

REVISED CLAIMS 55-02047 & 55-02209

T16S, R05W, S08,
S09, S16 & S17

Owner(s): NOUQUE

Prepared by: KAY WALKER
OCTOBER 30, 1998



Place of Use



Point(s) of Diversion



Section Lines



1/4 1/4's

N



S



DRAFT

AJ0749NP
No. R55-02209

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

DATE: 10/29/98
PAGE: 1

OWNER CODE NAME & ADDRESS
C NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89425
(503) 522-8713

PRIORITY DATE WATER USE
08/18/1966 IRRIGATION STORAGE
IRRIGATION FROM STORAGE 04-01 11-01

USE PERIOD FROM TO
01-01 12-31

DIVERSION RATE
100.00 AFA
100.00 AFA
100.00 AFA

DIVERSION VOLUME
100.00 AFA
100.00 AFA
100.00 AFA

Water Source: TENT CREEK Tributary to: LITTLE OMYHEE RIVER Stage: LICENSE

Point(s) of Diversion: T15S R05W S31
Point(s) of Re-diversion: T16S R05W S08 S17
SENE
NENE
NENE

Place of use Legal Description for: IRRIGATION FROM STORAGE

		NE				NW				SW				SE			
		NENE		NNW		SENE		NNW		SNNW		SENW		NENE		SESE	
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac	
T	R	S															
16S	05W	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	05W	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	05W	16	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	05W	17	:	24	01	02	07	:	:	:	:	:	:	:	08	03	:

AJ0749NP
No. R55-02209

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

DATE: 10/29/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C NOUQUE RANCH PARTNERSHIP 08/18/1966 IRRIGATION STORAGE 01-01 12-31 100.00 AFA
PO BOX 415 IRRIGATION FROM STORAGE 04-01 11-01 100.00 AFA
MC DERMITT NV 89425
(503) 522-8713
TOTAL DIVERSION: 100.00 AFA

Water Source: TENT CREEK Tributary to: LITTLE OMYHEE RIVER Stage: LICENSE
Point(s) of Diversion: T15S R05W S31 SENE OMYHEE County
Point(s) of Re-diversion: T16S R05W S08 NESW OMYHEE County
S17 NENE OMYHEE County

Place of use Legal Description for: IRRIGATION FROM STORAGE

NE		NW		SW		SE						
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
16S	05W	8	:	:	:	02	01	08	:	:	08	03
16S	05W	9	:	:	:	:	:	03	:	:	:	4.0
16S	05W	16	:	:	:	:	:	:	:	:	:	7.0
16S	05W	17	:	24	01	02	:	:	:	:	:	27.0
TOTAL ACRES												60.0

POU County: OMYHEE

Other Rights: 55-02047

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
55-02047 55-02209 55-07259 A55-02047 A55-02209 A55-11055

Other Water Rights Listing Overlapping Place(s) of Use:
55-02047 A55-02047 A55-02209

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- A07 - IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

Remarks: EXP RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF RE-DIVERSION DESCRIBED ABOVE.

DRAFT

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Dates:	Exam Made Date:	Verified Date:	10/29/1998	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:	C
	Presumption Flag:		

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Comments:

Date: 01/19/1995 User-ID: KWALKER Subject: OTHER LANDS IRRIGATED LANDS IN SEC. 16, 16S, 5W ARE ALSO IRRIGATED WITH WATER FROM TENT CREEK BUT CLAIMANT DID NOT WANT TO INCLUDE THESE LANDS BECAUSE THEY ARE OWNED BY THE STATE OF IDAHO. THESE LANDS HAVE BEEN OMITTED FROM THE RECOMMENDED PLACE OF USE.

Date: 01/19/1995 User-ID: KWALKER Subject: COPIED FROM REMARKS SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NE1/4 TWP. 16S RING. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

Date: 10/19/1995 User-ID: KWALKER Subject: OWNERSHIP OWNERSHIP CHANGE RECEIVED FROM JOHN DOYLE OF WINNEMUCCA, NV. PROCESSED THIS DATE.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART OF RECORD THRU

Date: 03/23/1998 User-ID: KWALKER Subject: NOTICE OF ERROR CLAIMANT SUBMITTED NOTICE OF ERROR IN REGARD TO NUMBER OF ACRES RECOMMENDED. I SENT HIM A COPY OF GIS SHAPE FILE AND LETTER WHICH STATED I WOULD REVIEW HIS RECOMMENDED P/U IF HE WOULD SUBMIT ADDITIONAL INFORMATION. NO CHANGE MADE TO RECOMMENDATION AT THIS TIME.

Date: 06/10/1998 User-ID: AJU21-JS Subject: AJU21 CONDITION UPDATE DELETED CONDITION CODE(S) H03 H04

Date: 06/19/1998 User-ID: JSHURTE Subject: SEASON OF USE CHANGE SEASON OF USE FOR IRRIGATION FROM STORAGE WAS CHANGED TO THE LICENSED SEASON OF USE.

Date: 06/25/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART OF RECORD THRU

Date: 10/29/1998 User-ID: KWALKER Subject: CHANGES TO RECOMMENDATION

AJ0749NP
No. R55-02209

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

DATE: 10/29/98
PAGE: 3

Comments: Date: 10/29/1998 User-ID: KWALKER Subject: CHANGES TO RECOMMENDATION
IN A MEETING WITH SUSAN HAMLIN AND CHARLIE HONSINGER (ATTORNEY
FOR CLAIMANT) I WAS ASKED TO INCREASE THE NUMBER OF ACRES TO THAT
AMOUNT THAT WAS LICENSED UNDER THIS RIGHT. I WAS ASKED TO
INCLUDE ACRES IN SECTION 16 WHICH ARE IRRIGATED BUT THE CLAIMANT
DID NOT WANT TO INCLUDE THESE LANDS IN PREVIOUS RECOMMENDATION
BECAUSE THEY ARE UNDER STATE LAND LEASE. NO INCREASE TO AMOUNT
OF WATER RECOMMENDED - AT LICENSED AMOUNT.

Audit: 10/29/98 KWALKER

RECEIVED

SEP 08 1998

Department of Water Resources
Adjudication Bureau

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 55-02209

(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Noque Ranch Partnership

Address: PO Box 415; Mc Dermitt, NV 89425

Name:

Address:

Name:

Address:

Name:

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: See attached

6. ☐ Instream Flow Description Should be: _____

7. ☐ Purpose(s) of Use Should be: _____

8. ☐ Period of Year Should be: _____

9. ☒ Place of Use Should be: See attached

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.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD and POU. Claimant's water right should not include this POD and POU.

F.

VERIFICATION (Must be Completed)

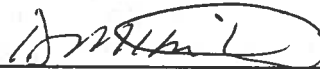
State of Idaho)

)ss.

County of Ada)

Daryl Albiston, BLM Area Manager, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 31, 1998

Jacqueline L. Ripley
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 4-7-1999

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 SEPT 4, 1998, 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: Noque Ranch Partnership
Address: PO Box 415, Mc Dermitt, NV 89425

Name:
Address:

Name:
Address:

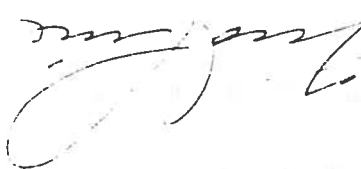
Name:
Address:

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

SRBA DIRECTORS REPORT 55-02209

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 55-02209

-POD ON BLM

-POUS ON BLM

Name and Address: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT, NV 89425

- CLAIMANT IS NOT
AUTHORIZED TO FARM
PUBLIC LAND.

Source: TENT CREEK

Tributary: LITTLE OWYHEE RIVER

Quantity: 100.00 AFY

Priority Date: 08-18-1966

Diversion Point: T15S R05W S31
T16S R05W S08
S17

SENE BLM Within Owyhee County
NESW (Rediversion)
NENE (Rediversion)

Purpose and
Period of Use:

Purpose of Use	Period of Use	Quantity
Irrigation Storage	Irrigation Seaso	100.00 AFY
Irrigation from Storage	Irrigation Seaso	100.00 AFY

Place of Use:

Irrigation from Storage	Within Owyhee County
T16S R05W S08	SESW 8 SESE 3 NWSW 1 <u>SESW 1</u> BLM-USA <u>SENE 2</u> BLM NENE 24
S09	SWSE 8 <u>NESW 2</u> BLM
S17	SWSW 3 <u>NWNE 1</u> BLM

53 Acres Total

Irrigation Storage
Same as Other Use

Other Provisions Necessary for Definition / Administration of this Water Right:

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE
DURING THE PERIOD OF 1979 TO 1987.

Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF
RE-DIVERSION DESCRIBED ABOVE.

[Return to SRBA Home Page](#)

Objection Filed Date: 09/04/1998

Dates: Exam Made Date: 01/13/1995 Verified Date:

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

Comments: Date: 01/19/1995 User-ID: KWALKER Subject: OTHER LANDS IRRIGATED LANDS IN SEC. 16, 16S, 5W ARE ALSO IRRIGATED WITH WATER FROM TENT CREEK BUT CLAIMANT DID NOT WANT TO INCLUDE THESE LANDS BECAUSE THEY ARE OWNED BY THE STATE OF IDAHO. THESE LANDS HAVE BEEN OMITTED FROM THE RECOMMENDED PLACE OF USE.

Date: 01/19/1995 User-ID: KWALKER Subject: COPIED FROM REMARKS SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NE1/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

Date: 10/19/1995 User-ID: KWALKER Subject: OWNERSHIP OWNERSHIP CHANGE RECEIVED FROM JOHN DOYLE OF WINNEMUCCA, NV. PROCESSED THIS DATE.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART OF RECORD THRU

Date: 03/23/1998 User-ID: KWALKER Subject: NOTICE OF ERROR CLAIMANT SUBMITTED NOTICE OF ERROR IN REGARD TO NUMBER OF ACRES RECOMMENDED. I SENT HIM A COPY OF GIS SHAPE FILE AND LETTER WHICH STATED I WOULD REVIEW HIS RECOMMENDED P/U IF HE WOULD SUBMIT ADDITIONAL INFORMATION. NO CHANGE MADE TO RECOMMENDATION AT THIS TIME.

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Date: 06/19/1998 User-ID: JSHURTE Subject: SEASON OF USE CHANGE SEASON OF USE FOR IRRIGATION FROM STORAGE WAS CHANGED TO THE LICENSED SEASON OF USE.

Date: 06/25/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART OF RECORD THRU

Audit: 01/19/95 KWALKER 03/30/95 POST-STD 10/19/95 KWALKER 02/26/98 KWALKER
03/02/98 KWALKER 03/04/98 AJU10-DS 03/23/98 KWALKER 06/10/98 AJU21-JS
06/19/98 JSHURTE 06/25/98 AJU10-DS 06/29/98 CPD SHAFF 09/09/98 UPD-SEGB

AJ0749NP
No. R55-02209

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

DATE: 03/23/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C NOUQUE RANCH PARTNERSHIP 08/18/1966 IRRIGATION STORAGE 01-01 12-31 100.00 AFA
PO BOX 415 IRRIGATION FROM STORAGE 04-15 10-15 100.00 AFA
MC DERMITT NV 89425
(503) 522-8713 TOTAL DIVERSION: 100.00 AFA

Water Source: TENT CREEK Tributary to: LITTLE OMYHEE RIVER Stage: LICENSE

Point(s) of Diversion: T15S R05W S31 SENE OMYHEE County
Point(s) of Re-diversion: T16S R05W S08 NESW OMYHEE County
S17 NENE OMYHEE County

Place of use Legal Description for: IRRIGATION FROM STORAGE

		NE				NW				SW				SE											
		NENE		NNNE		SWNE		SENE		NNNW		SWNW		SESW		NENE		SWSE		SESE					
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
16S	05W	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:					
16S	05W	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:					
16S	05W	17	:	24	01	02	:	:	:	:	:	:	02	01	03	01	:	08	03	:					
																TOTAL ACRES		22.0		4.0		27.0		53.0	

POU County: OMYHEE

Other Rights: 55-02047

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- H03 - IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE.
- APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING "IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY BE USED.
- H04 - POSSIBLE ALTERNATIVE PERIOD OF USE 04/15 10/15 SEE EXPLANATORY MATERIAL BELOW.

Remarks: GEN THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE DURING THE PERIOD OF 1979 TO 1987.

EXP RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF RE-DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 01/13/1995 Verified Date: 03/23/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:

Comments: Date: 01/19/1995 User-ID: KWALKER Subject: OTHER LANDS IRRIGATED LANDS IN SEC. 16, 16S, 5W ARE ALSO IRRIGATED WITH WATER FROM TENT CREEK BUT CLAIMANT DID NOT WANT TO INCLUDE THESE LANDS BECAUSE THEY ARE OWNED BY THE STATE OF IDAHO. THESE LANDS HAVE BEEN OMITTED FROM THE RECOMMENDED PLACE OF USE.

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Date: 10/19/1995 User-ID: KWALKER Subject: OWNERSHIP OWNERSHIP CHANGE RECEIVED FROM JOHN DOYLE OF WINNEMUCCA, NV. PROCESSED THIS DATE.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART OF RECORD THRU

Date: 03/23/1998 User-ID: KWALKER Subject: NOTICE OF ERROR CLAIMANT SUBMITTED NOTICE OF ERROR IN REGARD TO NUMBER OF ACRES RECOMMENDED. I SENT HIM A COPY OF GIS SHAPE FILE AND LETTER WHICH STATED I WOULD REVIEW HIS RECOMMENDED P/U IF HE WOULD SUBMIT ADDITIONAL INFORMATION. NO CHANGE MADE TO RECOMMENDATION AT THIS TIME.

Audit: 03/23/98 KWALKER



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 23, 1998

PHILIP E. BATT
GOVERNOR

RESPONSE DATE: MARCH 30, 1998

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Rights Nos. 55-02047 & 55-02209

Nouque Ranch Partnership
P.O. Box 415
McDermitt, NV 89425

Gentlemen:

In response to the Notice of Error that you submitted for the above referenced claims, I have enclosed a copy of the GIS shape file I created of your irrigated lands. The green outline on this photo indicates where the lands I have recommended are located. Please be advised that I included all lands that appeared to be irrigated when this photo was taken in 1987. These are also the same lands that you agreed with when I sent the copy of the ASCS photo I had identified your irrigated lands on. I have excluded the lands in Section 16 pursuant to our phone conversation of November 16, 1993, in which you stated that the land was owned by the State of Idaho and you did not want me to include it in my recommendation. If you have additional lands that are irrigated, please add them to the lands identified on the GIS shape file and return it to me by the response date listed above.

As for the point of diversion in Twp. 15S, Rge. 05W, Sec. 31 that you state is missing from the recommendations, please note that this point of diversion is for your dam and it is included on Claim No. 55-02209, which is for the storage and use of water from your dam. I did not include it on Claim No. 55-02047 because 55-02047 is for live flow from Tent Creek and does not involve your dam.

I have not made any changes to the recommendations previously made. If you have any further information that may change my recommendations, please submit it by the response date listed above. If you do not respond by this date, we will assume you agree with our findings and these claims will be recommended to the court as previously determined.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: GIS shape file

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
MAR 20 1998
WATER RESOURCES
WESTERN REGION

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 30, 1998

Water right number:

55-02209

NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89425

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:

See attached information

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: _____

SIGNATURE: _____

Please print your name: _____

RIGHT NUMBER: 55-02209

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89425

SOURCE: TENT CREEK TRIBUTARY: LITTLE OWYHEE RIVER

QUANTITY: 100.0 AFY

PRIORITY-DATE: 08/18/1966

POINT OF DIVERSION T15S R05W S31 SENE Within OWYHEE County
T16S R05W S08 NESW (R)
S17 NENE (R)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	100.0 AFY
	IRRIGATION FROM STORAGE	Irrigation Season	100.0 AFY

POSSIBLE ALTERNATIVE PERIOD OF USE 04/15 10/15
SEE EXPLANATORY MATERIAL BELOW.

PLACE OF USE: IRRIGATION FROM STORAGE Within OWYHEE County

POINT	DIRECTION	QUANTITY
T16S R05W S08	NESW 2	NWSW 1
	SESE 3	SESW 8
S09	SWSW 3	SESW 1
S17	NENE 24	NWNE 1
		SENE 2

53 ACRES TOTAL *wrong*

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

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE
DURING THE PERIOD OF 1979 TO 1987.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO
SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS
ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE.

APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY
TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO
SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING
"IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY
BE USED.

RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF
RE-DIVERSION DESCRIBED ABOVE.

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No:

W001691

Date:
Time: 12/20/88
15:20:48

**Received
From:**

NOUQUE, JOHN P.
Type of Payment

Program Acct Class

Amount

ADJUDICATION CLAIM FEE

0410162 9337 6490

\$128.00

Total

\$128.00

CHECK 02963

WR/NO: A55-02209

Idaho Department of Water Resources

Region: Western

Signature: Lori Harris

COPY

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: A55-02209
Date Received: 11/10/1988
Receipt No: W001691
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN NOUQUE 503-522-8707
Address: P.O. BOX 415
MCDERMITT, NV 89421

AND/OR

Name: THOMAS PEDROLI 503-522-8707
Address: P.O. BOX 415
MC DERMITT, NV 89421

2. Date of Priority: AUG 18, 1966

3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	05W	8	NW	SE	SW		OWYHEE
		17	NE	NE	NE		OWYHEE

5. Description of diverting works:
RESERVOIR W/DAM AND CONCRETE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		100.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 100.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/266 HEAD CATTLE AND HORSES

A55-02209

Page 1

Date: 12/23/88

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05W	8	SE	SW		IRR	8.0
			SW	SE		IRR	10.0
			SE	SE		IRR	10.0
					Section Acres		28.0
		9	SW	SW		IRR	10.0
					Section Acres		10.0
		17	NE	NE		IRR	40.0
					Section Acres		40.0
					Total Acres		78.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
LITTLE OWYHEE WHEN FLOWS

14. Remarks:
SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NE1/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

15. Basis of Claim: BENEFICIAL USE
Water Right Number: R1226

CLIMATE

Subject property has a climate of high desert. High desert such as subject property is described as rainfall from 8-9 inches in the valley floors to as high as 16-20 inches in the higher mountain elevations. The growing season is less than 100 days in the irrigated areas which restricts crop rotation to hay and grain hay. There are some areas south of subject that is used for seed potatoes and other seed crops.

IRRIGATION & WATER RIGHTS

Subject property has the following water rights appurtenant to the lands:

Oregon

Certificate #12293 - for the irrigation of 244 acres in Oregon and 98 acres in Nevada, from St. Martin Creek and Corral Creek; priority date May 6, 1938.

Certificate #36401 - for the irrigation of 26.4 acres and supplemental irrigation of 122.1 acres from a well; priority date May 16, 1963.

Nevada

Certificate #4524 - for the irrigation of 199.85 acres from East Fork Quinn River; priority date July 11, 1955.

Certificate #4514 - for the irrigation of 215.97 acres from a well; priority date January 16, 1951.

Idaho

Adjudication Claim #A-55-02207 - for the irrigation of 78 acres from Tent Creek; priority date August 18, 1966. This right is supplemental to #A-55-02047.

Adjudication Claim #A-55-2047 - for the irrigation of 78 acres from Tent Creek; priority date April 6, 1914.

All water is applied by means of flood irrigation. The water rights on the headquarters and English Place are supplemented by wells. The well on the headquarters place has a 243 foot static level and a 350 foot lift. This well reportedly pumps 1100-1200 gallons per minute into an open ditch. The well on the English Place lifts water 100-125 feet and pumps 1100 gallons per minute into an open ditch. This appraiser could not acquire well logs on either well and the information above was acquired from the owner.

AJ0749NP
No. R55-02209

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

DATE: 03/02/98
PAGE: 2

Comments: Date: 01/19/1995 User-ID: KWALKER Subject: OTHER LANDS IRRIGATED
LANDS IN SEC. 16, 16S, 5W ARE ALSO IRRIGATED WITH WATER FROM TENT
CREEK BUT CLAIMANT DID NOT WANT TO INCLUDE THESE LANDS BECAUSE
THEY ARE OWNED BY THE STATE OF IDAHO. THESE LANDS HAVE BEEN
OMITTED FROM THE RECOMMENDED PLACE OF USE.

Date: 01/19/1995 User-ID: KWALKER Subject: COPIED FROM REMARKS
SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF
NE1/4 TWP. 16S RING. 5W AS BOTH STREAMS COME TOGETHER AT THAT
POINT.

Date: 10/19/1995 User-ID: KWALKER Subject: OWNERSHIP
OWNERSHIP CHANGE RECEIVED FROM JOHN DOYLE OF WINNEMUCCA, NV.
PROCESSED THIS DATE.

Audit: 03/02/98 KWALKER



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 1995

RE: Notice of Claims to Water Right Nos. A55-02209 & A55-02047

John M. Doyle, Attorney
530 Melarkey St.
Suite 209
Winnemucca, NV 89446

Dear Mr. Doyle:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings. Please note that I completed an ownership change on Claim A55-02047 also since it is appurtenant to the same place of use.

The Department will contact Nouque Ranch Partnership concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions in regard to this matter, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

cc: Nouque Ranch Partnership

AJ0749NP
No. R55-02209

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

DATE: 10/19/95
PAGE: 1

OWNER CODE: C
NAME & ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89425
(503) 522-8713

PRIORITY DATE: 08/18/1966
WATER USE: IRRIGATION STORAGE
IRRIGATION FROM STORAGE: 01-01 12-31
04-15 10-15

DIVERSION RATE: 100.00 AFA
100.00 AFA
100.00 AFA

DIVERSION VOLUME: 100.00 AFA
100.00 AFA
100.00 AFA

Water Source: TENT CREEK

Tributary to: LITTLE ONYHEE RIVER

Stage: LICENSE

Point(s) of Diversion: T15S R05W S31
Point(s) of Re-diversion: T16S R05W S08
S17

SENE
NENE

NESW

Place of use Legal Description for: IRRIGATION FROM STORAGE

		NE				NW				SW				SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
16S	05W	8															
16S	05W	9															
16S	05W	17															
		24		1						2		1		8		3	
		24		1						2		1		8		3	
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		24		1						2		1		8		3	
		24		1						2		1		8		3	

AJ0749NP
No. R55-02209

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

DATE: 10/19/95
PAGE: 2

Comments: Date: 01/19/1995 User-ID: KWALKER Subject: COPIED FROM REMARKS
POINT.

Date: 10/19/1995 User-ID: KWALKER Subject: OWNERSHIP
OWNERSHIP CHANGE RECEIVED FROM JOHN DOYLE OF WINNEMUCCA, NV.
PROCESSED THIS DATE.

Audit: 10/19/95 KWALKER

John M. Doyle
ATTORNEY AT LAW
530 Melarkey Street - Suite 209
Winnemucca, Nevada 89446

RECEIVED

SEP 13 1995

WATER RESOURCES
WESTERN REGION

POST OFFICE BOX 1190

September 11, 1995

TEL (702) 623-5051
FAX (702) 623-5051

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

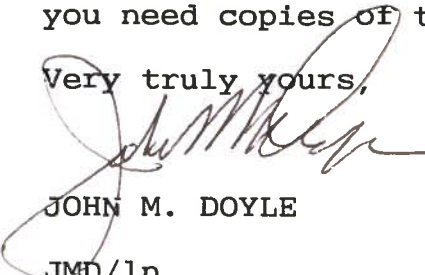
Re: Nouque/Pedroli - Nouque Ranch Partnership

Dear Sir:

My clients, John Nouque and Tom Pedroli, are in the process of transferring various real properties in Nevada, Idaho and Malheur County, Oregon to the Nouque Ranch Partnership, along with all water rights and grazing rights appurtenant thereto. Enclosed is your New Property Owner Notice of Change of Water Right Ownership form and a copy of the Quitclaim Deed for the real property located in Owyhee County, Idaho. I understand that there is no filing fee.

Please advise if this is sufficient to accomplish the water rights transfer or what additional information your agency requires. If you need copies of the Nevada and Idaho deeds, please advise.

Very truly yours,



JOHN M. DOYLE

JMD/ln

Enclosures

OWNER
CODE NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C JOHN NOUQUE
C THOMAS PEDROLI
PO BOX 415
MC DERMITT NV 89421
(503) 522-8707

08/18/1966

IRRIGATION STORAGE
IRRIGATION FROM STORAGE

01-01 12-31
04-15 10-15

100.00 AFA
100.00 AFA
100.00 AFA

TOTAL DIVERSION:

Water Source: TENT CREEK

Tributary to: LITTLE OMYHEE RIVER

Stage: LICENSE

Point(s) of Diversion:
Point(s) of Re-diversion:

T15S R05W S31
T16S R05W S08
S17

SENE
SESW
NENE

OMYHEE County
OMYHEE County
OMYHEE County

Place of use legal Description for: IRRIGATION FROM STORAGE

NE NW NESE NWSE NWSESE NWSESESE											
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac											
16S 05W 8 :	:	:	:	:	:	:	:	:	:	:	:
16S 05W 9 :	:	:	:	:	:	:	:	:	:	:	:
16S 05W 17 :	23	:	:	:	:	:	:	:	:	:	:
											TOTAL ACRES
											46.5

POU County: OMYHEE

Other Rights: 55-02047

Other Water Rights Listing Overlapping Place(s) of use:

A55-02047 A55-02209

Dates: Exam Made Date: 01/13/1995 Verified Date:

Misc: Water District Number:

Field Inspection Flag: A
Presumption Flag:

Comments: Date: 01/19/1995 User-ID: KHALKER Subject: COPIED FROM REMARKS
SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF
NE1/4 TWP. 16S RING. 5W AS BOTH STREAMS COME TOGETHER AT THAT
POINT.

Date: 01/19/1995 User-ID: KHALKER Subject: OTHER LANDS IRRIGATED
LANDS IN SEC. 16, 16S, 5W ARE ALSO IRRIGATED WITH WATER FROM TENT
CREEK BUT CLAIMANT DID NOT WANT TO INCLUDE THESE LANDS BECAUSE
THEY ARE OWNED BY THE STATE OF IDAHO. THESE LANDS HAVE BEEN

no gov't lots - tw 1/19/95

116.3 AFA ← or w/
A55-02047

Comments: Date: 01/19/1995 User-ID: KWALKER Subject: OTHER LANDS IRRIGATED
OMITTED FROM THE RECOMMENDED PLACE OF USE.
Audit: 01/19/95 KWALKER

CLAIM NUMBER: A55-02209

[illegible]

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A55-03209

VR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	tw 1-13-95	6	N			
PT. OF DIV.	Y		6, 1, 4	Y			
SOURCE	N		6	N			
PL. OF USE	Y		1, 2, 4, 6	Y			
DIV. AMOUNT CFS/AF	Y		6	N			
CONSUMPTIVE USE			5				
NATURE OF USE	Y		6	Y			
PERIOD OF USE	Y		5	Y			
BASIS OF CLAIM	Lic		6	N			
REMARKS	Y						

VERIFICATION CODES

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

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

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

COMMENTS:

deleted storage component; added diversion kate;
expanded access under license. Flood evidence
on dates of changes - expansion. tw 6/10/92
6 = previous license & B/L field exam - & dam safety

added p/d-

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

COPY INCLUDED
IN FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

☒ ORTHOPHOTOQUAD	DATE OF PHOTO	1979	IDWR ID NO.	DD53	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED		IDWR ID NO.		Y() N()
☒ MAP	DATE OF PHOTO	7-31-1987	IDWR ID NO.	DD53 SW	Y() N()
☒ Aerial PHOTO	DATE OF PHOTO	1988			Y() N()
☐ Aerial SLIDE	DATE OF PHOTO				Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO				Y() N()
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT) (x2)	DATE OF SURVEY	10-10-1916 & 3-1-1935			Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED				Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP				Y() N()
☐ OTHER	DATE				Y() N()
☐ OTHER	DATE				Y() N()
☐ OTHER	DATE				Y() N()

NO. OF
PAGES

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NOTES

☒ LICENSING FIELD EXAM

DATE OF FIELD EXAM

10-2-1972 3

☒ WATER RIGHT LICENSE

DATE LICENSE SIGNED

8-15-1973 1

☐ IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

☐ 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 Dam Safety Inventory 1993

DATE

☐ OTHER

DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:20:57
01/13/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-02209

LAST: NOUQUE
ADDRESS: P~~000~~ BOX 415
CITY: MC DERMITT
PHONE NUMBER: 503-522-8707
OWNER CODE: C

FIRST: JOHN
STATE: NV ZIP: 89421

LAST: PEDROLI
ADDRESS: P~~000~~ BOX 415
CITY: MC DERMITT
PHONE NUMBER: 503-522-8707
OWNER CODE: C

FIRST: THOMAS
STATE: NV ZIP: 89421

FIELD EXAM REQUIRED?

DATABASE Y

FIELD EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF
NE1/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT
POINT.

A. AJ CLAIM: # A55-02209 PRIORITY DATE: 08-18-1966 STAGE: L

B. WR RECORD: # 55-02209 PRIORITY DATE: 08-18-1966 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* 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?

* 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?

NOTES:

RECOMMENDED PRIORITY DATE:

08-18-1966

REVIEWED BY pmw DATE 1-19-95

points

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A55-02209	16S 05W	8	NW	SE	SW	SW			OWYHEE		
A55-02209	16S 05W	17	NE	NE	NE	NE			OWYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

SOURCE: TENT CREEK

TRIB: LITTLE OWYHEE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
55-02209	16S 05W	17	NE	NE	NE	NE			OWYHEE		

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
A55-11055 NONE

SOURCE: TENT CREEK

TRIB: LITTLE OWYHEE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 4D 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 10-2-72) Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

Dam Safety file D55-02209

NOTES: Dam is located in SENE, Sec. 31, 15S, 5W - also described on B/U exam of this right - The 2 claimed pld's are redversion points of the storage water when released from dam back into Gent Cr.

[illegible]

REVIEWED BY: kw DATE: 1-19-95

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (5), OR SEE ATTACHMENT (5)

A. ROOT WATER RIGHT NUMBERS: A55-02209

B. POU LISTING												
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES	
16S	05W	8	SE	SW		NOUQUE, JOHN	A55-02209 / 8.0	- /	6.0		5	
			SE	SW		NOUQUE, JOHN	A55-02047 / 10.0	55-02047 / 8.0				
			SE	SW		STANLEY, FAY		55-02177 / 20.0				
			SE	SW		CARDOZA, JOSEPH C.		55-04083 / 40.0				
16S	05W	8	SW	SE		NOUQUE, JOHN	A55-02209 / 10.0	- /	16.0		10.5	
			SW	SE		NOUQUE, JOHN	A55-02047 / 8.0	55-02047 / 7.0				
			SW	SE		STANLEY, FAY		55-02177 / 20.0				
			SW	SE		CARDOZA, JOSEPH C.		55-04083 / 40.0				
16S	05W	8	SE	SE		NOUQUE, JOHN	A55-02209 / 10.0	55-02209 / 10.0	11.0		2	
			SE	SE		NOUQUE, JOHN	A55-02047 / 10.0	55-02047 / 1.0				
16S	05W	9	SW	SW		NOUQUE, JOHN	A55-02209 / 10.0	55-02209 / 10.0	3.0		4	
			SW	SW		NOUQUE, JOHN	A55-02047 / 10.0	55-02047 / 1.0				
16S	05W	17	NE	NE		NOUQUE, JOHN	A55-02209 / 40.0	55-02209 / 40.0	24.0		23	
			NE	NE		NOUQUE, JOHN	A55-02047 / 30.0	55-02047 / 23.0				
ADDITIONAL POU FOUND												
16S 5W 9 SESW 1												
16S 5W 17 SENE 1												
TOTAL ACRES										78.00	60.00	46.5
											60.00	
POU COUNTY: OWAYHEE												

also irrigate 17.5 acres in Sec. 16, 16S, 5W - do not want these lands included as they are owned by the State of Idaho.

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
A55-02209	TENT CREEK	NOUQUE, JOHN	1.200	0.015	100.00	1.28
A55-02047	TENT CREEK	NOUQUE, JOHN			100.00	1.28

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? ☒ Y ☐ N

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: ~~LITTLE OR NONE WHEN FLOWS~~ — A55-02047 — live flow from Tent Creek.

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

() ORTHOPHOTOQUAD, IDWR NO. DD 53; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDHR NO. DD53 SW; () ASCS PHOTO; () OTHER _____

NOTES:

TOTAL ACRES: 46.5 N/A()

DATE: 1-19-95

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-02209 IRRIGATION	FROM 04-01 TO 11-01	1.200 CFS	100.00 AF/A
TOTAL DIVERSION RATE/VOLUME			100.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
55-02209 IRRIGATION STORAGE	FROM 01-01 TO 12-31	1.200 CFS	100.00 AF/A
55-02209 IRRIGATION FROM STORAGE	FROM 04-01 TO 11-01	1.200 CFS	100.00 AF/A
TOTAL DIVERSION RATE/VOLUME			100.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? ☒ Y ☐ ND. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ 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 ☐ NF. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? ☒ Y ☐ NG. 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? ☒ 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? ☒ Y ☐ NJ. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ 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? ☒ Y ☐ N

AJ CLAIM TOTAL DIVERSION RATE: CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 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. MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 46.5 x 0.02 CFS/ACRE = 0.93 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 CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 46.5 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 116.3 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 100.00 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

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

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	DATABASE VOL. AF/A	DATABASE EXAMINER	DATABASE 0.0	REC. CONS. USE
IRRIGATION stor.	1-1 12-31 04-04 11-01	1.200	0	100.00	100.0	116.3	
Irrig. from Stor	4-15 10-15						
TOTAL FOR THIS RIGHT							

NON-IRRIGATION USES CLAIMED: S/266 HEAD CATTLE AND HORSES

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

REVIEWED BY: KW DATE: 1-19-95

FLAG: A

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

ent - identified on A55-0204M
(live flow right)

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
()

NEEDS
REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW
ROOT WATER RIGHT NUMBER: 55-02209

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-02209	-	-	-	55-02209	-

TOTAL CFS

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 ()?

NOTES:

AUTHENTICATION: Ray Walker DATE: 1-19-95
SIGNATURE: Ray Walker TITLE: Sr. Agent
NAME OF FIELD EXAMINER: _____

1988 ASCS
Corrected
corner section
per ortho-
photo quad
DS53.
KW
11/4/93

Bridg.

STATE
VALLEY
RANCH

15S

16S

6

5

7

8

9

Red No. 1

Red No. 2

18

17

19

20

DD53-1070

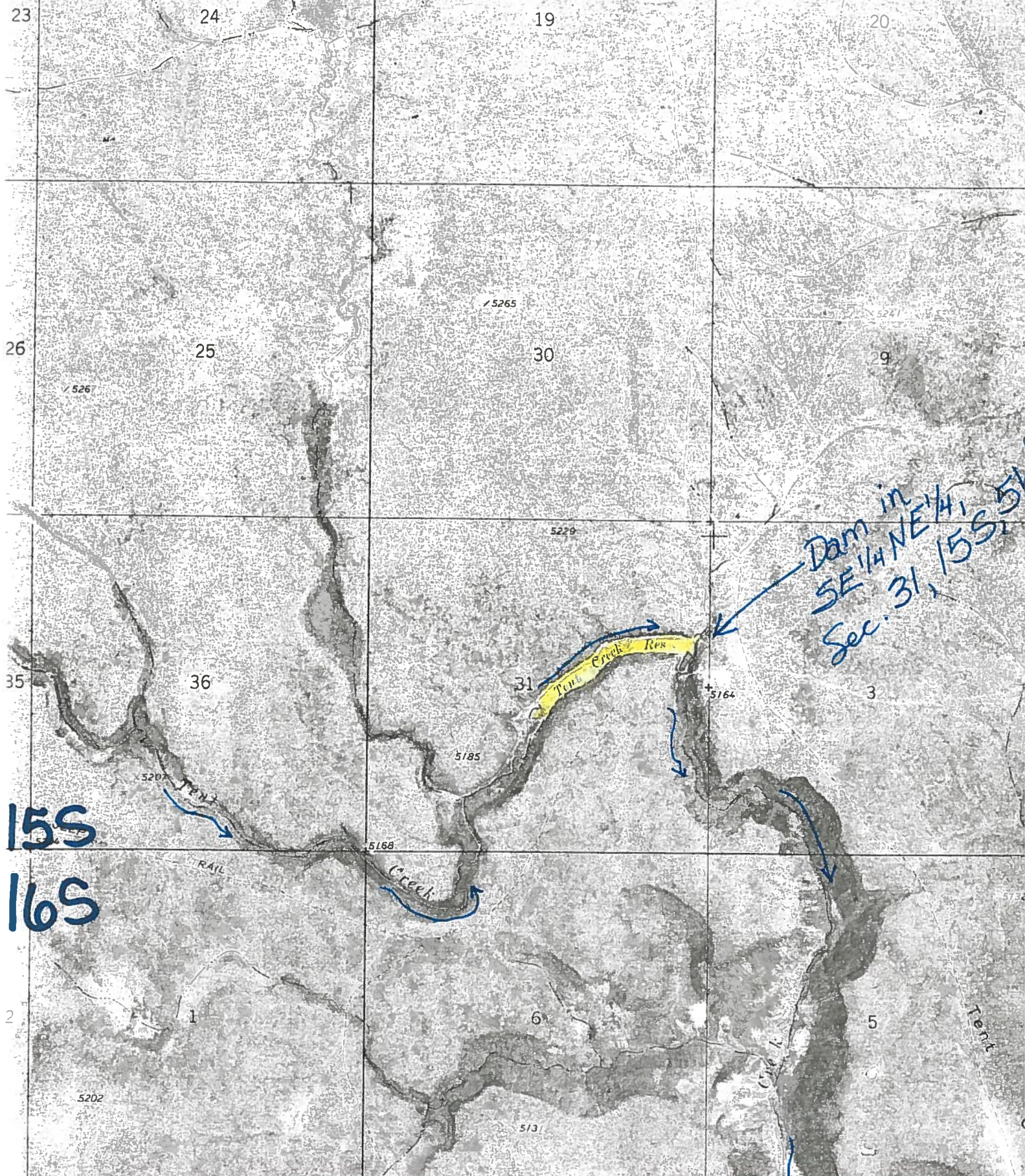
5W

05/25/93

ID NUMBER	NAME	NAME OF OWNER	DAM SIZE	RISK	DAM TYPE	STORAGE AC-FT	HEIGHT FT	DRAINAGE SQ-MI	COUNTY	STREAM	YEAR COMP	CREST LEN-FT	*****SPILLWAY*****	IDF	LOCATION	SEC-T-R	COND	CERT EXP	
													DEPTH-FT	DISC-CFS					
D55-2209	NOUQUE (TENT CREEK)	J NOUQUE AND T PEDROLI	3	3	EARTH	100	13.0	127.0	20	OMYHEE	1967	185	TENT CREEK	5.0	700	Q50	2100	GD	1196
D55-4009	SCRAPPY CREEK (DRY CK)	OWEN RANCHES	3	2	EARTH	437	15.0	17.0	84	OMYHEE	1927	600	DRY CREEK	5.2	600	Q100	1130	GD	1193
D55-4037	PERSHALL (RAIL CREEK)	RAY PERSHALL	2	2	EARTH	50	22.5	1.4	7	OMYHEE	1948	310	RAIL CREEK	4.4	99	Q500	150	FR	1194
D55-4059	FOLAND	CHARLES DOUGAL	3	2	EARTH	135	8.5	0.4	43	OMYHEE	1916	1400	CHNAFD	1.2	0	Q100	40	FR	1194
D55-4138	BURTON (BENNETT)	GEORGE L BENNETT JR	3	3	EARTH	25	15.7	1.2	4	OMYHEE	1942	90	TR-HURRY BACK CREEK	4.3	142	Q50	75	FR	1196
D55-4150	LOUISA CREEK	CHARLES STEINER	3	1	CNAR	175	41.0	8.2	10	OMYHEE	1931	40	LOUISA CREEK	0.0	474	Q500	478	FR	1193
D55-7002	SHOOFLY	RIDDLE RANCHES INC	3	2	EARTH	1100	39.0	9.0	85	OMYHEE	1977	400	TR-SHOOFLY CREEK	7.0	490	Q100	830	GD	1194
D55-7009	BYBEE	RIDDLE RANCHES INC	3	1	EARTH	7970	54.0	24.0	401	OMYHEE	1987	610	SHOOFLY CREEK	7.1	4500	Q500	3680	GD	1194
D55-7079A	DELAMAR	MERCO DELAMAR CO	1		EARTH	12300	275.0	0.5	153	OMYHEE	1977	2200	HENRIETTA GL-JORDAN	0.0	0	PMP	0	GD	1193

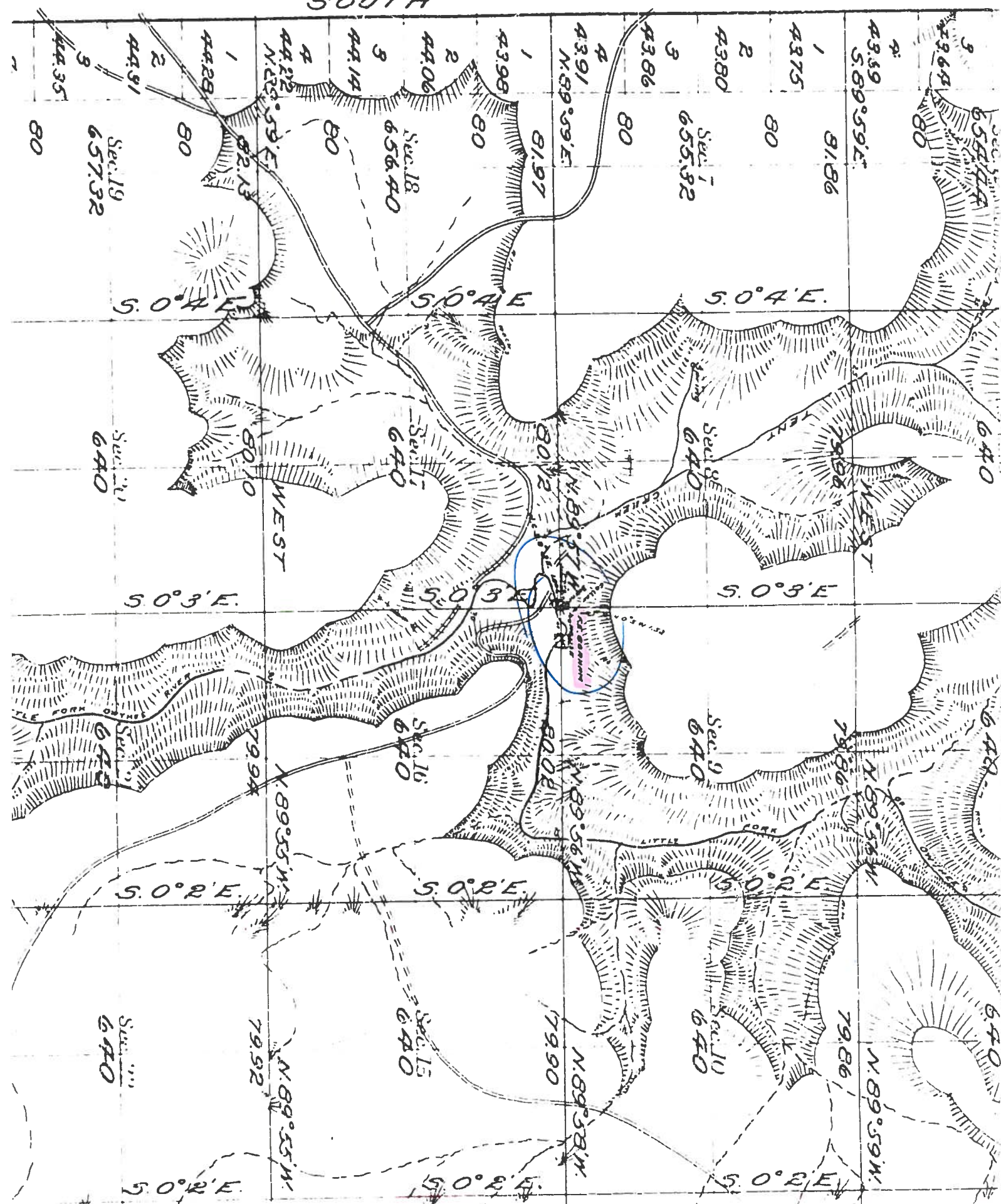
6W 5W

DD53
(1979)

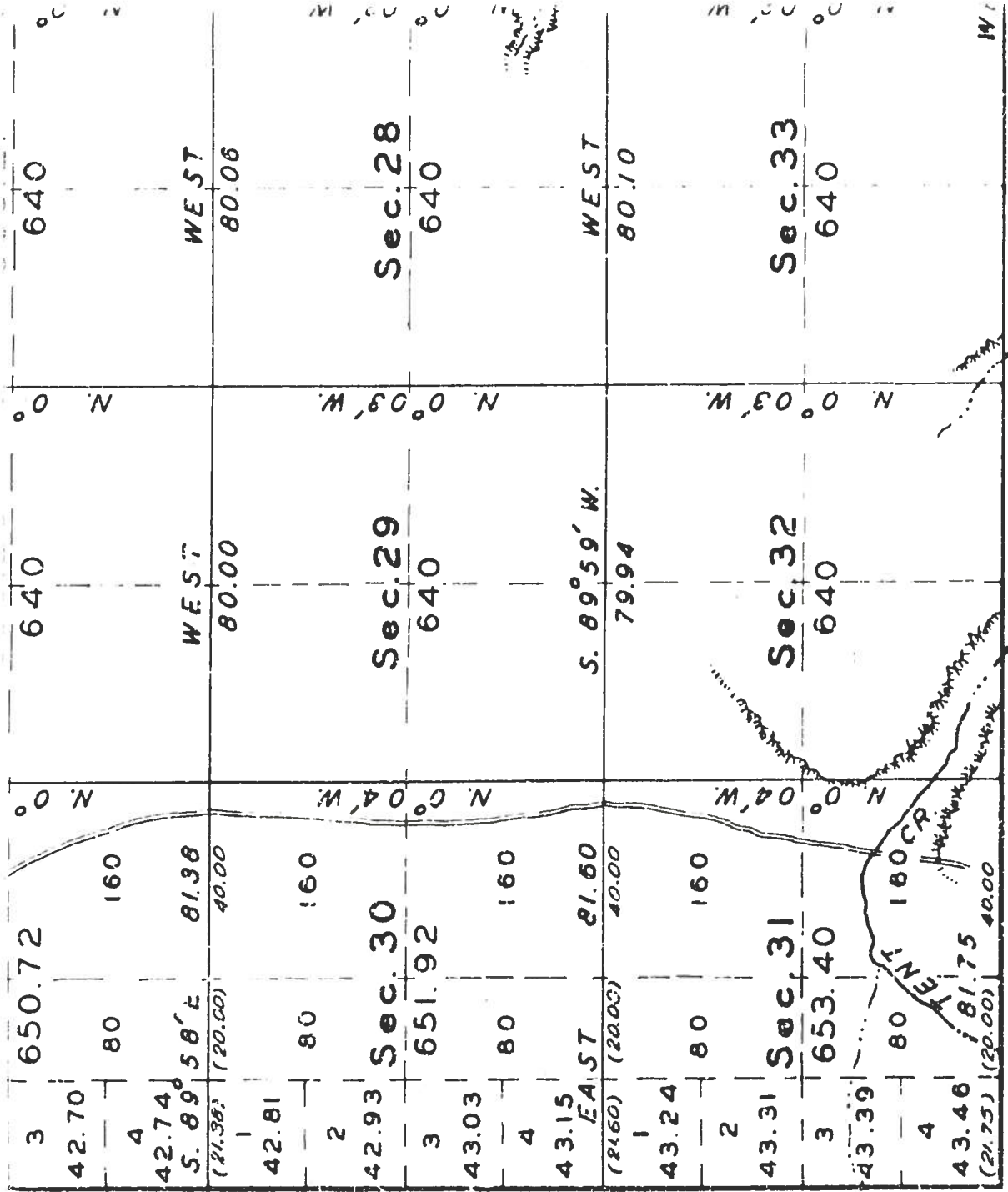
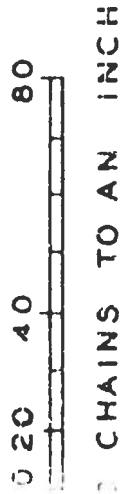


16S-5W
10-10-1916

SOUTH



155-5W
155-1-1-1035
3



State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. R-1226/55-2209 Priority August 18, 1966 Amount 100 acre feet

THIS IS TO CERTIFY, that JOHN NOUQUE & TOM PEDROLI
of McDermitt, Nevada, has complied with the terms and conditions of Permit
No. R-1226/55-2209 issued pursuant to Application for Permit dated August 18, 1966,
and has submitted proof to the Department of Water Administration on December 15, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 100 acre feet of water from Tent Creek
tributary to the Little Owyhee River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to Nov. 1	at 1.20 cfs and 100 af or 3.0 af per acre	
	from to	at cfs and	
	from to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
100 acre feet per year said waters to be diverted within the NE 1/4 of Sec. 17,
Twp. 16 S, Rge. 5 W, B. M. in the County of Owyhee

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	
16S	5W	8															10		10
		9									10								10
		17	40																40

Total number of acres irrigated 60

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
August, 19 73.

Director

55 2209

DATE EXAMINATION RECORDS

 _____ by _____

 _____ by _____

 _____ by _____

 _____ by _____

No ph. o. Available
 75 4/7/71

John Nougues and Tom Pedrolli
 McDermitt, Nevada
 (prepared by Idaho Land & Appraisal)
 Permit No. R-1226-155-2209

pipe and water aid of
 reservoir, earth filled
 dam, sprueller dam 6' x 6'

Examination for Beneficial Use SS

County Owyhee

Quantity: 100 acre feet
55-

Source: Tent Creek

P.D.: NE 1/4, sec. 17, T. 16 S, R. 5 W, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works: made: March 28, 1967

Other Rights: none

Filed: August 18, 1966

Due: b/u: August 25, 1977

Made: December 15, 1967

Priority: August 18, 1966

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

15 2209

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. R-1226/55-2209

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant John Nogue and Tom Pedrolli

2. Source of water supply: Tent Creek

3. Location of point of diversion: Is in the NE 1/4 of Section 17

T. 16 S. R. 5 County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: See remarks below.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE 1/4, sec. 8; SW 1/4, sec. 9; NE 1/4, sec. 17, T. 16 S., R. 5 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Owyhee River

Remarks: Water is released from reservoir into Tent Creek. Diversion dam in NE 1/4 - 17 - T. 16 S. - R. 5 W. Stops 11 water in creek and floods over irrigated area land that is not flooded subs. And 2 large stacks of hay were on place. Diversion dam 6' wide 2' 6" deep. Outlet pipe from reservoir is 18" with 12" gate valve on downstream end. Dam is 18' high with an est. 40 acre surface area. Storage is 100 A.F. Spillway 35' wide, 3' deep. Ripraped but wall to north needs work to stop erosion.

This examination was made on the 0-2 day of 19.72

(Signed) Robert W. Hamilton
Examiner

55 2209

Reservoir Located in S. 21, T. 155
R. 5W. See dam file D-59-2208

9

Julius B. L. in English

165

10A

Lehrer werden durch

40A

17

SE^uSE^u-8 - 10A
SW^uSW^u-9 - 10A
NE^uNE^u-17 40A

3 Subdivisions

60A	Total change
-----	--------------

Q measured 100 AF

Q recommended 100AF

Volume 1004

Acreage • 1.1

Found 60 ft.

recommended 60A.

Subdiv. 3

Amendments

☒ None			
--	--	--	--



Price of use	
--------------	--

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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1954 SEAS April 1 Nov 1

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

55 2209

McVermith Nev
Nov. 23, 1949

RECEIVED

NOV 29 1993

WATER RESOURCES
WESTERN REGION

Kay Walker
Department of Water Resources
2735 Airport Rd
Boise Idaho 83705

Enclosed Notice of Claim to a Water Right
for tent creek tributary of Little Owyhee
for the Star Valley Ranch
in addition to land described in old filing
there is more land irrigated in sec 17
up the little owyhee along sec 16
We hope we filled out claim form right
as we took some of information from
filing date of 12/23/88
Enclosure is check for \$50.00 filing fee

Sincerely yours
Noriegue & Pedrolé
by John Noriegue

CONVERSATION MEMORANDUM

DATE 11-16-93

FILE _____

NAME OF PARTY

John Pogue

EMPLOYEE

Kay Walker

RE:

Tent Cr. & Little Owyhee come together at diversion point. Don't know whether to claim Little Owyhee or not - only runs in spring run-off. Do not depend on Little Owyhee for irrigation of fields.

Sec. 16 is owned by the State of Idaho - Does not want to claim(?)
He agreed with the lands I identified as irrigated on the ASCS photo.

Claimant was not aware Lic. 55-2047 existed until my letter of 11/5/93.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: November 5, 1993

RESPONSE DATE: November 30, 1993

RE: NOTICE OF CLAIM NO. A55-02209

John Nouque &/or Thomas Pedroli
P.O. Box 415
McDermitt, NV 89412

Gentlemen:

We are currently in the process of preparing the above referenced Notice of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the water rights for Star Valley Ranch.

While reviewing your claim and our water right records, I found an old license appurtenant to your land that has not been claimed in the Adjudication. Enclosed for your information is a copy of License 55-02047 and a copy of the map that was attached to the field examination conducted on June 21, 1917. This license dates back to April 6, 1914 and describes the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 16S, Rge. 5W, which you have included on your claim. It is my recommendation that you file a claim on this license (with the 1914 priority date) rather than adding the point of diversion under your 1966 license. Enclosed, for your convenience, is a blank Notice of Claim to Water Right form. The fee for filing a SRBA Claim on License 55-02047 would be \$50.00 since your irrigated acres have been previously claimed.

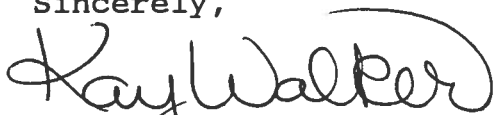
I have conducted an in-office exam on Claim A55-02209. To do this I utilized a 1979 ortho-photo quad and a 1987 satellite photo. I also obtained an ASCS photo of the property described under this claim and found only 64 acres under irrigation. I believe I have accurately determined the number of irrigated acres and the location of the diversion points. I have enclosed a copy of the ASCS photo with the acres I can verify as irrigated highlighted. If you have additional irrigation, please mark it on this photo and return it to me for review.

I also believe we should add storage parameters to Claim A55-02209 to show that you utilize the dam on Tent Creek as part of your water right. Unless I hear differently, I will recommend an addition of "irrigation storage" and "irrigation from storage" uses. These additions will not increase the amount of water you have claimed.

You should also be advised that you have no water rights for use of water from the Little Owyhee River. If you intend to use this water you need to file the appropriate paperwork with our Department.

If possible, it would be very helpful if you could come into our office to discuss your water rights. We are just finishing up our field season for the year so you may want to call ahead and make sure I will be here, when and if you decide to come in. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

AGENT Kay Walker DATE 11/4/93 A55-02047 _____

- * Claimant does not want to include State Lands on these rights.

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:32:34
06/15/92

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A55-02209

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

C JOHN NOUQUE 08/18/1966 IRRIGATION 04-01 11-01 1.20 CFS 100.0 AFA

P.O. BOX 415
MCDERMITT NV 89421
(503) 522-8707

C THOMAS PEDROLI
P.O. BOX 415
MC DERMITT NV 89421
(503) 522-8707

Water Source: TENT CREEK

Tributary to: LITTLE OMYHEE RIVER

Stage: LICENSE

Point(s) of Diversion:

T16S R05W S08
S17

NWSESW
NENE

added

OMYHEE County
OMYHEE County

Place of use Legal Description for: IRRIGATION

NE NW SW SE

T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	NESE	NWSE	SWSE	SESE	:	SUM
16S	05W	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	05W	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	05W	17	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES																		
28.0																		
10.0																		
40.0																		
78.0																		

POU County: OMYHEE

Non-Irrigation Uses: S/266 HEAD CATTLE AND HORSES

Other Rights: LITTLE OMYHEE WHEN FLOWS

Non-Irrigation Use: S/266 HEAD CATTLE AND HORSES

Remarks: SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NET/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

Dates: Exam Made Date: Verified Date:

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

MICROFILMED

SEP 29 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Old (D) Number - R1226

WATER RIGHT

Water Right Number - 55-02209

Prefix Translation:

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

*** C - CURRENT OWNER ***
NOUQUE

JOHN

1 -

2 -

3 -

City- MC DERMITT

Phone -

State- NV

Zip-

TOM

1 -

2 -

3 -

City-

Phone -

State-

Zip-

*** O - ORIGINAL OWNER ***
NOUQUE

JOHN

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/18/1966 ✓ 14 WESTERN L - LICENSE ✓

+ - - Source - - - - - + + - - Tributary - - - - - +
TENT CREEK ✓ LITTLE OWYHEE RIVER ✓

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

Twn Rng Sec Tract Lot Rflg County
16S ✓ 05W ✓ 17 ✓ NE NE ✓ (73) OWYHEE ✓ 272.0 313.0 242.0 2.0 1.0 0.1

+ - - Description - - - - - + + - - Water Use - - - - - + + - - Diversion Rate - - - - - + + - - Diversion Volume - - - - - +
Code
02 - IRRIGATION STORAGE - - - - - 04/01 12/31 100.00
03 - IRRIGATION FROM STORAGE - - - - - 04/01 11/01 100.00
deleted *1.2*

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - + +
100.00 ✓

+ - - Rng Sec Tract Lot Acres Place of Use - - - - - + + - - Description - - - - - + + - - County - - - - - +
Twn
16S ✓ 05W ✓ 8 ✓ SE SE 10.0 ✓ 02 IRRIGATION STORAGE (73) OWYHEE
16S 05W 9 ✓ SW SW 10.0 ✓ 02 IRRIGATION STORAGE (73) OWYHEE
16S 05W 17 ✓ NE NE 40.0 ✓ 02 IRRIGATION STORAGE (73) OWYHEE

Total Acres: 60.0

added 18 ac. in Sec. 8

+ - - Diversion Means -

+ - - Non-Irrigation Use -

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(OD-26)

Water right number -	55-02209	Prefix Translation:	WATER RIGHT	
+ - - Other Rights for Same Use -				
+ - -		Remarks -		
		No Remarks found.		
+ - -		Old Water Right Numbers -		
		No Old Water Right Numbers found.		
+ - -		Conditions of Approval -		
		No Conditions of Approval found.		
+ - -	Decree Plaintiff -	+ - - Decree Defendant -		+ - Decree Date -
				00/00/0000
+ - -		-Comments-		
		No Comments Found		
+ - -	Audit Fields -	05/06/85 04/30/88 CONVERT		
		Water Rights Dates and Flags Area		
		Field Exam Made -	00/00/0000	Field Exam Fee -
		Protested Date -	00/00/0000	Swan Falls -
		Hearing Date -	00/00/0000	Temporary Right -
		Verified Date -	05/06/1985	DLE/Carey Act -
		Receipt Number -		Water District -
		Appl Received -	00/00/0000	Transfer/Amended -
		Microfilm Roll No -		Presumption Flag -

MICROFILMED

SEP 29 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A55-02209**
Date Received: 12/20/1988
Receipt No: W001691
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: NOUQUE RANCH PARTNERSHIP 503-522-8713
Address: PO BOX 415
MC DERMITT NV 89425
2. Date of Priority: AUG 18, 1966
3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	05W	8	NW	SE	SW		OWYHEE
		17	NE	NE	NE		OWYHEE

5. Description of diverting works:
RESERVOIR W/DAM AND CONCRETE HEADGATE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		100.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 100.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/266 HEAD CATTLE AND HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16S	05W	8	SE	SW		IRR	8.0
			SW	SE		IRR	10.0
			SE	SE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	28.0
		9	SW	SW		IRR	10.0
						Section Acres	10.0
		17	NE	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	78.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

LITTLE OWYHEE WHEN FLOWS

14. Remarks:

SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NE1/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

OWNERSHIP CHANGED BY KW 10/19/1995.

15. Basis of Claim: LICENSE

Water Right Number: R1226

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
_____,
Organization document in the space below as _____ of
_____,
Title and that the statements contained in the
_____,
Organization 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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
SEP 13 1995

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: 6/27/95

LEGAL DESCRIPTION OF PROPERTY: Township 16 South Range 5 West
Section , 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

See copy of attached Quitclaim Deed with complete legal.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) _____
Assigned by IDWR: License No. 55-02209

☒ Name and Address of Former Owner/Claimant(s)(Seller): John P. Nouque and Thomas C. Pedroli
P.O. Box 415
McDermitt, Nevada 89425

☒ New Owner/Claimant (Purchaser): Nouque Ranch Partnership

☒ New Mailing Address: P.O. Box 415
McDermitt, Nevada 89425

☒ New Telephone Number: (503) 522 - 8713

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Quitclaim Deed for real property

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) X John P. Nouque Date 9/6/95
X P.O. Box 415 - McDermitt Nev 89425 Date _____

☐ Signature of Former Owner/Claimant(s): X Thomas C. Pedroli Date 9/6/95
X P.O. Box 415 - McDermitt Nev 89425 Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/19/95 By: KW

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

SEP 13 1995

WATER RESOURCES
WESTERN REGION

QUITCLAIM DEED

THIS INDENTURE, made this 27th day of June, A. D. 1995,
by and between JOHN P. NOUQUE and THOMAS C. PEDROLI, Grantors, and
NOUQUE RANCH PARTNERSHIP, whose address is P.O. Box 415, McDermitt,
Nevada 89425, Grantee,

W I T N E S S E T H:

That the Grantors, for and in consideration of the sum of
TEN DOLLARS (\$10.00), lawful money of the United States of America,
and other valuable consideration, to Grantors in hand paid by the
Grantee, the receipt whereof is hereby acknowledged, does by these
presents, remise, release and forever quitclaim unto the Grantee,
its successors and assigns forever, all of Grantors' right, title,
interest and estate in and to the following described lot, piece or
parcel of land situated in the County of Owyhee, State of Idaho,
and more particularly described as follows, to-wit:

The Northwest Quarter (NW 1/4) of the
Southwest Quarter (SW 1/4) and the Southeast
Quarter (SE 1/4) of the Southeast Quarter (SE
1/4) and the Southwest Quarter (SW 1/4) of the
Southeast Quarter (SE 1/4) and the Southeast
Quarter (SE 1/4) of the Southwest Quarter (SW
1/4) of Section Eight (8); the Southwest
Quarter (SW 1/4) of the Southwest Quarter (SW
1/4) of Section Nine (9); Northeast Quarter of
the Northeast Quarter (NE 1/4 NE 1/4) of
Section Seventeen (17), all in Township
Sixteen (16) South, Range Five (5) West,
B. M., Owyhee County, Idaho.

RP 16S05W086600, RP 16S05W096000 and
RP 16S05W170001.

TOGETHER WITH ALL AND SINGULAR the tenements,
hereditaments and appurtenances thereunto belonging, and in anywise

John M. Doyle
ATTORNEY AT LAW

Post Office Box 1190
Winnemucca, Nevada 89446

1 appertaining, and the reversion and reversions, remainder and
2 remainders, rents, issues and profits thereof.

3 TO HAVE AND TO HOLD, the above described property unto
4 the Grantee, its successors and assigns, forever.

5 IN WITNESS WHEREOF; the Grantors caused this instrument
6 to be executed the day and year in this instrument first above
7 written.

8 John P. Nouque
9 JOHN P. NOUQUE

Thomas C. Pedrolini
THOMAS C. PEDROLI

10

11 STATE OF NEVADA,)
12 : ss
13 COUNTY OF HUMBOLDT.)

14 On this 27th day of June, A. D. 1995, personally
15 appeared before me, a Notary Public, JOHN P. NOUQUE and THOMAS C.
16 PEDROLI, who acknowledged that they executed the above instrument.

17

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22

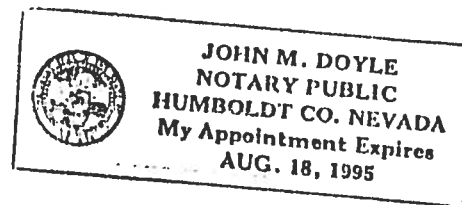
23

24

25

26

John M. Doyle
NOTARY PUBLIC



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: A55-02209
Date Received: 12/20/1988
Receipt No: W001691
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN NOUQUE 503-522-8707
Address: P.O. BOX 415
MCDERMITT, NV 89421

AND/OR

Name: THOMAS PEDROLI 503-522-8707
Address: P.O. BOX 415
MC DERMITT, NV 89421

2. Date of Priority: AUG 18, 1966

3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	05W	8	NW	SE	SW		OWYHEE
		17	NE	NE	NE		OWYHEE

5. Description of diverting works:
RESERVOIR W/DAM AND CONCRETE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		100.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 100.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/266 HEAD CATTLE AND HORSES

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SEP 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05W	8	SE	SW		IRR	8.0
			SW	SE		IRR	10.0
			SE	SE		IRR	10.0
					Section Acres		28.0
		9	SW	SW		IRR	10.0
					Section Acres		10.0
		17	NE	NE		IRR	40.0
					Section Acres		40.0
					Total Acres		78.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
LITTLE OWYHEE WHEN FLOWS

14. Remarks:
SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NE1/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

15. Basis of Claim: LICENSE

Water Right Number: R1226

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: _____

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SEP 29 1992

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A55-02209
Date Received: 11/10/1988
Receipt No: W001691
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN NOUQUE 503-522-8707
Address: P.O. BOX 415
MCDERMITT, NV 89421
AND/OR
Name: THOMAS PEDROLI 503-522-8707
Address: P.O. BOX 415
MC DERMITT, NV 89421
2. Date of Priority: AUG 18, 1966
3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	05W	8	NW	SE	SW		OWYHEE
		17	NE	NE	NE		OWYHEE
5. Description of diverting works:
RESERVOIR W/DAM AND CONCRETE HEADGATE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		100.00
7. Total Quantity Appropriated is:
C.F.S. (and/or) 100.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/266 HEAD CATTLE AND HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05W	8	SE	SW		IRR	8.0
			SW	SE		IRR	10.0
			SE	SE		IRR	10.0
					Section Acres		28.0
		9	SW	SW		IRR	10.0
					Section Acres		10.0
		17	NE	NE		IRR	40.0
					Section Acres		40.0
					Total Acres		78.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
LITTLE OWYHEE WHEN FLOWS

14. Remarks:
SAME HEADGATE FOR BOTH STREAMS USED IN SEC. 17 NE1/4 OF NE1/4 OF NE1/4 TWP. 16S RNG. 5W AS BOTH STREAMS COME TOGETHER AT THAT POINT.

15. Basis of Claim: BENEFICIAL USE
Water Right Number: R1226

→ LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 R-1226/55-2209
Date Received 11/16/198
Receipt Number W001691

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 19 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) John Nouque Thomas (Tom) Pednoli Phone (503) 522-8707

Mailing Address P.O. Box 415 McDermitt Nev Zip 89421

2. Date of Priority (Only one (1) per claim) August 18 1966

3. Source of water supply (a) Tent Creek
which is tributary to (b) Little Owyhee River

4. a. Location of existing point of diversion is: Township 16S Range 5W Section 17,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: NW 1/4 of SE 1/4 of SW 1/4 Sec 8 T16S R5W

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, 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.

Reservoir located in Sec 31 T15S R5W on Tent Creek
Dam in SW 1/4 of SE 1/4 of NE 1/4 T15S R5W Capacity 100 Acre Feet

Concrete Headgate in NE 1/4 of NE 1/4 of NE 1/4 Sec 17 T16S R5W

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SEP 29 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April to Nov 1 amount 1.20 cfs or 100 gals or 3.08/A

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Cattle + Horse 266 Head

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	
16S	5W	8											8				10	10	28
		9											10						10
		17	40																40

Total number of acres irrigated 78

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

12. Do you own the property listed above as place of use? Yes X No _____
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.
Little Owyhee River when flows or None ()

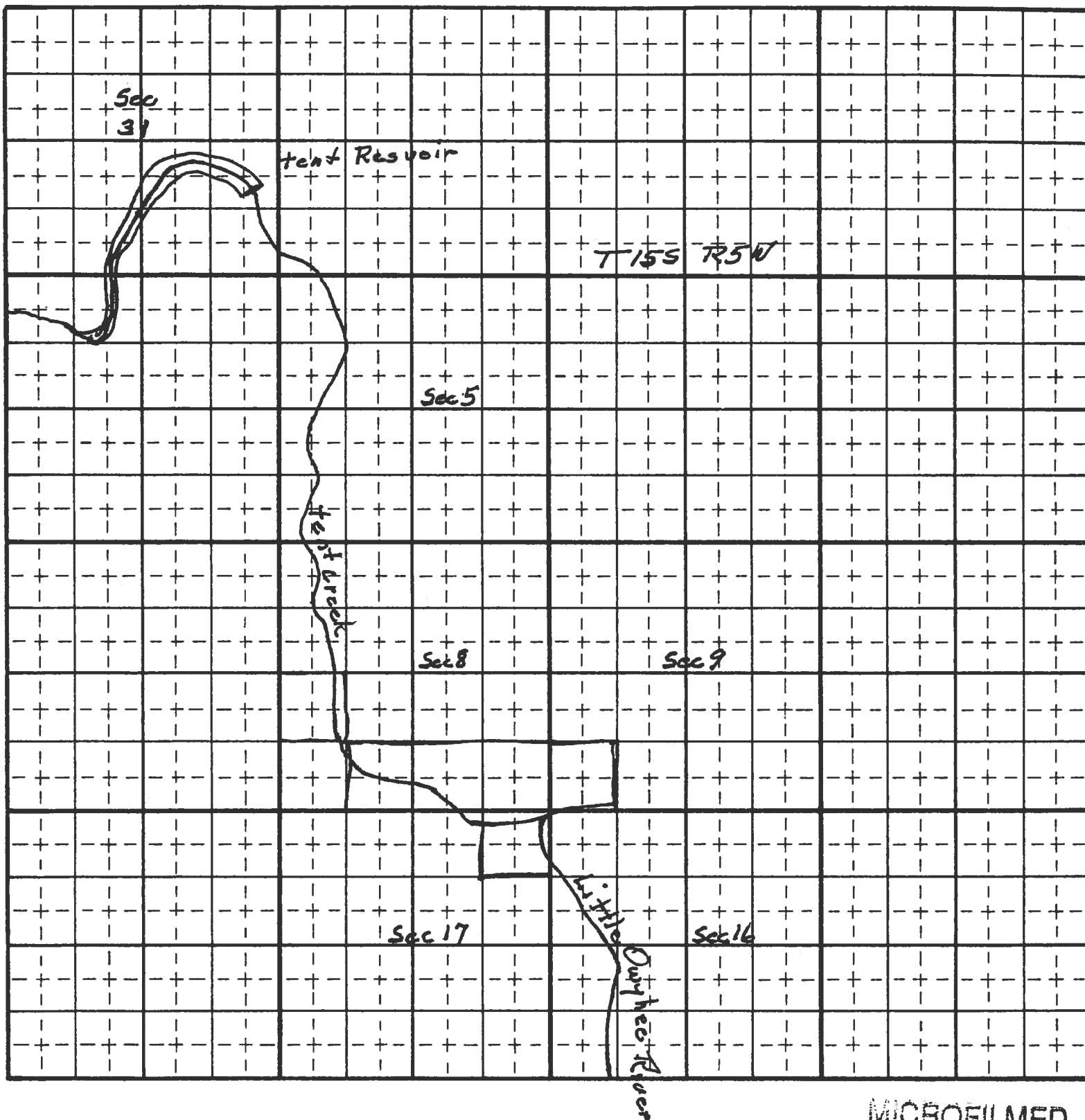
14. Remarks: Same Headgate for both streams used
in sec 17 NE 1/4 of NE 1/4 of NE 1/4 T16S R5W
as both streams come together at that point

Last Name Nouque + Pedrali Ident No. R-1226/55-2209

MICROFILMED
Copies: White - State, Yellow - Claimant
SEP 29 1992

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

Scale: 2 inches equals 1 mile



MICROFILMED

SEP 29 1992

Last Name Nouque & Redoli

Ident No R-1226/55-2269

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number R-1226/55-2209

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)

John S. Squire
Thomas Pedroli

Date 11/7/88

Date 11/7/88

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Nevada or _____)

County of Humboldt)

SS.

Subscribed and sworn (or affirmed) before me this 7th day of November 19 88

Notary Public

Jean Mentaberry

Residing at

W. Bennett, Nevada

My Commission Expires

Sept. 7, 1990

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

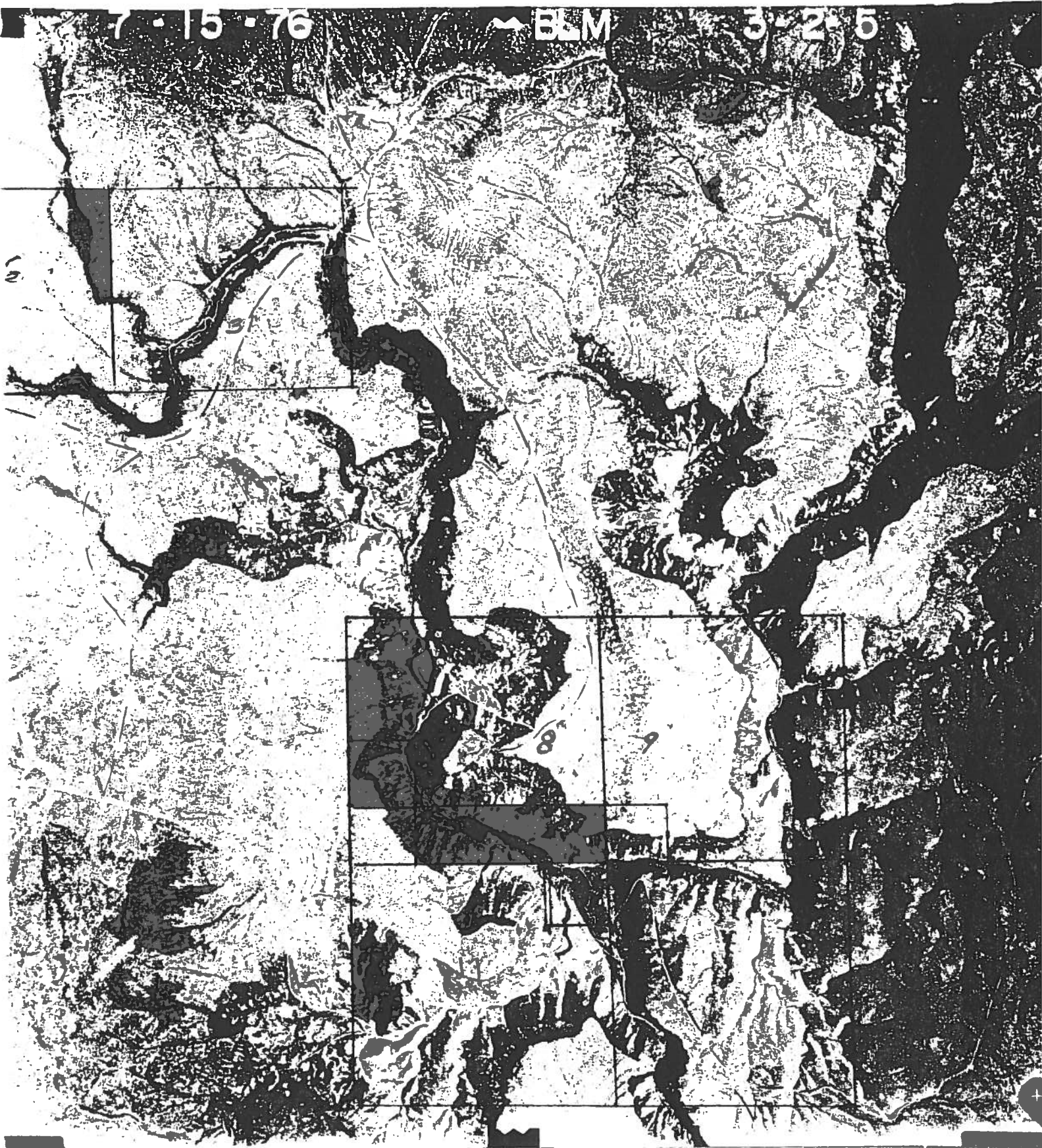
MICROFILMED
Copies Made State, Yellow Claimant

SEP 29 1992

7-15-76

BLM

3-2-5



Star Valley Ranch

Water Right License R1226/55-2209
Naimo & Tedrol

ED

DATE RECEIVED 11/10/88

CK # 02963

AMOUNT \$ 128.00

YES

NO

- .. Is the name and address complete with zip code?
1. 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, each household must file a separate claim. See Adjudication Memo # 4.
10. Is (are) the place(s) of use entered?
11. Is (are) the county(ies) entered?
12. Is the ownership of p.u. checked?
13. Are other water rights listed or "none" checked?
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 checked?
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?
- 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: EJR

**IDAHO DEPARTMENT
OF WATER RESOURCES**

**T16S, R05W, S08,
S09 & S17**

6 = ACRES

Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF RE-DIVERSION

**Claim(s): 55-02209
Owner(s): NOUQUE RANCH
Prepared by: KAY WALKER
Date: 2/26/1998
Total Acres: 53**



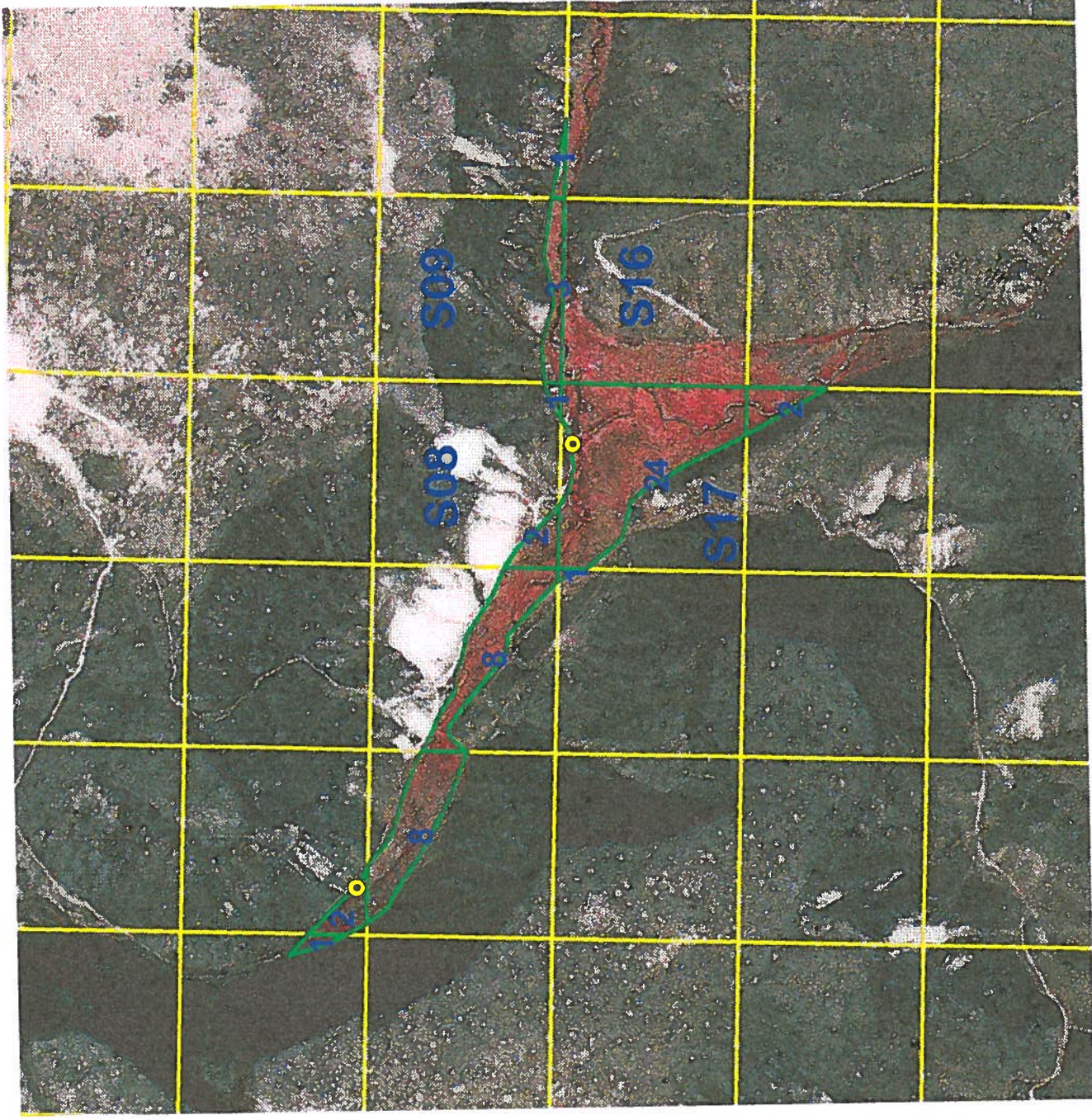
1987 NAPP

0.75 Miles

0.5

0.25

0



APR 13 1999

Department of Water Resources

1999 APR 12 PM 12:35

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED DL

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

In Re SRBA	)	Subcase 55-02209
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
_____	)	

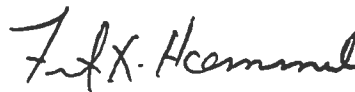
FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right 55-02209 was filed. Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 55-02209 be decreed as recommended in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 12, 1999.



FRITZ X. HAEMMERLE
Special Master, Snake River Basin Adjudication

APR 13 1999

Department of Water Resources

1999 APR 12 PM 12:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 55-02209

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 12, 1999, with sufficient first-class postage prepaid to the following:

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

NOUQUE RANCH PARTNERSHIP

Represented by:
DANIEL V. STEENSON
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING



DEBBIE LASH
Deputy Clerk

PAGE 1
04/10/99

APR 13 1999

1979 APR 12 PM 12: 25

DISTRICT COURT-SREA
TWIN FALLS CO., IDAHO

In Re SRBA
Case No. 39576

Water Right(s): 55-02209

Debbie Lash
DEBBIE LASH
Deputy Clerk

RECEIVED

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

APR 13 1999

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 65-00224

Department of Water Resources
1999 APR 12 PM 12:37
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED DL

NAME AND ADDRESS: MICHAEL G MC DONOUGH
10775 N HWY 52
HORSESHOE BEND, ID 83629

SOURCE: SPRINGS TRIBUTARY: PETERSON GULCH

QUANTITY: 0.02 CFS
0.60 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 02/01/1870

POINT OF DIVERSION: T07N R01E S24 NWNWN Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS 0.60 AFY

PLACE OF USE: Domestic Within Gem County
T07N R01E S23 LOT 02 (NENW) LOT 02 (NWNE)

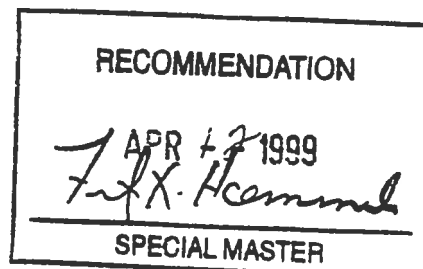
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication



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

RECEIVED

APR 13 1999

Department of Water Resources

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-02209

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT, NV 89425

SOURCE: TENT CREEK TRIBUTARY: LITTLE OUYHEE RIVER

QUANTITY: 100.00 AFY

PRIORITY DATE: 08/18/1966

POINT OF DIVERSION: T15S R05W S31 SENE Within Owyhee County
T16S R05W S08 NWSW (Rediversion)
S17 NENE (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	100.00 AFY
	Irrigation from Storage	04-01 TO 11-01	100.00 AFY

PLACE OF USE:	Irrigation from Storage		Within Owyhee County
	T16S R05W S08	SESW 8.0	SWSE 8.0
		SESE 3.0	NWSW 1.0
	S09	SWSW 3.0	
	S16	SWNW 2.0	NWNW 11.0
	S17	NENE 24.0	
	60.0 Acres Total		

Irrigation Storage Same as Other Use

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 55 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

RECEIVED

FEB 08 1999

Department of Water Resources

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

In Re SRBA

Case No. 39576

Subcase 55-02209

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.

Charles T. Fanning H/ 02/04/99
Noque Ranch Partnership date

Roxanne Brown 2/4/99
Concurrence date
Roxanne Brown
Idaho Dept. of Water Resources

Larry A. Brown 2/4/99
Larry A. Brown date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Susan E. Hamlin 2/4/99
Concurrence date
Susan Hamlin
Deputy Attorney General, IDWR

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

DATE: FEB-04-1999
PAGE: A-1

RIGHTS FROM: SOURCE: TENT CREEK TRIBUTARY: LITTLE OWYHEE RIVER

RIGHT NUMBER: 55-02209

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89425

SOURCE: TENT CREEK TRIBUTARY: LITTLE OWYHEE RIVER

QUANTITY: 100.0 AFY

PRIORITY DATE: 08/18/1966

POINT OF DIVERSION: T15S R05W S31 SENE Within OWYHEE County
T16S R05W S08 NWSW (R)
NESH LRL
S17 NENE (R)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION FROM STORAGE	04-01 11-01	100.0 AFY
	IRRIGATION STORAGE	01-01 12-31	100.0 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within OWYHEE County

T16S R05W S08	NWSW 1	SESW 8	SWSE 8	SESE 3
S09	SWSW 3			
<u>S16</u>	<u>NWNW 11</u>	<u>SNNW 2</u>		
S17	NENE 24			
~~S08~~	~~NESH 2~~			
~~S09~~	~~SESW 1~~			
~~S17~~	~~NNNE 1~~	~~SENE 2~~		
<u>60 ACRES TOTAL</u>				
~~93 ACRES TOTAL~~				

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-04-1999
PAGE: A-2

55-02209 (CONT.)

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 55 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE DURING THE PERIOD OF 1979 TO 1987.

RD
JK

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF RE-DIVERSION DESCRIBED ABOVE.

del

CERTIFICATE OF MAILING

I certify that on Feb 4th, 1998, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

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

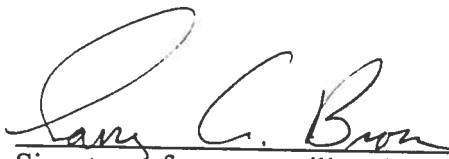
☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

United States Department of Justice
Adjudication Team
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

Charles L. Honsinger
Ringert-Clark, Chartered
455 S. Third St.
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document