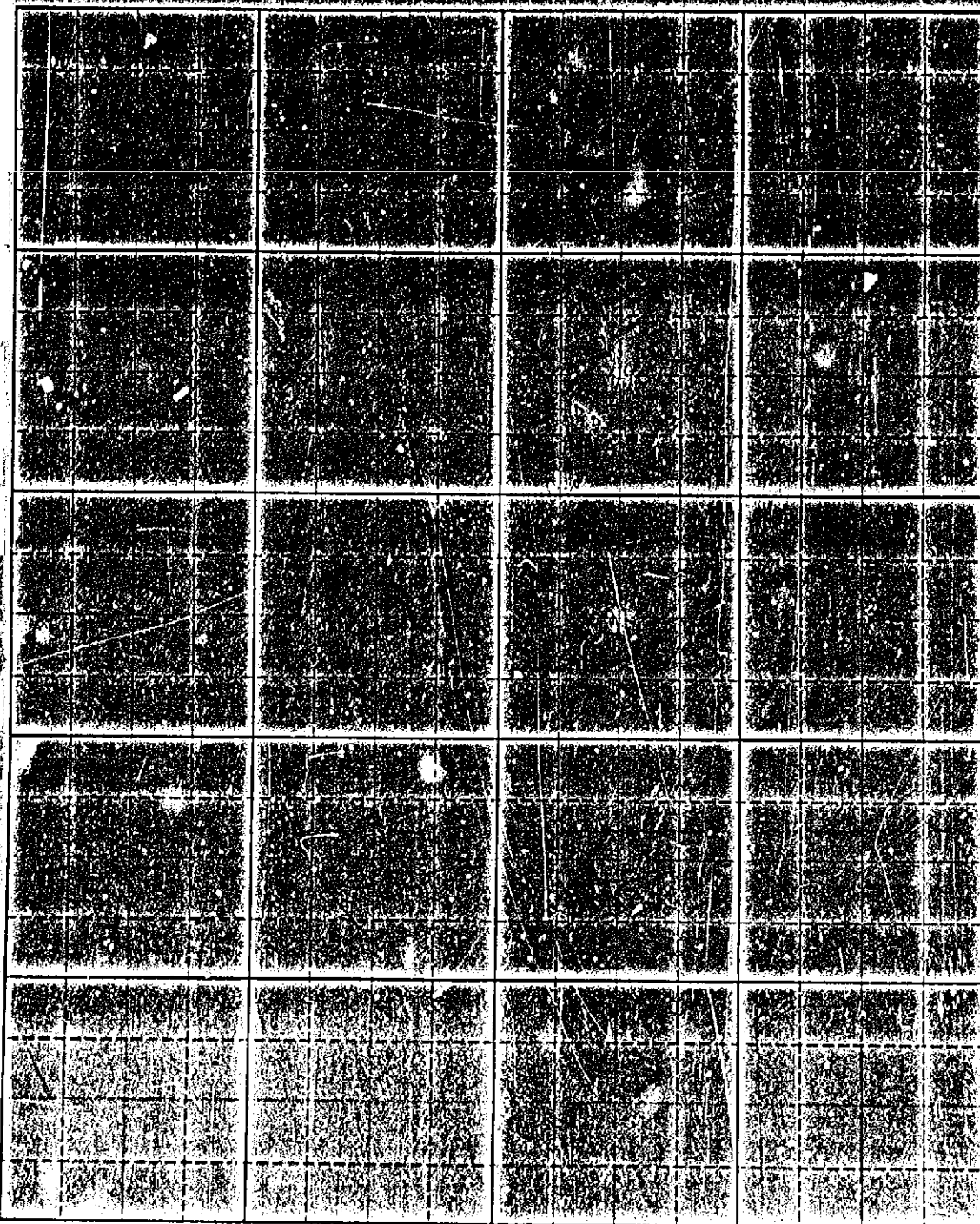
Approved for publication by

Published in on

Hearing held

Watermaster Recommendation

2346



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

15 280