

01/05/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-2192

MIDDLE FORK RANCH INC

~~PO BOX 7594~~

~~BOISE ID 83707~~

Telephone Number: ~~(208) 345-4651~~

HC83 Box 8110
CASCADE, ID 83611
(254) 378-8739

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. CHANGE OF ADDRESS

DATE:

2/21/06

SIGNATURE:

Dan M. Weber

Please print your name:

DANIEL M. WEBER, ASSOC. MGR MFR, INC.

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

12/22/2005

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

RIGHT NUMBER: 77-2192
NAME AND ADDRESS: MIDDLE FORK RANCH INC
PO BOX 7594
BOISE ID 83707
SOURCE: RANCH CREEK TRIBUTARY: MIDDLE FORK SALMON RIVER
QUANTITY: 0.750 CFS
260.000 AFY
PRIORITY DATE: 09/27/1965
historic The appropriator shall exercise this right in a manner that recognizes the
rights of practice that the use of water for power generation is incidental to the
make a others to the use of water for other purposes. The appropriator shall not
rights. delivery call for hydropower generation except as against junior hydropower

POINT OF DIVERSION:

T16N R11E S8 SWSW Within VALLEY County
T16N R11E S8 SESW Lot 6 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC		
IRRIGATION	06/01 09/15	0.080 CFS 12.00 AFY
POWER	01/01 12/31	0.330 CFS 240.00 AFY

PLACE OF USE:

IRRIGATION Within VALLEY County
T16N R11E S08 Lot 6 SESW 4.0
POWER Within VALLEY County
T16N R11E S08 Lot 6 SESW
DOMESTIC Within VALLEY County
T16N R11E S08 Lot 1 NENE T16N R11E S08 Lot 2 SENE
T16N R11E S08 Lot 6 SESW T16N R11E S08 Lot 5 NESE
T16N R11E S08 Lot 5 NWSE T16N R11E S08 Lot 6 SWSE

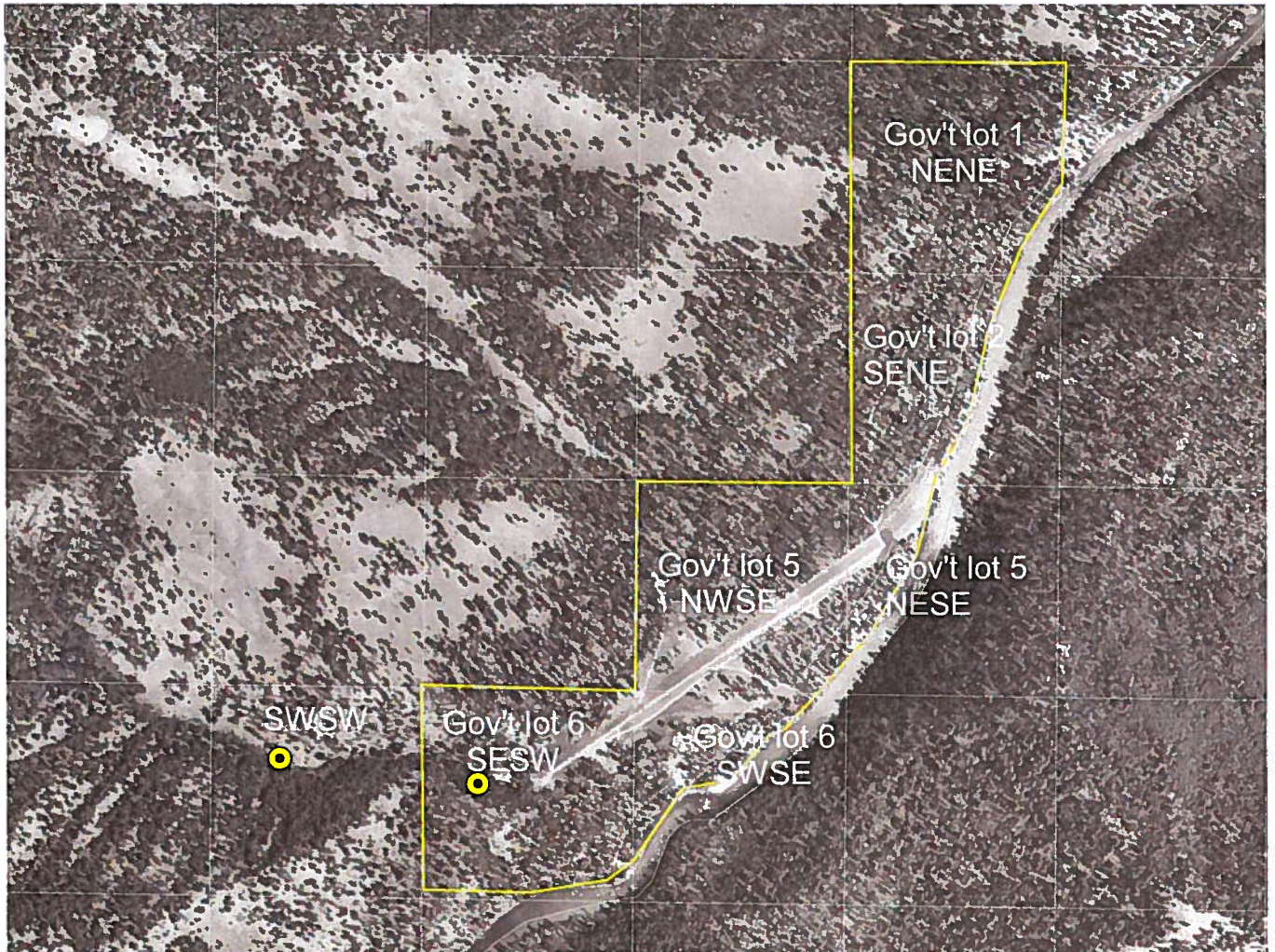
4 ACRES TOTAL

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 - License

77-2192



0 900 1800 Feet

Section 8
T16N R11E



● Point of Diversion

□ Place of Use

Map prepared on July 22, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

7612-17

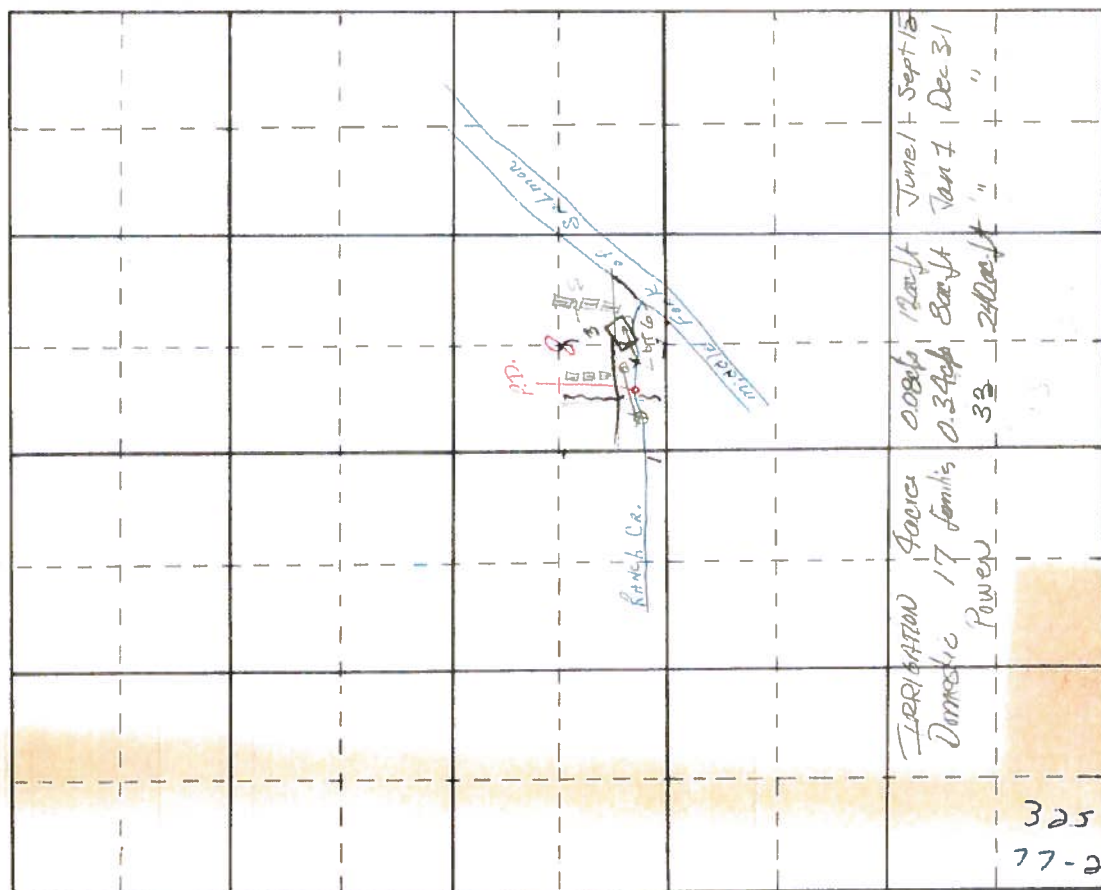
Description

Filed - Sept. 27, 1965
Due - Sept. 28, 1970
Made - April 3, 1969
Priority - Sept. 27, 1965

Total acreage 4

Other rights and acreage covered. (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.

* Darren C. Anderson, P.O. Box 7594, Boise, Idaho



32539
77-2192

State of Idaho

WATER LICENSE

Water License No. 32539/77-2192 Priority September 27, 1965 Amount 0.75 c.f.s.

THIS IS TO CERTIFY, that Marvin Hornback - Assignee - MIDDLEFORK RANCH, INC.
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 27, 1965; that Permit 32539/77-2192 was issued pursuant
to said application; that the proposed works were completed on or about April 3, 1969,
with a storage/or carrying capacity of 0.75 c.f.s., said works consisting of penstock,
turbine, and generator; and that on April 3, 1969,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 260
acre feet per season, with a maximum rate of diversion of 0.08 cubic feet per second/of the waters
c.f.s. for domestic and 0.33 c.f.s. for power
of Ranch Creek, tributary of Middle Fork of Salmon,
for the purpose of irrigation from June 1 to September 15;
and for domestic from January 1 to December 31; and for
power from January 1 to December 31; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW 1/4 SW 1/4, Sec. 8, T. 16 N., R. 11 E., B.M., and
other additional points Lot 6 (SE 1/4 SW 1/4) Sec. 8, T. 16 N., R. 11 E.BM, in the County of
Valley; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 260 acre feet per year.

Description and location of place of use:

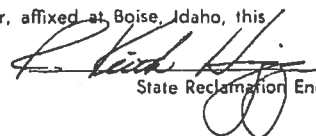
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16 N	11 E	8												L 6 4					4
DOMESTIC USE ON THE FOLLOWING LAND																			
16 N	11 E	8									X			X		X			

Total number of acres irrigated 4

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

7th day of October, 1969.


State Reclamation Engineer

77 2192

32539

77-2192

03/17/2005

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

RIGHT NUMBER: 77-2192
NAME AND ADDRESS: MIDDLE FORK RANCH INC
PO BOX 7594
BOISE ID 83707
SOURCE: RANCH CREEK TRIBUTARY: MIDDLE FORK SALMON RIVER
QUANTITY: 0.750 CFS
260.000 AFY
PRIORITY DATE: 09/27/1965
POINT OF DIVERSION:

T16N R11E S8 SWSW Within VALLEY County
T16N R11E S8 SESW Lot 6 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	06/01 09/15	0.080 CFS 12.00 AFY
DOMESTIC	01/01 12/31	0.340 CFS 8.00 AFY
POWER	01/01 12/31	0.330 CFS 240.00 AFY

PLACE OF USE: IRRIGATION Within VALLEY County
T16N R11E S08 Lot 6 SESW 4.0

DOMESTIC Within VALLEY County

T16N R11E S08 NESW T16N R11E S08 Lot 6 SESW

T16N R11E S08 Lot 5 NWSE

POWER same as IRRIGATION

4 ACRES TOTAL

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: License

77-2192



0 500 1000 Feet



Section 8
T16N R11E



● Point of Diversion

□ Place of Use

Map prepared on March 17, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

07/15/2005

WATER RIGHT NO. 77-2192

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MIDDLE FORK RANCH INC PO BOX 7594 BOISE, ID 83707 (208)345-4651
Original Owner	MARVIN E HORNBACK

Priority Date: 09/27/1965

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
RANCH CREEK	MIDDLE FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	6/01	9/15	0.08 CFS	12 AFA
POWER	1/01	12/31	0.33 CFS	
DOMESTIC	1/01	12/31	0.34 CFS	8 AFA
Total Diversion			0.75 CFS	

Location of Point(s) of Diversion:

RANCH CREEK	SWSW	Sec. 08	Township 16N	Range 11E	VALLEY County
RANCH CREEK	SESW Lt 6	Sec. 08	Township 16N	Range 11E	VALLEY County

POWER Use:
Hydropower Kilowatts: 0

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16N	11E	8	6	SESW	4									

Place of Use Legal Description:POWER same as IRRIGATION

Place of Use Legal Description: DOMESTIC VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
16N	11E	8		NESW			SESW							
				NWSE										

Total Acres: 4

Conditions of Approval:

- 1.||LICENSE SHOWS 260 AF TOTAL OF WHICH 240 AF IS FOR POWER USE.

Dates:
Licensed Date: 10/10/1979
Decreed Date:
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

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: A77-02192
Date Received: 10/31/1988
Receipt No: C005291
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIDDLEFORK RANCH INC. 208-345-4651
Address: P.O. BOX 7594
BOISE, ID 83707
2. Date of Priority: SEP 27, 1965
3. Source: RANCH CREEK Trib. to: SALMON RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	11E	8	SW	SW			VALLEY
			SE	SW	6		VALLEY
5. Description of diverting works:
COLLECTION BOX, 8" PIPELINE, TURBINE, IRR/DOM SYSTEM
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/01	09/15	0.080		
DOMESTIC	01/01	12/31	0.340		
POWER	01/01	12/31	0.330		
7. Total Quantity Appropriated is:
0.750 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 0.1 Acre Feet Per Annum.
9. Non-irrigation uses:
POWER, D/17 CABINS AND LODGE.
GENERATING CAPACITY 18.7 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	11E	8	NE		SW		DOMEST	
			SE		SW	6	DOMEST	
			SE		SW	6	IRR	4.0
			NW		SE		DOMEST	
							Section Acres	4.0
							Total Acres	4.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

NO. 12: THE CABINS ARE OWNED BY INDIVIDUALS WHO ALSO OWN SHARES OF STOCK IN MIDDLEFORK RANCH, INC. THE CORPORATION PROVIDES THE DOMESTIC WATER FOR THE CABINS.

15. Basis of Claim: LICENSE
Water Right Number: 32539

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 477-02192
Date Received 10-31-88
Receipt Number 0005291NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 31 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Middle Fork Ranch, Inc. Phone (208) 345-4651
Mailing Address P.O. Box 7594, Boise, ID Zip 83707
2. Date of Priority (Only one (1) per claim) September 27, 1965
3. Source of water supply (a) Ranch Creek
which is tributary to (b) Middle Fork of Salmon River
4. a. Location of existing point of diversion is: Township 16 N Range 11 E Section 8,
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, E B.M., County of Valley
Additional points of diversion if any: Lot 6 (SE 1/4 SW 1/4) Sec. 8, T. 16N, R. 11E., B.M.
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Collection box diverts water into
an 8" pipeline which feeds power turbine and irrigation/domestic system
throughout compound.

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 6-1 to 9-15 amount .08 or _____

For domestic purposes from 1-1 to 12-31 amount .34 or _____

For power purposes from 1-1 to 12-31 amount .33 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .10 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) power: 15 H.P. generator; domestic uses for 17 cabins and lodge

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	11E	8												L6 4					4
16N	11E	8									D			D			D		

Total number of acres irrigated 4

11. In which county (ies) are lands listed above as place of use located? Valley

12. Do you own the property listed above as place of use? Yes X No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

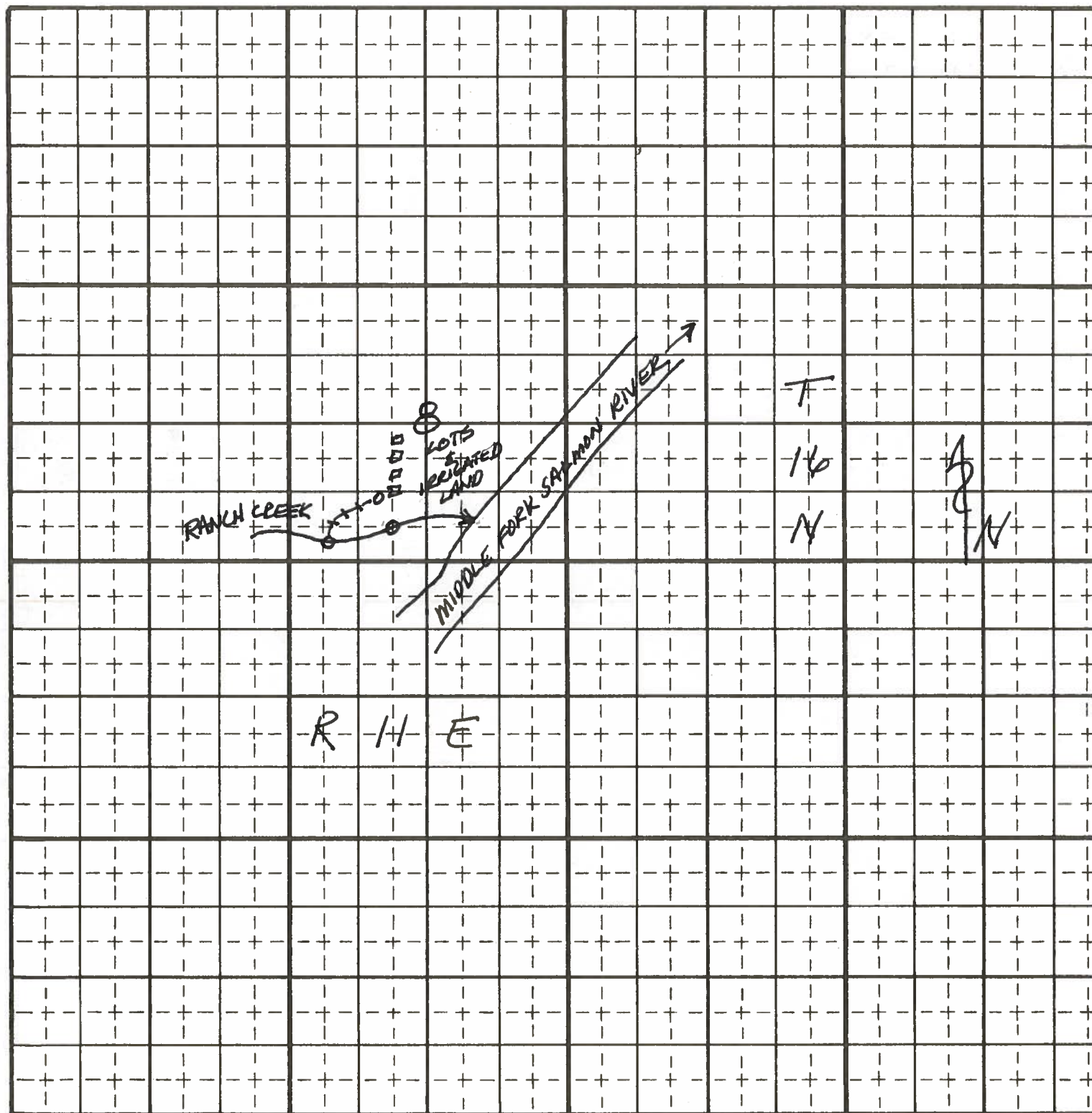
14. Remarks:
Re: No. 12: The cabins are owned by individuals who also
own shares of stock in Middle Fork Ranch, Inc. The corporation
provides the domestic water for the cabins.

Last Name Middle Fork Ranch Ident No. _____

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Copies: White - State, Yellow - Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name Middle Fork Ranch Ident No. _____

Copies: White-Sans Yellow-Classic
OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 32539/77-2192
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

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

For Organizations: I do solemnly swear or affirm that I am the Administrator
Title _____
of Middle Fork Ranch, Inc., that I have signed the foregoing
Organization _____
document in the space below as Administrator of Middle Fork Ranch, Inc.
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jerry Miller
Title and Organization Jerry Miller, Administrator
Middle Fork Ranch, Inc. Date 10-28-88

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day of October 19 88

SEAL

Notary Public Teresa A. Harbachuck

Residing at Boise, Idaho

My Commission Expires 3/31/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Morgan W. Richards, Jr. will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Morgan W. Richards, Jr.

Address Post Office Box 829, Boise, ID 83701

Date 10/28/88

Last Name Middle Fork Ranch Ident. Number _____

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Copies White-State, Yellow-Claimant
OCT 03 1988

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Middle Fork Ranch

CLAIM IDENT. NO.

A77-02192

DATE RECEIVED

10-31-88

CK #

2693

AMOUNT \$

153⁶³

YES

NO

1. Is the name and address complete with zip code?

☒☐

2. Is a priority date entered?

☒☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). **USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS).** EXPLAIN IN COMMENTS.

☒☐

3. (a) Is a source entered?

☒☐

(b) Is a tributary to entered? (if required)

N/A

☒☐

4. Is the legal description of the p.d. sufficient?

☒☐

5. Is there a description of the diverting works?

☒☐

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

☒☐

Is the period of use included?

☒☐

Is a quantity claimed for each use?

☒☐

7. Is a total quantity claimed entered?

☒☐

8. If required is a consumptive use entered?

N/A

☒☐

Is the consumptive use correct?

N/A

☒☐

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

☒☐

10. Is (are) the place(s) of use and purpose(s) indicated?

☒☐

11. Is (are) the county(ies) entered?

☒☐

12. Is the ownership of p.u. checked?

☒☐

13. Are other water rights listed or "none" indicated?

☒☐

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

☒☐

15. Is the basis of the claim indicated?

☒☐

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

☒☐

Has the claim been signed, sealed, and dated by a notary?

☒☐

Was this claim filed on time, or was an extension granted?

☒☐

Is the fee enclosed correct?

Exempt

☒☐

If this claim is based on an existing water right, has the identification number been entered?

N/A

☒☐

Should this claim be receipted and data entered?

☒☐Claim checked by: AS

Comments:

AS 10 Overpayment to A77-02192

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