

<u>Ba</u>	<u>Sequence</u>	<u>Sj</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u>	<u>D</u>	<u>Diversion</u>	<u>Source</u>	<u>L</u>	<u>Water Use</u>	<u>Owner</u>	<u>L</u>	<u>Version</u>	<u>N</u>	<u>Source</u>	<u>Ta</u>	<u>Application</u>
51	121	Decreed	Active	1885-04-10	2.06	THREE CF	IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	124	Decreed	Active	1885-04-08	0.74		IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	125	Decreed	Active	4/1/12	1.5		IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	126	Decreed	Active	1885-04-04	2.7		IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	127	Decreed	Active	4/1/09	1.66		IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	128	Decreed	Active	2/27/13	4.28	DEER CR	IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	2005	License	Active	2/15/25	1.22		IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	2103	License	Active	2/21/44	0.56	DEER CR	IRRIGATIC THREE CF	1	wrAdjudicationRecommendation								
51	10243	Beneficial	Active	12/31/05	0.12	WHITESID STOCKW	THREE CF	1	wrAdjudicationRecommendation								

Rights in Trans 5603

RECEIVED

JUL 21 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

✓ Roxanna
BLM objection
Please pass this on if
you are not involved

TRANSFER NO. 5603

WATER RIGHT NO(S) . 51-00124/51-00125/51-00126/51-00127
51-02005/51-02103

This is to certify that: **THREE CREEK RANCH CO**
PO BOX 27
BOISE ID 83707

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 51-00124 :			
Priority: 04/08/1885			
IRRIGATION	04/01 to 10/31	0.74 CFS	249.9 AF
STOCKWATER	01/01 to 12/31	0.35 CFS	20.2 AF
		0.74 CFS	270.1 AF
Right No. 51-00125 :			
Priority: 04/01/1912			
IRRIGATION	04/01 to 10/31	1.50 CFS	126.7 AF
STOCKWATER	01/01 to 12/31	0.35 CFS	20.2 AF
		1.50 CFS	146.9 AF
Right No. 51-00126 :			
Priority: 04/04/1885			
IRRIGATION	04/01 to 10/31	2.70 CFS	373.8 AF
STOCKWATER	01/01 to 12/31	0.35 CFS	20.2 AF
		2.70 CFS	394.0 AF
Right No. 51-00127 :			
Priority: 04/01/1909			
IRRIGATION	04/01 to 10/31	1.66 CFS	90.3 AF
STOCKWATER	01/01 to 12/31	0.35 CFS	20.2 AF
		1.66 CFS	110.5 AF
Right No. 51-02005 :			
Priority: 02/15/1925			
IRRIGATION	04/01 to 10/31	1.22 CFS	136.5 AF
STOCKWATER	01/01 to 12/31	0.35 CFS	20.2 AF
		1.22 CFS	156.7 AF
SUBTOTAL:		7.82 CFS	942.8 AF *
Right No. 51-02103 :			
Priority: 02/21/1944			
IRRIGATION	04/01 to 10/31	0.56 CFS	98.0 AF
TOTAL:		** 8.38 CFS	1040.8 AF **

TRANSFER NO. 5603
 WATER RIGHT NO(S) . 51-00124/51-00125/51-00126/51-00127
 51-02005/51-02103

SOURCETRIBUTARY OF

Right Nos. 51-00124, 51-00125, 51-00126, 51-00127 & 51-02005 :

DEER CREEK

THREE CREEK

UNNAMED STREAM

DEER CREEK

Right No. 51-02103 :

DEER CREEK

THREE CREEK

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 51-00124, 51-00125, 51-00126, 51-00127 & 51-02005 :

SESE , Sec. 26, Township 15S, Range 11E

NWNE , Sec. 35, Township 15S, Range 11E

SENE , Sec. 35, Township 15S, Range 11E

NWNW , Sec. 35, Township 15S, Range 11E

SESE , Sec. 35, Township 15S, Range 11E

OWYHEE County

Right No. 51-02103 :

SESE , Sec. 35, Township 15S, Range 11E

OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
----------------------------------	--------------	--------------	--------------	--------------

Right Nos. 51-00124, 51-00125, 51-00126, 51-00127 & 51-02005 :

15S 11E	26	SWSW	25.0	SESW	13.0	SWSE	24.2	
		SESE	7.0					69.2
	27	SESE	15.0					15.0
	34	NENE	2.4	NWNE	15.9	SWNE	22.0	
		NENW	7.5	SESW	10.2	NESW	15.7	
		SESW	4.5	NWSE	6.5	SWSE	2.5	87.2
	35	NENE	14.3	NWNE	0.3	SWNE	18.0	
		SENE	2.6	NENW	19.8	NWNW	12.7	
		SESW	1.4					69.1

Total number of acres irrigated: * 240.5 ***

Right No. 51-02103 :

16S 11E	2	NWNE	24.0	SWNE	4.0		28.0
Total number of acres irrigated:							28.0

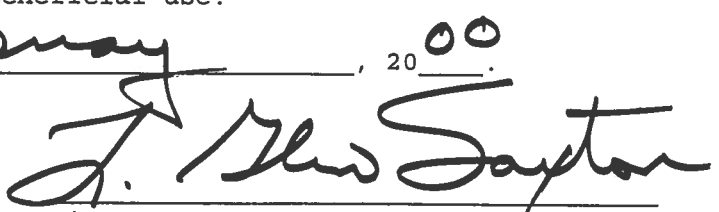
PLACE OF USE: STOCKWATER, same as IRRIGATION use under Right Nos. 51-00124, 51-00125, 51-00126, 51-00127 & 51-02005.

TRANSFER NO. 5603
WATER RIGHT NO(S). 51-00124/51-00125/51-00126/51-00127
51-02005/51-02103

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 5. The total instantaneous diversion of water from all points of diversion under Transfer 5603 shall not exceed 8.38 cfs, nor total combined annual volume of 1040.8 af.
- *** 6. Right 51-00124 is limited to the irrigation of 71.4 acres in the place of use described above in a single irrigation season.
- *** 7. Right 51-00125 is limited to the irrigation of 36.2 acres in the place of use described above in a single irrigation season.
- *** 8. Right 51-00126 is limited to the irrigation of 106.8 acres in the place of use described above in a single irrigation season.
- *** 9. Right 51-00127 is limited to the irrigation of 25.8 acres in the place of use described above in a single irrigation season.
- *** 10. Right 51-02005 is limited to the irrigation of 39.0 acres in the place of use described above in a single irrigation season.
- * 11. Rights 51-00124, 51-00125, 51-00126, 51-00127 and 51-02005 when combined shall not exceed a total annual maximum diversion volume of 841.8 af at the field headgate for the irrigation of 240.5 total acres.
12. All water rights within Basin 51 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
13. The quantity of water decreed for Rights 51-00124, 51-00125, 51-00126, 51-00127 and 51-02005 for stockwater use is not a determination of historical beneficial use.

Dated this 30th day of May, 2000.


Chief, Water Allocation Bureau

Page 1 of 11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5603

RECEIVED

OCT 21 1999

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

OCT 22 1999

WATER RESOURCES WESTERN REGION

Department of Water Resources

Name of applicant Three Creek Ranch Company Phone 208-336-2110

Post Office address PO Box 27 Boise, ID 83707

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To move a point of diversion

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|------------------|-----------------------|------------------|---------------|
| | See Attachment A | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| 2. Total amount of water being transferred <u>See Attachment A for Diversion Rates</u> cubic feet per second and/or <u></u> acre-feet per annum | | | | |
| 3. Source of water <u>Deer Creek & Unnamed Stream</u> tributary to <u>Three Creek/ Deer Creek</u> | | | | |
| 4. Point(s) of Diversion: <u>See Attachment A</u> | | | | |

[illegible]

5. Lands irrigated or place of use: As recommended in the Basin 51 Directors Report dated 11/20/98

[illegible]

PART 1

6. General Information:

a. Description of diversion system New point of diversion is a suction intake hose, pump,
diesel powered motor and pipe.

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

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

There will not be any change to the land currently irrigated as a result of
changing this point of diversion.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

pg 3 of 11
WR0749NP
No. 51-00124

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD CLARK	04/08/1885	IRRIGATION	00/00 00/00	3.060 CFS	
			STOCKWATER	00/00 00/00		
			DOMESTIC	00/00 00/00		
TOTAL DIVERSION:					3.060 CFS	

Water Source: DEER CREEK

Tributary to: THREE CREEK

Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE						
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
15S	11E	26	:									40	40					80.0
15S	11E	27	:													40		40.0
15S	11E	34	:	40														40.0
TOTAL ACRES																	160.0	

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

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

Pou County: OWYHEE

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

51-02023 51-04101

Dates:	App. Received:	Priority Date:	04/08/1885
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 51A Field Exam Fee:

Audit: 02/11/86 04/30/88 CONVERT

OWNER		PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE		FROM	TO	RATE	VOLUME
C	RICHARD CLARK	04/01/1912	IRRIGATION	00/00	00/00	1.500 CFS	
			STOCKWATER	00/00	00/00		
			DOMESTIC	00/00	00/00		
TOTAL DIVERSION:						1.500 CFS	

Water Source: DEER CREEK

Tributary to: THREE CREEK

Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
---	---	---	: -----	-----	-----	-----	-----	: -----	-----	-----	-----	: -----	-----	-----	-----	----
15S	11E	35	:	40	40			:				:				80.0
TOTAL ACRES																80.0

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

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

Pou County: OWYHEE

Dates:	App. Received:	Priority Date:	04/01/1912
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 51A Field Exam Fee:

Audit: 02/11/86 04/30/88 CONVERT

OWNER		PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE		FROM	TO	RATE	VOLUME
C	GEORGE CLARK	04/04/1885	IRRIGATION	00/00	00/00	2.700 CFS	
			STOCKWATER	00/00	00/00		
			DOMESTIC	00/00	00/00		
TOTAL DIVERSION:						2.700 CFS	

Water Source: DEER CREEK
 Tributary to: THREE CREEK
 Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
15S	11E	34	: 40 40	: 40	: 40	: 20	:	:	:	:	:	:	:	:	:	:
																TOTAL ACRES 220.0

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

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

Pou County: OWYHEE

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

51-00121 51-02029

Dates:
 App. Received:
 Priority Date: 04/04/1885

Proof Due Date:
 Proof Made Date:

Exam Made Date:
 Exam Sent to S.O.:

Licensed Date:

Misc:
 Water District Number: 51A
 Field Exam Fee:

Audit:
 02/11/86 04/30/88 CONVERT

DATE: 11/22/99
PAGE: 1

Audit: 02/11/86 04/30/88 CONVERT

OWNER		PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE		FROM	TO	RATE	VOLUME
C	JEROME N. HELSLEY	04/29/1905	IRRIGATION DOMESTIC	00/00	00/00 00/00 00/00	1.220 CFS	
TOTAL DIVERSION:						1.220 CFS	

Water Source: MUD FLAT SPRING

Tributary to: MUD FLAT DRAW

Stage: LICENSE

Point(s) of Diversion: T15S R12E S31 SENW

OWYHEE County

Place of use Legal Description for: IRRIGATION															
NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
15S	11E	25	:					:		06		:			
15S	11E	26	:					:				:	20	20	
15S	12E	35	:	15				:				:			
TOTAL ACRES														61.0	

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

Pou County: OWYHEE

Other Water Rights Listing Overlapping Place(s) of use:
51-04101

Dates: App. Received: Priority Date: 04/29/1905
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/21/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 02/21/1994 User-ID: JOHNSON Subject: Corrected Place of use sections
I corrected the place of use descriptions on the data base to be
consistent with the place of use as listed on the license.

Audit: 04/08/85 04/30/88 CONVERT 02/21/94 JOHNSON

WR0749NP
No. 51-02103

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY A. CLARK	02/21/1944	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	0.700 CFS	
TOTAL DIVERSION:					0.700 CFS	

Water Source: DEER CREEK

Tributary to: THREE CREEK

Stage: LICENSE

Point(s) of Diversion: T16S R11E S01 NESW OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
16S	11E	2	:	25	10	:	:	:	:	:	:	:	:	:	:	: 35.0
TOTAL ACRES															35.0	

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

Pou County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

51-02028 51-02029

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Dates:	App. Received:	Priority Date:	02/21/1944
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	06/21/1979	

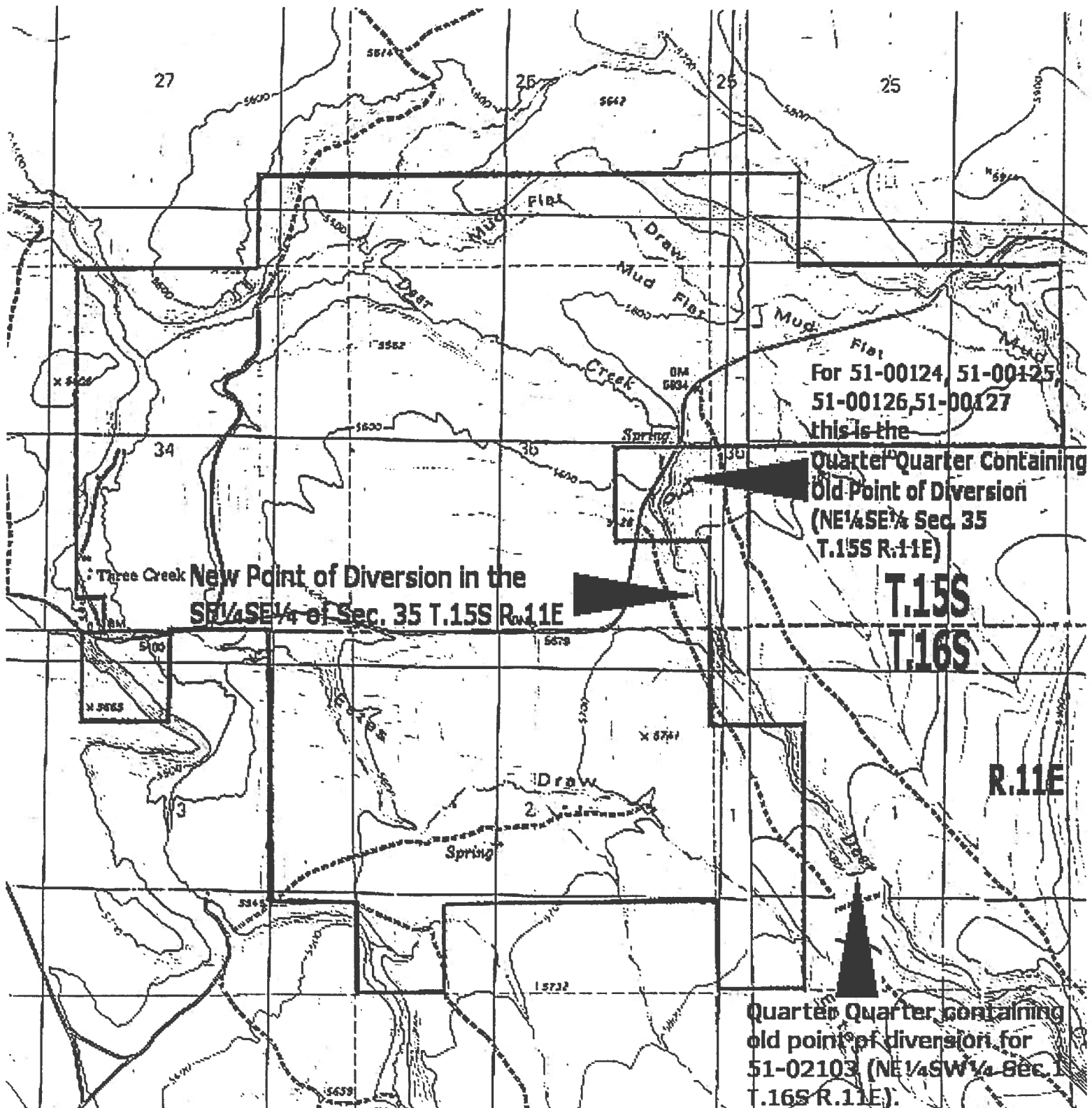
Misc: Water District Number: Field Exam Fee:

Audit: 03/12/85 04/30/88 CONVERT

[illegible]

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

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



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

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

Return flows, if any, will not be affected by this transfer.

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

This transfer will not have any impact on other water uses.

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

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

Three Creek Ranch Company

By: Ronald N. Graves Ronald N. Graves, Secretary
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of October, 1999.

James A. Kattner
(Notary Public)

My commission expires 5/31/02

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 3 attachments

Received by KL Date 10/21/99 Protest filed by _____

Prelim. check by Ly Fee 100 + C046932

Receipted by KL Date 10/21/99

Published in Quincy Avalanche Copies of protest forwarded by _____

Pub. dates 2-2-00, 2-9-00 OK 3-1-00 Lm Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Attachment A

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

1. Right Number	Priority	Amount	Nature	Period of Use		
*51-00124	Apr. 8, 1885	0.74 c.f.s	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-00125	Apr. 1, 1912	1.5 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-00126	Apr. 4, 1885	2.7 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-00127	Apr. 1, 1909	1.66 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-02005	Feb. 15, 1925	1.22 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
51-02103	Feb. 21, 1944	.56 c.f.s.	Irrigation	Irrigation: 4-01	to	10-31

*The use of these rights is limited to a total combined diversion rate of 7.82 c.f.s.

- 4. Point(s) of Diversion:** This transfer is seeking to change the location for one of the points of diversion recommended by the Director for 51-00124, 51-00125, 51-00126, 51-00127 and 51-02005 from the NE¼SE¼ of Sec. 35 T.15S R.11E to the SE¼SE¼ of Sec. 35 T.15S R. 11E. The Transfer also seeks a change in the point of diversion recommended by the Director for 51-02103 from the NE¼SW¼ of Section 1 T.16S R.11E to the SE¼SE¼ of Section 35 T.15S R.11E.

After the requested change the points of diversion for 51-00124, 51-00125, 51-00126, 51-00127 and 51-02005 will be as follows:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
		SE	SE	26	15S	11E	Owyhee	
		NW	NE	35	15S	11E	Owyhee	
		SE	NE	35	15S	11E	Owyhee	
		NW	NW	35	15S	11E	Owyhee	
		SE	SE	35	15S	11E	Owyhee	

After the requested change the point of diversion for 51-02103 will be as follows:

		SE	SE	35	15S	11E	Owyhee	
--	--	-----------	-----------	-----------	------------	------------	---------------	--

Page' _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

OCT 22 1999

PART 1

Department of Water Resources

WATER RESOURCES WESTERN REGION

Name of applicant Three Creek Ranch Company Phone 208-336-2110

Post Office address PO Box 27 Boise, ID 83707

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To move a point of diversion

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Period of Use |
|-----------------|------------------|-----------------------|----------------|
| | See Attachment A | | _____ to _____ |
| | | | _____ to _____ |
| | | | _____ to _____ |
| | | | _____ to _____ |

2. Total amount of water being transferred See Attachment A for Diversion Rates cubic feet per second and/or _____ acre-feet per annum

3. Source of water Deer Creek & Unnamed Stream tributary to Three Creek/ Deer Creek

4. Point(s) of Diversion: See Attachment A

Claim File A51-00124

[illegible]

5. Lands irrigated or place of use: As recommended in the Basin 51 Directors Report dated 11/20/98

[illegible]

PART 1**6. General Information:**

a. Description of diversion system New point of diversion is a suction intake hose, pump,
diesel powered motor and pipe.

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

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

There will not be any change to the land currently irrigated as a result of
changing this point of diversion.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-303-----
RIGHTS FROM: SOURCE: DEER CREEK TRIBUTARY: THREE CREEK

RIGHT NUMBER: 51-00124

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PO BOX 27
BOISE ID 83707SOURCE: DEER CREEK TRIBUTARY: THREE CREEK
UNNAMED STREAM DEER CREEK

QUANTITY: 0.74 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00125, 51-00126, 51-00127, 51-02005.

PRIORITY DATE: 04/08/1885

POINT OF DIVERSION: T15S R11E S26 SESE Within OWYHEE County
S35 NENE
SENE
NWNW
NESEPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.74 CFS
STOCKWATER 01-01 12-31 0.35 CFSPLACE OF USE: IRRIGATION Within OWYHEE County
T15S R11E S26 SWSW 25 SESW 13 SWSE 24.2 SESE 7
S27 SESE 15
S34 NENE 2.4 NWNE 15.9 SWNE 22 NENW 7.5
SENE 10.2 NESW 15.7 SESW 4.5 NWSE 6.5
SWSE 2.5
S35 NENE 14.3 NWNE 0.3 SWNE 18 SENE 2.6
NENW 19.8 NWNW 12.7 SENW 1.4
240.5 ACRES TOTALTHIS RIGHT IS LIMITED TO THE IRRIGATION OF 71.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:51-00125, 51-00126,
51-00127, 51-02005.

STOCKWATER Within OWYHEE County

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-307-----
RIGHTS FROM: SOURCE: DEER CREEK TRIBUTARY: THREE CREEK

RIGHT NUMBER: 51-00125

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PKO BOX 27
BOISE ID 83707SOURCE: DEER CREEK TRIBUTARY: THREE CREEK
UNNAMED STREAM DEER CREEK

QUANTITY: 1.5 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00124, 51-00126, 51-00127, 51-02005.

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION: T15S R11E S26 SESE Within OWYHEE County
S35 NWNE
SENE
NWNW
NESEPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 1.5 CFS
STOCKWATER 01-01 12-31 0.35 CFSPLACE OF USE: IRRIGATION Within OWYHEE County
T15S R11E S26 SWSW 25 SESW 13 SWSE 24.2 SESE 7
S27 SESE 15
S34 NENE 2.4 NWNE 15.9 SWNE 22 NENW 7.5
SENW 10.2 NESW 15.7 SESW 4.5 NWSE 6.5
SWSE 2.5
S35 NENE 14.3 NWNE 0.3 SWNE 18 SENE 2.6
NENW 19.8 NWNW 12.7 SENW 1.4
240.5 ACRES TOTALTHIS RIGHT IS LIMITED TO THE IRRIGATION OF 36.2 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:51-00124, 51-00126,
51-00127, 51-02005.

STOCKWATER Within OWYHEE County

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-887-----
RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK

RIGHT NUMBER: 51-00126

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PO BOX 27
BOISE ID 83707SOURCE: DEER CREEK TRIBUTARY: THREE CREEK
UNNAMED STREAM DEER CREEK

QUANTITY: 2.7 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00124, 51-00125, 51-00127, 51-02005.

PRIORITY DATE: 04/04/1885

POINT OF DIVERSION: T15S R11E S26 SESE Within OWYHEE County
S35 NWNE
SENE
NWNW
NESEPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 2.7 CFS
STOCKWATER 01-01 12-31 0.35 CFSPLACE OF USE: IRRIGATION Within OWYHEE County
T15S R11E S26 SWSW 25 SESW 13 SWSE 24.2 SESE 7
S27 SESE 15
S34 NENE 2.4 NWNE 15.9 SWNE 22 NENW 7.5
SENE 10.2 NESW 15.7 SESW 4.5 NWSE 6.5
SWSE 2.5
S35 NENE 14.3 NWNE 0.3 SWNE 18 SENE 2.6
NENW 19.8 NWNW 12.7 SENW 1.4
240.5 ACRES TOTALTHIS RIGHT IS LIMITED TO THE IRRIGATION OF 106.8 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:51-00124, 51-00125,
51-00127, 51-02005.

STOCKWATER Within OWYHEE County

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-891-----
RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK

RIGHT NUMBER: 51-00127

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PO BOX 27
BOISE ID 83707SOURCE: DEER CREEK TRIBUTARY: THREE CREEK
UNNAMED STREAM DEER CREEK

QUANTITY: 1.66 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00124, 51-00125, 51-00126, 51-02005.

PRIORITY DATE: 04/01/1909

POINT OF DIVERSION: T15S R11E S26 SESE Within Owyhee County
S35 NWNE
SENE
NWNW
NESEPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 1.66 CFS
STOCKWATER 01-01 12-31 0.35 CFSPLACE OF USE: IRRIGATION Within Owyhee County
T15S R11E S26 SWSW 25 SESW 13 SWSE 24.2 SESE 7
S27 SESE 15
S34 NENE 2.4 NWNE 15.9 SWNE 22 NENW 7.5
SENE 10.2 NESW 15.7 SESW 4.5 NWSE 6.5
SWSE 2.5
S35 NENE 14.3 NWNE 0.3 SWNE 18 SENE 2.6
NENW 19.8 NWNW 12.7 SENW 1.4
240.5 ACRES TOTALTHIS RIGHT IS LIMITED TO THE IRRIGATION OF 25.8 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00124, 51-00125,
51-00126, 51-02005.

STOCKWATER Within Owyhee County

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-895-----
RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK

RIGHT NUMBER: 51-02005

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PO BOX 27
BOISE ID 83707SOURCE: DEER CREEK TRIBUTARY: THREE CREEK
UNNAMED STREAM DEER CREEK

QUANTITY: 1.22 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00124, 51-00125, 51-00126, 51-000127.

PRIORITY DATE: 02/15/1925

POINT OF DIVERSION: T15S R11E S26 SESE Within OWYHEE County
S35 NWNE
SENE
NWNW
NESEPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 1.22 CFS
STOCKWATER 01-01 12-31 0.35 CFSPLACE OF USE: IRRIGATION Within OWYHEE County
T15S R11E S26 SWSW 25 SESW 13 SWSE 24.2 SESE 7
S27 SESE 15
S34 NENE 2.4 NWNE 15.9 SWNE 22 NENW 7.5
SENE 10.2 NESW 15.7 SESW 4.5 NWSE 6.5
SWSE 2.5
S35 NENE 14.3 NWNE 0.3 SWNE 18 SENE 2.6
NENW 19.8 NWNW 12.7 SENW 1.4
240.5 ACRES TOTALTHIS RIGHT IS LIMITED TO THE IRRIGATION OF 39 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:51-00124, 51-00125,
51-00126, 51-00127.

STOCKWATER Within OWYHEE County

AJ5856NP

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

DATE: NOV-20-1998
PAGE: A-313

RIGHTS FROM:	SOURCE: DEER CREEK	TRIBUTARY: THREE CREEK	

RIGHT NUMBER:	51-02103		
NAME & ADDRESS:	THREE CREEK RANCH COMPANY PO BOX 27 BOISE ID 83707		
SOURCE:	DEER CREEK	TRIBUTARY: THREE CREEK	
QUANTITY:	0.56 CFS		
PRIORITY DATE:	02/21/1944		
POINT OF DIVERSION:	T16S R11E S01	NESW	Within OWYHEE County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE 04-01 10-31	QUANTITY 0.56 CFS
PLACE OF USE:	IRRIGATION T16S R11E S02 28 ACRES TOTAL	Within OWYHEE County NWNE 24 SWNE 4	

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 51:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 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 51 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

See attached Director Water Right Reports for No.'s

a. Decree No. _____ Decreed to 51-00124; 51-00125; 51-00126; 51-00127; 51-02005; 51-021

in case of _____ vs. _____

dated _____ in _____ county of _____

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

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

d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

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

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

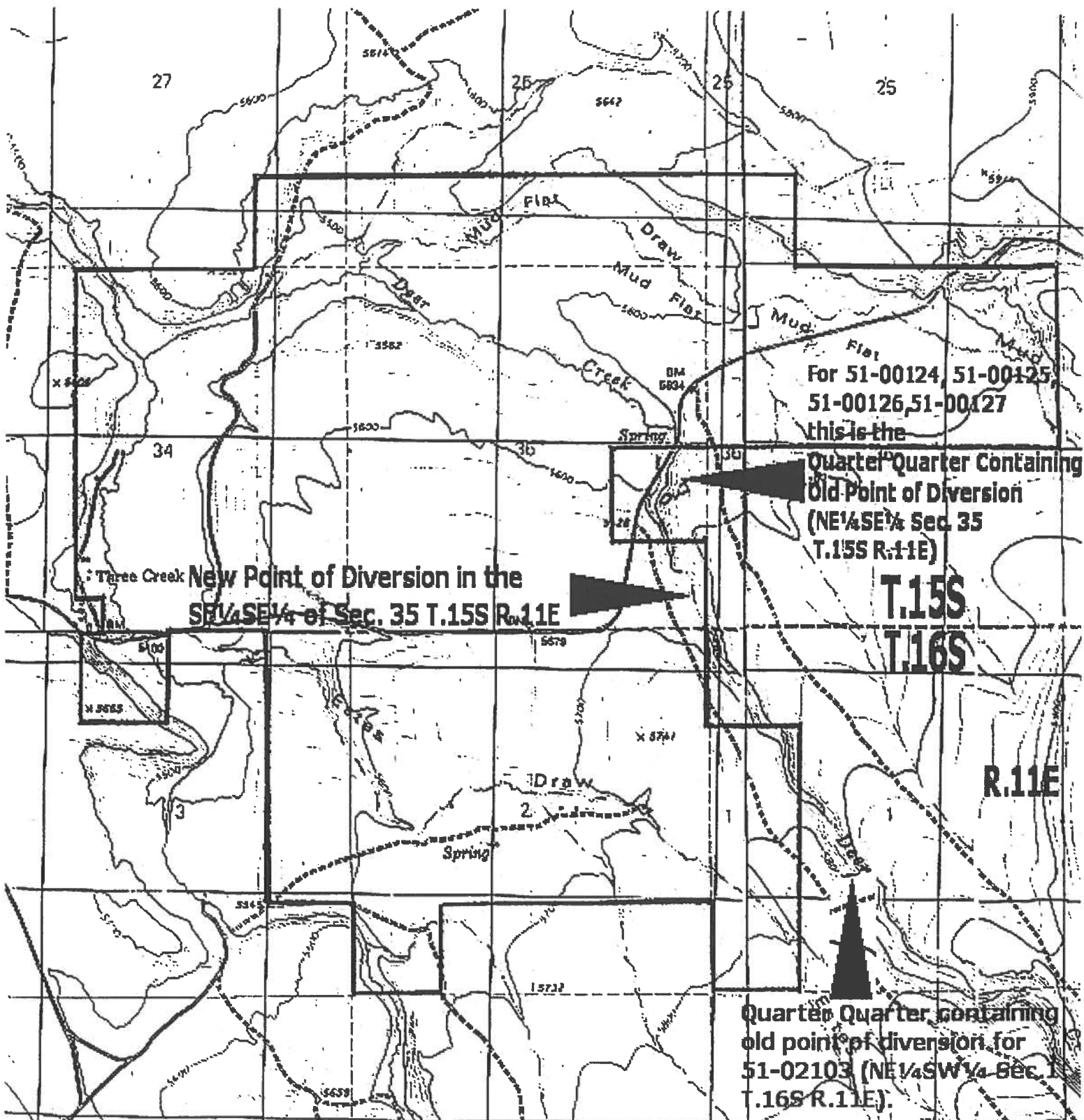
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

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



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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

Return flows, if any, will not be affected by this transfer.

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

This transfer will not have any impact on other water uses.

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

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

Three Creek Ranch Company

By: _____

Ronald N. Graves, Secretary

(Signature of Applicant)

Subscribed and sworn to before me this 20th day of October, 1999.

Janene A. Kattner

(Notary Public)

My commission expires 5/31/02

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Attachment A

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

1. Right Number	Priority	Amount	Nature	Period of Use		
*51-00124	Apr. 8, 1885	0.74 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-00125	Apr. 1, 1912	1.5 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-00126	Apr. 4, 1885	2.7 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-00127	Apr. 1, 1909	1.66 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
*51-02005	Feb. 15, 1925	1.22 c.f.s.	Irrigation and Stockwater	Irrigation: 4-01 Stockwater: 1-01	to to	10-31 12-31
51-02103	Feb. 21, 1944	.56 c.f.s.	Irrigation	Irrigation: 4-01	to	10-31

*The use of these rights is limited to a total combined diversion rate of 7.82 c.f.s.

4. Point(s) of Diversion: This transfer is seeking to change the location for one of the points of diversion recommended by the Director for 51-00124, 51-00125, 51-00126, 51-00127 and 51-02005 from the NE¼SE¼ of Sec. 35 T.15S R.11E to the SE¼SE¼ of Sec. 35 T.15S R. 11E. The Transfer also seeks a change in the point of diversion recommended by the Director for 51-02103 from the NE¼SW¼ of Section 1 T.16S R.11E to the SE¼SE¼ of Section 35 T.15S R.11E.

After the requested change the points of diversion for 51-00124, 51-00125, 51-00126, 51-00127 and 51-02005 will be as follows:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
		SE	SE	26	15S	11E	Owyhee	
		NW	NE	35	15S	11E	Owyhee	
		SE	NE	35	15S	11E	Owyhee	
		NW	NW	35	15S	11E	Owyhee	
		SE	SE	35	15S	11E	Owyhee	

After the requested change the point of diversion for 51-02103 will be as follows:

		SE	SE	35	15S	11E	Owyhee	
--	--	-----------	-----------	-----------	------------	------------	---------------	--



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

October 21, 1999

Delivery

Glen Saxton, Bureau Chief
Water Allocations
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RECEIVED
OCT 21 1999
Department of Water Resources

RECEIVED
OCT 22 1999
WATER RESOURCES
WESTERN REGION

**Re: Transfer Application to Change a Point of Diversion under Water Right
Nos. 51-00124, 51-00125, 51-00126, 51-00127, 51-02005, and 51-
02103.**

Dear Mr. Saxton:

Enclosed for filing is an application for transfer to change the location of a point of diversion identified by the Director in his report to the SRBA court for the above referenced water rights. This transfer is being filed to correct these rights so they conform to changes that were made after the Adjudication commenced.

The BLM objected to the Director's report for these rights after finding that one of the points of diversion being recommended is no longer in use. The BLM agreed to seek a stay in pursuing its objections pending the processing of the enclosed transfer.

I am enclosing a \$100.00 check to cover your transfer filing fee. Please return a copy of this letter along with your date stamp indicating receipt to the person making this delivery. Should you have any questions about the transfer please contact me. My phone number is 389-7359.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

WARRANTY DEED

For Value Received

ALLAN N. ADAMS FAMILY LIMITED PARTNERSHIP, a Utah limited partnership

the grantor, does hereby grant, bargain, sell and convey unto
THREE CREEK RANCH COMPANY, an Idaho corporation

the grantee, whose current address is P. O. Box 27, Boise, ID 83707

the following described premises, in Owyhee County Idaho, to-wit:
As per Legal Description more particularly described in Exhibit "A" attached hereto
and made a part hereof:

TOGETHER WITH all water and water rights, ditch and ditch rights, reservoir rights,
appurtenant to, or in any manner belonging to said lands above described, including,
but without limitation, to the following described on Exhibit "B" attached hereto
and made a part hereof:

ALSO TOGETHER WITH all Federal and State Grazing rights, privileges and preferences,
appurtenant to, or based upon, said lands above described, including, but without
limitation, to the following described in Exhibit "C" attached hereto and made
a part hereof:

SUBJECT TO reservations in Patents and State Deeds and to any and all easements
of record and/or of use.

ALSO SUBJECT TO that certain Mortgage dated February 1, 1984, executed by Allan
N. Adams Family Limited Partnership, a Utah limited partnership, party of the
first part, and Seven Triangle Ranch, Inc., an Idaho corporation, party of the
second part, recorded February 3, 1984, as Instrument No. 179689, Owyhee County
records.

EXCEPT AND RESERVING unto the Grantor, an undivided one-fourth interest (25%)
of all right, title and interest in and to all coal, oil, gas and all other minerals,
of every kind or character, in, upon, or underlying said lands above described.
Said reservation being an undivided one-half interest in all remainder rights,
which the Grantor received from Seven Triangle Ranch, Inc., an Idaho corporation,
in Warranty Deed dated February 1, 1984, and recorded February 3, 1984, as Instrument
No. 179688, Owyhee County records.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
its heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee, that ~~he~~ it is the owner in fee simple of said premises; that they are free
from all incumbrances except those set forth above and subject to taxes and assessments
for the year 1988 and subsequent years

and that ~~he~~ it will warrant and defend the same from all lawful claims whatsoever.

Dated: January 5, 1988

Allan N. Adams Family Limited Partnership, a Utah limited partnership

By: Allan N. Adams
Allan N. Adams, General Partner

By: Helen M. Adams
Helen M. Adams, General Partner

State of Idaho)
) ss:
County of Owyhee)

On this 5th day of January, 1988, before me, a notary public in and for said State,
personally appeared Allan N. Adams, General Partner and Helen M. Adams, General Partner,
known or proved to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same in behalf of the
Allan N. Adams Family Limited Partnership, a Utah limited partnership.

In witness whereof, I have hereunto set my hand and affixed my seal the day and
year in this certificate first above written.

John C. Smith
Notary Public for the State of Idaho
Residing at Wilder, Idaho.



SAFECO

COPY

INSTRUMENT NO.

EXHIBIT "A"

LEGAL DESCRIPTION

IN TOWNSHIP 15 SOUTH, RANGE 11 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 12: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 25: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26: S $\frac{1}{2}$ S $\frac{1}{2}$
Section 27: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$ LESS a parcel lying in the extreme

Southwest corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T15S,
R11E, B. M. described as follows:

Commencing at the Southwest corner of the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34; thence running East along the South line
of the SE $\frac{1}{4}$, 440 feet to a point on said line; thence running
due North 440 feet to a point; thence running due West 440
feet to a point on the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34;
thence South along the West line of SE $\frac{1}{4}$ a distance of 440
feet to the Point of Beginning.

IN TOWNSHIP 15 SOUTH, RANGE 11 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 35: N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36: N $\frac{1}{2}$

IN TOWNSHIP 16 SOUTH, RANGE 11 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 1: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 2: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 16 SOUTH, RANGE 12 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 28: All
Section 29: All
Section 20: SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$
Section 27: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, ALSO that part of the SE $\frac{1}{4}$
lying within Owyhee County adjacent to the
Twin Falls County boundary line in Sec. 27,
T16S, R12E, B. M., Owyhee County, Idaho.

EXCEPTING AND RESERVING an undivided one-half of all right,
title and interest in and to all coal, oil, gas and all
other minerals, of every kind or character, in, upon, or
underlying the said tracts of land as reserved by Seven
Triangle Ranch, Inc., an Idaho corporation, as Grantor, in
Corporation Warranty Deed recorded February 3, 1984 as
Instrument No. 179688, Owyhee County Records.

D. M. A.
14 11 82

copy

EXHIBIT "B"

WATER RIGHTS

State of Idaho Water License No.	Identification No.
19474	51-2103
9181	51-2029
9180	51-2028
9001	51-2026
8113	51-2023
21810	51-2116
1343	51-2005

Water rights set forth in and established by Decree, entered and filed February 14, 1925, in the matter of the Grandview Irrigation District, Plaintiff, vs. Bruneau Buckaroo Cooperative Ditch Company, et al., Defendants, as amended by Amendment of Decree, entered and filed on December 8, 1925, Case No. 10604, in the District Court of the Third Judicial District of the State of Idaho in and for the County of Ada, as follows:

Decree Identification No.

51-0121
51-0124
51-0125
51-0126
51-0127
51-0128
51-0129

The quantity of water from the above water and water rights totals 29.008 CFS, or 1,450.4 inches.

*CH: M.C.
C.N.C.*

copy

EXHIBIT "C"

GRAZING PERMITS AND RIGHTS

US National Forest Service Summer Grazing Allotments in the
Jarbidge Ranger District of the Humboldt National Forest (Nevada)

Pole Creek Allotment

Bureau of Land Managment Allotments in the Boise District.

Three Creek 2 - Number 1067
Three Creek 9 - Number 1076
Devil Creek - Number 1016

Idaho State Land Lease No. G7594 as the same relates to
the following lands: (S $\frac{1}{4}$ of Section 36, T15S, R11E B.M.)

DMC.
11/11

194044

FILED - INDEXED

JAN 5 10 53 AM '68

W. H. H. H.
W. H. H. H.

W. H. H. H.
FEB 12 1968

OK

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APR 01 1999

Department of Water Resources

RECEIVED

APR 06 1999

WATER RESOURCES
WESTERN REGION

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 51-00124

(Insert water right number)

STANDARD FORM 1
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:

Larry A. Brown 208 387-0835; 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: Three Creek Ranch Company

Address: P.O. Box 27 Boise, ID. 83707

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: _____

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 POD is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD. POD has been abandoned.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, 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.

Fredric W. Price
(Signature of person filing objection)

Carly C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Jan. 29, 1999

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003



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.

G. CERTIFICATE OF MAILING

I certify that on MAR 31 1999, 1999, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

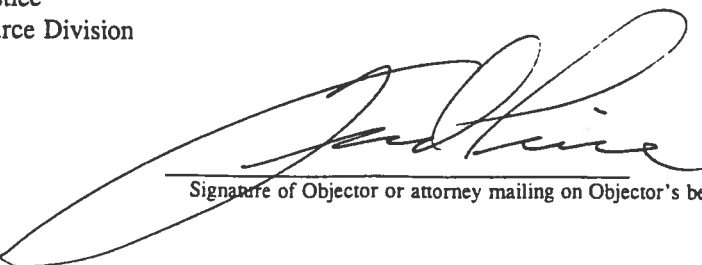
Name: Three Creek Ranch Company
Address: P.O. Box 27 Boise, ID. 83707
Name:
Address:
Name:
Address:
Name:
Address:

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-303-----
RIGHTS FROM: SOURCE: DEER CREEK TRIBUTARY: THREE CREEK

RIGHT NUMBER: 51-00124

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PO BOX 27
BOISE ID 83707SOURCE: DEER CREEK TRIBUTARY: THREE CREEK
UNNAMED STREAM DEER CREEK

QUANTITY: 0.74 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00125, 51-00126, 51-00127, 51-02005.

PRIORITY DATE: 04/09/1985

POINT OF DIVERSION: T15S R11E S26 SESE Within CUYWEE County
S35 SENE
SENE
NWNW
NESE **BLM**

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	0.74 CFS
STOCKWATER		01-01 12-31	0.35 CFS

PLACE OF USE:	IRRIGATION	Within CUYWEE County			
T15S R11E S26	SWSW 15	SESW 13	SWSE 24.2	SESE 7	
S27	SESE 15				
S34	NENE 2.4	NWNE 15.9	SWNE 22	NENW 7.5	
	SENW 10.2	NESW 15.7	SESW 4.5	NWSE 6.5	
	SWSE 2.5				
S35	NENE 14.3	NWNE 0.3	SWNE 18	SENE 2.6	
	NENW 19.3	NWNW 12.7	SENW 1.4		
240.5 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 71.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00125, 51-00126,
51-00127, 51-02005.

STOCKWATER Within CUYWEE County

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-304

RIGHTS FROM:	SOURCE: DEER CREEK	TRIBUTARY: THREE CREEK			
RIGHT NUMBER:	51-00124 (CONT)				
PLACE OF USE: (CONT)					
	T15S R11E S26	SWSW	SESW	SWSE	SESE
		SESE			
	S27	SESE			
	S34	NENE	NWNE	SWNE	NENW
		SESW	NESW	SESW	NWSE
		SWSE			
	S35	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SESW	

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

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 51:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 51 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 51 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
STOCKWATER, 1500 RANGE CATTLE

WESTERN REGION

CLAIM NUMBERS 51-00124, 125, 126, 127, 02005

AGENT SB DATE 6/23/98

TOTAL ACRES FROM RECOMMENDATION 240.5

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM			27															15	15
GIS			26											7.18	8.5			2.2	7
			34	2.4	15.9	22		7.5			10.2	15.7		4.5		6.5	2.5		87.2
RECOM			35					6.32	7.7										69.1
GIS				14.3	.3	18	2.6	11.6	5		1.4								
																			240.5

POLYGON CREATED ON 80 ____

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (93) (94) (95) (96) (97) 98, 99, 100, 101

ATTRIBUTES OF B51-POD.SHP (92) (93) (94) (95) (96)

B51-DBPOU.DBF SB 35 NWNW NE SE SENE
UPDATED BY 35 35 35 35

B51-DBPOD.DBF SB UPDATED BY

added to B51

Conditions of Approval:

- RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.82 CFS. COMBINED RIGHT NOS.:
51-00125, 51-00126, 51-00127, 51-02005.

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 71.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.:51-00125, 51-00126,
51-00127, 51-02005.

EXP STOCKWATER, 1500 RANGE CATTLE

Dates:

Exam Made Date: 10/07/1993 Verified Date: 09/09/1998 Objection Filed Date:

Misc:

Water District Number: 51A Field Inspection Flag:
Presumption Flag:

Comments:

Date: 04/26/1994 User-ID: MINICUCC Subject: SOURCE
THIS RIGHT WAS CLAIMED WITH THE SOURCE OF DEER CREEK SPRING.
BASED ON MR. LIESEN'S (RANCH MANGER) MAP (IN FILE), THESE ACRES
ARE IRRIGATED FROM THE DIVERSION POINT LOCATED EAST AND SOUTH OF
THE HIGHWAY. INFORMATION IN THE FILE OF 51-02023, WHICH IS FOR
TWO OF THE 1/4 1/4'S OF 51-00124, DESCRIBES A POD IN THE SAME
PLACE, FROM DEER CREEK, 51-00124, APPARENTLY SUPERCEDES 51-02023;
THE POD AND SOURCE HAS BEEN CHANGED TO DESCRIBE THE IRRIGATION
SYSTEM AS IT EXISTS.

Date: 06/23/1998 User-ID: SBOCK Subject: PERMISSIBLE PLACE OF USE.
I SPOKE TO VIC CONRAD ON 6/22/1998 ABOUT CREATING A P.P.U. FOR

Comments: Date: 06/23/1998 User-ID: SBOCK Subject: PERMISSIBLE PLACE OF USE.
THE RIGHTS OFF OF DEER CREEK. HE AGREED THIS WOULD BE THE BEST
COURSE OF ACTION TO TAKE. I ALSO TALKED TO FRANK BACHMAN ON
6/17/1998 AND HE SAID THE WATER IS USED IN A PPU FASION RIGTH NOW
CURRENT IDWR POLICY IS TO ALLOW THE AMOUNT OF WATER DECREED OR
LICENSED IF CLAIMED IN AN AREA WHICH WILD FLOODING IS THE COMMON
AND ACCEPTED PRACTICE, UNLESS LIMITED BY DITCH CAPACITY. THIS
CLAIM IS LIMITED BY DITCH CAPACITY WHICH WAS MEASURE AT 0.74 CFS.
CURRENT IDWR SEASON OF USE FOR THIS AREA IS 4-1 THROUGH 10-31.

Date: 07/30/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 09/09/98 SBOCK

September 18, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
SEP 18 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: September 18, 1998

Water Right Number: **51-00124**

Three Creek Ranch Company
P. O. Box 27
Boise, ID 83707

Daytime Telephone Number: 208-336-2110

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

**"THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER
USE SHALL NOT EXCEED 13,000 GALLONS PER DAY."**

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

Delete this part of the recommendation.

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

The proposed condition would limit stockwater use under this water right to the daily volumes allowed under a de minimus stock water use. The de minimus daily volume limit should not apply to this water right because the stockwater use under this right is beyond the scope of de minimus stock water use as defined in Idaho Code Section 42-1401A.

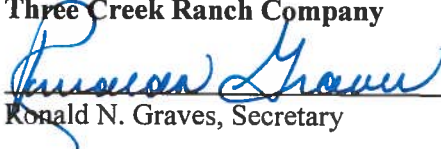
_____ **I AGREE with this proposed recommendation; no changes need to be made.**

Three Creek Ranch Company

DATE: September 17, 1998

SIGNATURE:

By:


Ronald N. Graves, Secretary

Please print your name: Ronald N. Graves

Remarks: POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 71.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 240.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00125, 51-00126, 51-00127, 51-02005.

EXP STOCKWATER, 1500 RANGE CATTLE

Dates: Exam Made Date: 10/07/1993 Verified Date: 07/15/1998 Objection Filed Date:

Misc: Water District Number: 51A Field Inspection Flag: Presumption Flag:

Comments:

Date: 04/26/1994 User-ID: MINICUCC Subject: SOURCE THIS RIGHT WAS CLAIMED WITH THE SOURCE OF DEER CREEK SPRING. BASED ON MR. LIESEN'S (RANCH MANGER) MAP (IN FILE), THESE ACRES ARE IRRIGATED FROM THE DIVERSION POINT LOCATED EAST AND SOUTH OF THE HIGHWAY. INFORMATION IN THE FILE OF 51-02023, WHICH IS FOR TWO OF THE 1/4 1/4'S OF 51-00124, DESCRIBES A POO IN THE SAME PLACE, FROM DEER CREEK, 51-00124 APPARENTLY SUPERCEDES 51-02023; THE POO AND SOURCE HAS BEEN CHANGED TO DESCRIBE THE IRRIGATION SYSTEM AS IT EXISTS.

Date: 06/23/1998 User-ID: SBOCK Subject: PERMISSIBLE PLACE OF USE. I SPOKE TO VIC CONRAD ON 6/22/1998 ABOUT CREATING A P.P.U. FOR THE RIGHTS OFF OF DEER CREEK. HE AGREED THIS WOULD BE THE BEST COUSE OF ACTION TO TAKE. I ALSO TALKED TO FRANK BACHMAN ON 6/17/1998 AND HE SAID THE WATER IS USED IN A PPU FASION RIGHT NOW CURRENT IDWR POLICY IS TO ALLOW THE AMOUNT OF WATER DECREED OR LICENSED IF CLAIMED IN AN AREA WHICH WILD FLOODING IS THE COMMON AND ACCEPTED PRACTICE, UNLESS LIMITED BY DITCH CAPACITY. THIS CLAIM IS LIMITED BY DITCH CAPACITY WHICH WAS MEASURE AT 0.74 CFS. CURRENT IDWR SEASON OF USE FOR THIS AREA IS 4-1 THROUGH 10-31.

Audit: 07/15/98 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:11:35
12/16/96
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A51-00124

4-1 1031

OWNER CODE: C THREE CREEK RANCH COMPANY
PRIORITY DATE: 04/08/1885
WATER USE: IRRIGATION STOCKWATER
USE PERIOD FROM: 04-01 11-01
TO: 01-01 12-31
DIVERSION RATE: 3.06 CFS
DIVERSION VOLUME: 0.74
TOTAL DIVERSION: 3.06 CFS
CONSUMPTIVE USE: 0.74

Tributary to: DEER CREEK
Stage: DECREED
OWYHEE County

Water Source: DEER CREEK
Point(s) of Diversion: T15S R11E S35

Place of use Legal Description for: IRRIGATION

T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
15S	11E	26	:	:	:	:	:	:	:	:	:	:	:	:	40.0
15S	11E	27	:	:	:	:	:	:	:	:	:	:	:	:	30.0
15S	11E	34	:	:	:	:	:	:	:	:	:	:	:	:	90.0
TOTAL ACRES															160.0

Place of use Legal Description for: STOCKWATER

T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
15S	11E	26	:	:	:	:	:	:	:	:	:	:	:	:	40.0
15S	11E	27	:	:	:	:	:	:	:	:	:	:	:	:	30.0
15S	11E	34	:	:	:	:	:	:	:	:	:	:	:	:	90.0
TOTAL ACRES															160.0

POU County: OWYHEE

Non-Irrigation Uses: S/1500 HEAD CATTLE

Other Rights: NONE

Dates: Exam Made Date: 5/22/96 Verified Date:

Misc: Water District Number: 51A Field Inspection Flag: C

Objection Filed Date:

QNT 227 E 34
POU 1 K 24 E 14

248

P.O.
See
attached
sheet

11:03:21
12/16/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00124

LAST: YOUNG OR TERRY UHLING
ADDRESS: ENV AND REGULATORY AFFAIRS
J R SIMPLOT COMPANY
PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-389-7318

FIRST: GRAY

STATE: ID ZIP: 837070027

OWNER CODE: A

LAST: CLARK
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: RICHARD

STATE: ID ZIP: 0

OWNER CODE: O

LAST: THREE CREEK RANCH COMPANY
ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: C

LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: K

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: Frank Bachman

PHONE NUMBER: (208) 834-2231

DATE OF FIELD EXAM: 1/17/93

APPOINTMENT MADE: Y(X) N()

TIME: : A() P()

ACCOMPANIED BY: Charley Liesen

PHONE NUMBER: (208) 857-2247

RELATIONSHIP TO CLAIMANT: Ranch Manager

DIRECTIONS TO PROPERTY / NOTES:

From Twin Falls, take RT 93 south to Rogerson. Turn @ Rogerson to the west on Three Creek highway. Wooded sign @ Three Creek. Driveway is on north side of highway - Liesens' home is @ the end of the driveway.

A. AJ CLAIM: # A51-00124 PRIORITY DATE: 04-08-1885 STAGE: D
B. WR RECORD: # 51-00124 PRIORITY DATE: 04-08-1885 STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(X) N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(X)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y() N(X)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
PROOF OF BENEFICIAL USE SUBMITTED N/A(X) Y() N()
FIELD EXAM COMPLETED N/A(X) Y() N()
FIELD EXAM SENT TO STATE OFFICE N/A(X) Y() N()
LICENSE ISSUED N/A(X) Y() N()

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

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

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

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

NOTES: 12/16/1996: This decreed right appears to at least partially represent the water right licensed under 51-02023. The licensed priority date was 1913 but the Court may have been presented with evidence that the water right was established previous to that date. 177

RECOMMENDED PRIORITY DATE:

04-08-1885

REVIEWED BY JTH

DATE 12/16/1996

RICHARD CLARK:- SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Township 15 South, Range 11 East, Boise Meridian, containing 160 acres. Out of Deer Creek tributary of Three Creek, tributary of Bruneau River:

51 0124 153 inches as of April 8, 1885.

(continued):- N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 35, Township 15 South, Range 11 East, Boise Meridian, containing 80 acres. Out of Deer Creek, tributary of Three Creek, tributary of Bruneau River:

51 0125

75 inches as of April 1, 1912.

GEORGE CLARK:- E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, Township 15 South, Range 11 East, Boise Meridian, containing 220 acres. Out of Deer Creek, tributary of Three Creek, tributary of Bruneau River:

51 0126 135 inches as of April 4, 1885.

(continued):- W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, Township 15 South, Range 11 East, Boise Meridian, containing 160 acres. Out of the waters of Deer Creek, tributary of Three Creek, tributary of Bruneau River:

51 0127 94 inches as of April 1, 1909.

(continued):- E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ -SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Township 15 South, Range 11 East, Boise Meridian, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2, Township 15 South, Range 11 East, Boise Meridian, containing 360 acres. Out of Deer Creek, tributary of Three Creek, Tributary of Bruneau River:

51 0128 214.2 inches as of February 27, 1913.

(continued):- S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, Township 15 South, Range 11 East, Boise Meridian, containing 160 acres. Out of the waters of Deer Creek, tributary

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-00124	15S	11E	35	SW	SE	NE		OWYHEE		
OTHER AJ CLAIMS WITH SAME AJ POD										
A PREFIX										
R PREFIX										
A51-00127										
NONE										
A51-00129										
NONE										
WR RECORDS IN SAME 40 ACRE TRACT										

SOURCE: DEER CREEK SPRING

TRIB: ~~DEER CREEK~~ Yukon

B. WR POINT OF DIVERSION AND SOURCE:

5100124 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: DEER CREEK

TRIB: THREE CREEK

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

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* 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?

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM) DANY NAME OF EXAMINER NTWUCVCC) Y(X) N()

OTHER (DESCRIBE IN NOTES BELOW)

... Y. - 500 51-02023

NOTES: 12/16/1996: See System Description Attachment.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()											
POD											
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR	
15S	11E	35	SW	SE	NE			ONTARIO			
15S	11E	35		NE	SE			Owyhee			
		35		SE	NE						
		35		NE	NE						
		26		SE	SE						
SOURCE: Deer Creek			TRIB: Thaco Creek								

SOURCE: Deer Creek

REVIEWED BY: THH DATE: 12/16/1996
 SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT (X)
System changed to a P.O. 0122108
CD for Vice Comand's request.

SYSTEM DESCRIPTION ATTACHMENT

A51-00124

The point of diversion for this water right is located in T15S, R11E, s. 35, NESE. The source for the right is Deer Creek. Although a large spring next to Deer Creek located in s. 35, SWSENE has been developed, it does not provide water to the acres claimed under A51-00124. The point of diversion found is in the same location as the point of diversion described in the field exam for license 51-02023, which was superceded by decreed right 51-00124.

The diversion structure consists of a wooden headbox which dams up water through a second wooden headbox on the ditch. The ditch headbox measures 12 feet wide, 10 feet long, and 4.4 feet high. The ditch parallels the creek on the north (east) side, culverts under the highway, and continues to parallel the creek as it runs along the hillside, about one-half way up the hill. The ditch follows the contours of the hill to the north and on the north side of the hill turns to the east to wrap around the field(s) located in Mud Flat Draw. Here the ditch can pick up water from Mud Flat Draw, then swings 180 degrees to the west. It follows the Mud Flat Draw drainage to the west all the way to the SESE of T15S, R11E, s. 27 to the area near the small yellow house.

Side ditches direct water throughout the larger fields. All irrigation is flood irrigation form earth ditches. Mr. Liesen describes the irrigation practices on the ranch as follows:

Water flows into the ditches during Spring run-off. Active diversion may or may not be required, but in high water flows go down the ditches regardless of the diversion structures in the stream. Diversions are used if needed. After Spring run-off the fields are allowed to dry out in order to cut hay. No active irrigation is conducted after the hay is cut because Mr. Liesen and his help are busy moving cattle, and with other ranch duties. Water flows in the creeks all summer, but the labor necessary to irrigate is not available later in the irrigation season.

M. Minicucci 12/16/1996



And the
springs
@ the
airs-rip

A. ROOT WATER RIGHT NUMBERS: A51-00124
R51-00124

B. POU LISTING		TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	11E	26	SW	SW	THREE CREEK RANCH COMPANY			A51-00124	20.0	51-00124 / 40.0	11.0		18
			SW	SW	THREE CREEK RANCH COMPANY			A51-02023	28.0	~~51-02023~~ / 28.0			
			SW	SW	THREE CREEK RANCH COMPANY			R51-00125	-	-			
			SW	SW	THREE CREEK RANCH COMPANY			R51-00124	17.0	-			
15S	11E	26	SW	SW	SEVEN TRIANGLE RANCH					51-04101 / 25.0			
			SW	SW	THREE CREEK RANCH COMPANY			A51-00124	-	51-00124 / 40.0	11.0		
			SW	SW	THREE CREEK RANCH COMPANY			A51-02023	28.0	~~51-02023~~ / 28.0			
			SW	SW	THREE CREEK RANCH COMPANY			R51-00125	-	-			
15S	11E	26	SW	SW	THREE CREEK RANCH COMPANY			A51-00124	17.0	-			
			SW	SW	SEVEN TRIANGLE RANCH					51-04101 / 25.0			
			SW	SW	THREE CREEK RANCH COMPANY			A51-00124	20.0	51-00124 / 40.0	14.0		
			SE	SE	THREE CREEK RANCH COMPANY			A51-02023	22.0	51-02023 / 22.0			
15S	11E	26	SE	SE	THREE CREEK RANCH COMPANY			R51-00125	8.0	-			5
			SE	SE	THREE CREEK RANCH COMPANY			R51-00124	8.0	-			
			SE	SE	THREE CREEK RANCH COMPANY			R51-00124	8.0	-			
			SE	SE	SEVEN TRIANGLE RANCH					51-04101 / 22.0			
15S	11E	26	SE	SE	THREE CREEK RANCH COMPANY			A51-00124	-	51-00124 / 40.0	14.0		
			SE	SE	THREE CREEK RANCH COMPANY			A51-02023	22.0	51-02023 / 22.0			
			SE	SE	THREE CREEK RANCH COMPANY			R51-00125	8.0	-			
			SE	SE	THREE CREEK RANCH COMPANY			R51-00124	8.0	-			
15S	11E	27	SE	SE	SEVEN TRIANGLE RANCH					51-04101 / 22.0			15
			SE	SE	THREE CREEK RANCH COMPANY			A51-00124	30.0	51-00124 / 40.0	10.0		
			SE	SE	THREE CREEK RANCH COMPANY			R51-00124	14.0	-			
			SE	SE	SEVEN TRIANGLE RANCH					51-04101 / 20.0			
15S	11E	27	SE	SE	THREE CREEK RANCH COMPANY			A51-00124	-	51-00124 / 40.0	10.0		
			SE	SE	THREE CREEK RANCH COMPANY			R51-00124	14.0	-			
			SE	SE	SEVEN TRIANGLE RANCH					51-04101 / 20.0			
			SE	SE	THREE CREEK RANCH COMPANY			A51-00124	40.0	51-00124 / 40.0	20.0		
15S	11E	34	NE	NE	THREE CREEK RANCH COMPANY			A51-00124	40.0	51-00124 / 40.0	20.0		2.4
			NE	NE	THREE CREEK RANCH COMPANY			A51-02026	40.0	-			
			NE	NE	THREE CREEK RANCH COMPANY			R51-00124	8.0	-			
			NE	NE	SEVEN TRIANGLE RANCH					51-04101 / 8.0			
15S	11E	34	NE	NE	THREE CREEK RANCH COMPANY			A51-00124	-	51-00124 / 40.0	20.0		
			NE	NE	THREE CREEK RANCH COMPANY			A51-02026	40.0	-			
			NE	NE	THREE CREEK RANCH COMPANY			R51-00124	8.0	-			
			NE	NE	SEVEN TRIANGLE RANCH					51-04101 / 8.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	11E	34	NW	NE		THREE CREEK RANCH COMPANY	A51-00124 / 40.0	- /	15.0		
			NW	NE		THREE CREEK RANCH COMPANY	A51-02026 / 40.0	- /			
			NW	NE		CLARK, GEORGE	51-00126 / 40.0				
15S	11E	34	NW	NE		THREE CREEK RANCH COMPANY	A51-00124 /	- /	15.0		
			NW	NE		THREE CREEK RANCH COMPANY	A51-02026 / 40.0	- /			
			NW	NE		CLARK, GEORGE	51-00126 / 40.0				
15S	11E	34	NE	NW		THREE CREEK RANCH COMPANY	A51-00124 / 10.0	- /	10.0		
			NE	NW		YOUNG OR TERRY UHLING, GRAY	A51-00126 / 30.0	51-00126 / 40.0			
15S	11E	34	NE	NW		THREE CREEK RANCH COMPANY	A51-00124 /	- /	10.0		
			NE	NW		YOUNG OR TERRY UHLING, GRAY	A51-00126 / 30.0	51-00126 / 40.0			

ADDITIONAL POU FOUND

15S 11E 26 SWS
SE SE

TOTAL ACRES	A51-00124	160.00	320.00	160.00
			POU COUNTY: OMYHEE	

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

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

Y(X) N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00124	DEER CREEK SPRING	THREE CREEK RANCH COMPANY	3.060	0.019		
R51-00124	DEER CREEK	THREE CREEK RANCH COMPANY	1.950	0.024		
R51-00125	DEER CREEK	THREE CREEK RANCH COMPANY	1.130	0.028		
A51-00126	THREE CREEK	YOUNG OR TERRY UHLING, GRAY	2.700	0.018		
A51-02023	DEER CREEK	THREE CREEK RANCH COMPANY	1.000	0.020		
A51-02026	DEER CREEK	THREE CREEK RANCH COMPANY	3.200	0.007		

PLACE OF USE REVIEW SHEET

CLAIM NUMBER A51 - 00124

ADDITIONAL PLACES OF USE

Three Creek Ranch

POU LISTING					ACRES FOUND BY FIELD EXAM	ACRES RECOMMENDED
TWP	RNG	SEC	1/4	1/4		
15S	11E	26	SE	SE	8	8
			SW	SE	26	26
			SE	SW	8	8
			SW	SW	17	17
		27	SE	SE	14	14
		34	NE	NE	8	8
TOTAL ACRES						81

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

CLAIM NO.	PURPOSES	NAME	FROM	TO	MONTH/DAY	RATE	VOLUME
A51-00124	STOCKWATER	THREE CREEK RANCH COMPANY	FROM	01-01	TO 12-31	0.350 CFS	
R51-00125	STOCKWATER	THREE CREEK RANCH COMPANY	FROM	01-01	TO 12-31	0.330 CFS	
R51-00124	STOCKWATER	THREE CREEK RANCH COMPANY	FROM	01-01	TO 12-31	0.330 CFS	
A51-00126	STOCKWATER	YOUNG OR TERRY UHLING, GRAY	FROM	01-01	TO 12-31	0.350 CFS	
A51-00126	DOMESTIC	YOUNG OR TERRY UHLING, GRAY	FROM	01-01	TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y(X) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Nud Flat Draw, filed as A51-02005

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(X)

* 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(X)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y(X) 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(X) N(X)

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDWR NO. DD67; () TOPOGRAPHIC QUAD, IDWR NO. _____;
(X) NAPP, IDWR NO. DD67NE; (X) ASCS PHOTO; (X) OTHER TR. LISEN'S TRAP

NOTES: 12/15/1996: R file acreage reflects calculations based on NAPP and
dot grid method. More accurate technology may be available in the
future which changes those numbers. n

RECOMMENDATIONS:

TOTAL ACRES: 240.5 N/A()

REVIEWED BY: See Below

DATE: 6/22/98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00124 IRRIGATION	FROM 04-01 TO 11-01	3.060 CFS	
A51-00124 STOCKWATER	FROM 01-01 TO 12-31	0.350 CFS	
TOTAL DIVERSION RATE/VOLUME		3.060 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00124 IRRIGATION	FROM TO	3.060 CFS	
51-00124 STOCKWATER	FROM TO		
51-00124 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		3.060 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(X) N()D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N(X)F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N(X)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(X) N()

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

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

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

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

NOTES: 12/16/1996: See System Description Attachment for discussion of irrigation practices. 770

AJ CLAIM TOTAL DIVERSION RATE: 3.060 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.060 CFS

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

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

* 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(X) 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(X) N()

FLOW MEASUREMENT

MEASUREMENT METHOD Panning's Equation Reassessment, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 71.4 x 0.02 CFS/ACRE = 1.43 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME N/A AF/A

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE N/A

CLAIMED CONSUMPTIVE USE = 320.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

1b. CALCULATIONS

Ditch Capacity
0.74 cfs
Desired 3.06 cfs could have all of the water if not limited by the ditch capacity.

NOTES:

6/18/1998 IDUR has decided to allow full amount
of water claimed in an area where wild geese are
the common & accepted practice. However, in the
case it is limited by the ditch capacity.
IDUR meets IDUR standards S.B.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-01 11-01	3.060			320.0	
STOCKWATER	01-01 12-31	0.350			320.0	
	<u>4-15-1015</u>			<u>74</u>		
	<u>4-1-1031</u>					
				<u>74</u>		
TOTAL FOR THIS RIGHT						

NON-IRRIGATION USES CLAIMED: S/1500 HEAD CATTLE

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

REVIEWED BY: 332 DATE: 10/2/00

FLAG: C / 77
STANDARD CONDITIONS (CODE): N40

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

pool (71.4 / 240.5)
K460
B114 (240.5)

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: 51-00124
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
-	A51-00124	3.060	R51-00124	1.950	51-00124	3.060
TOTAL CFS		3.060	1.950		3.060	

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:

SIGNATURE: [Signature] DATE: 6/16/98

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
(X) ORTHOPHOTOQUAD	DATE OF PHOTO 1979 IDWR ID NO. DD67	Y() N(X) ()
() TOPOGRAPHIC	DATE FIELD CHECKED IDWR ID NO.	Y() N()
(X) NAPP	DATE OF PHOTO 08/04/1987 IDWR ID NO. DD67AE	Y() N()
(X) ASCS AERIAL PHOTO	DATE OF PHOTO	Y(X) N()
() ASCS COLOR SLIDE	DATE OF PHOTO	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP	Y() N()
(X) OTHER <u>172 Lien's Map</u>	DATE	Y(X) N()
(X) OTHER <u>GIS map</u>	DATE	Y(X) N()
(X) OTHER <u>GIS map</u>	DATE	Y(X) N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM		
() WATER RIGHT LICENSE	DATE LICENSE SIGNED		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
() SYSTEM DESCRIPTION	DATE DRAWN		
(X) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN 5/23/96	7	same as on map - not
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED 10/7/1992		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
(X) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED 5/23/96	9	managing field work
(X) OTHER <u>Survey</u>	DATE 10/20	1	
() OTHER	DATE		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:03:21
12/16/96

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A51-00124

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			5/23/96 H.N.	2	Owner	5/23/96		
POINT OF DIV	Y			✓	Field notes			
SOURCE	Y			✓	Field notes			
PLACE OF USE	Y			✓	Field notes			
DIV. AMOUNT CFS/VOLUME	Y			✓	Field notes			
CONSUMPTIVE USE	-			2 1/4	N/A			
PURPOSES OF USE	Y			2	Field notes			
PERIOD OF USE	Y			2	Field notes			
BASIS OF CLAIM				2	Field notes			
REMARKS								

BARCODE UPDATED
WHOM/DATE

6-90

STATE OF IDAHO

AS1-00124
Adjudication Claim No.

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☐ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
☒ Copies of pertinent files(prev. rts., exams, etc.)
☒ Well Inspection Form (If Needed)
☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☐ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: AS1-00127, 00129
☐ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
☐ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Different source for same acres
☐ Other: AS1-02023, 02026, 7 A
☐ Appointment Letter Sent? _____ (initial & date)
☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
☒ Photographs of Point(s) of Diversion and Place of Use
☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

Claim No. submitted for 1207464 weekly exam completed prog. report? ☒ Yes ☐ No
Exam completed date data entered on claim MM 04/26/1994 (initial & date)
Claim Verification Report completed MM 04/26/1994 (initial & date)
Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)
R claim file created MM 04/26/1994 (initial & date)
Recommendations entered on R claim file MM 04/26/1994 (initial & date)

To be reviewed



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

December 13, 1993

R. KEITH HIGGINSON
DIRECTOR

Mr. Charles Liesen
Three Creek Ranch
Rogerson ID 83302

RE: Snake River Basin Adjudication Notice of Claims for Three Creek Ranch

Dear Mr. Liesen:

Enclosed are copies of satellite photos of the Three Creek Ranch area. You had mentioned during our field exam of the ranch that you would be willing to draw in the points of diversions and their associated irrigated acres, if we could provide these photos to you.

I have enclosed some colored pens and markers. I find that using colors can be the best way to visually connect diversion points to irrigated acres.

Your assistance with this matter is greatly appreciated. I hope to use your completed maps to support the findings of the field exam and to help decipher the irrigation system on Three Creek Ranch.

Thank you once again for your help. Please contact me at the number at the top of this letter if you have any questions or comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci'.

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m
Enc.

3 CREEK RANCH
CHARLY LIESEN
ROGERSON, ID.
83302 —H—
FO 857 2247

RECEIVED
JAN 03 1994
WATER RESOURCES
WESTERN REGION

3 CREEK, ROGERSON
DEC, 28th, 1993
—H—

Maria...

Please find here an attempt to map
you the water system for the irrigation & points of
diversion... its fairly complex for some water is "reco-
-lected" (after going through the pasture) to another ditch
that will bring it further down the meadows...

① HEADGATES ON THE MAIN CREEKS

MAIN CREEK BED

MAIN IRRIGATION DITCHES + ~~THE~~ DIRECTION of Flow

ACRES IRRIGATED from ditch.

● SPRINGS

NOTES ① point of diversion (3*) on deer creek hasn't been used this year
(ditch washed out) & will be replaced by point ③

② The water irrigating mud flat pasture also provide the only
water available to water BLM cattle in the dirt tank

③ water coming from the ESTES DRAINAGE is run off water, doesn't
have any diversions (at best of my knowledge) and ends up in three cree
pasture

④ WATER from the white side springs is used to water cattle
as it runs through in the spring on the south side of the road ...

I had to use permanent markers... the colored ones wouldn't stay on paper...

All the informations given here are at best of my knowledge, but shouldn't be taken as "official"

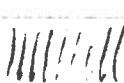
Best regards.

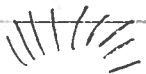
CHARLES J. LIESEN



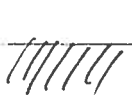
 diversion from head gate ①

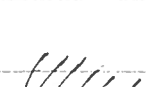
 " " " " ②

 " " " " ③

 " " " " ④
(includes Mud Flat pasture
+ BLM TRNK + lower deer creek field)

 Diversion from # ⑥

 " " # ⑤

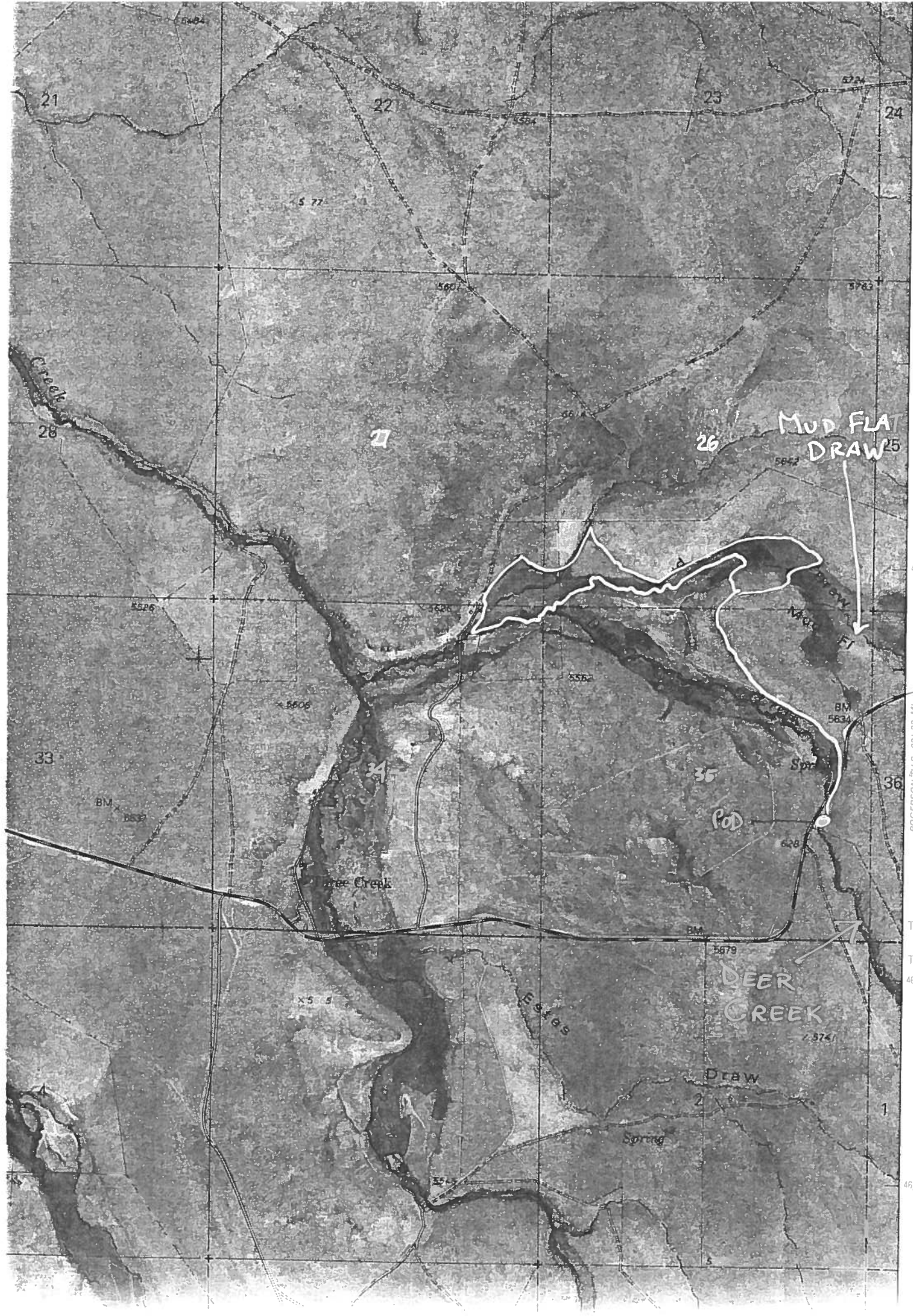
 " " # ⑦
with lots of red

 ACRES irrigated from Estes drainage -

 ACRES " " SPRINGS.

MAP DRAWN BY Charly Liesen, Kanch Manager. Based on A51-00124
NAPP PHOTO DD67NE 3.06 + 160 acres claimed





4663
160,000
FEET

4662

4661

5'

ROGERSON R. 37.32 MI.

T 15 S

T 16 S

4659

4658

A51-00124

DD6

1979

T
T

Idaho Dept of Water Resources

T15S, R11E, S 27, S26, S34
 Claim(s) : 51-00124
 Owner(s): Three Creek RanchCo
 Prepared by: Sue Bock
 Date: 5/12/1998

22 Acres



Place of Use

Point of Diversion



Section Lines



1/4 1/4 lines



1987 NAPP

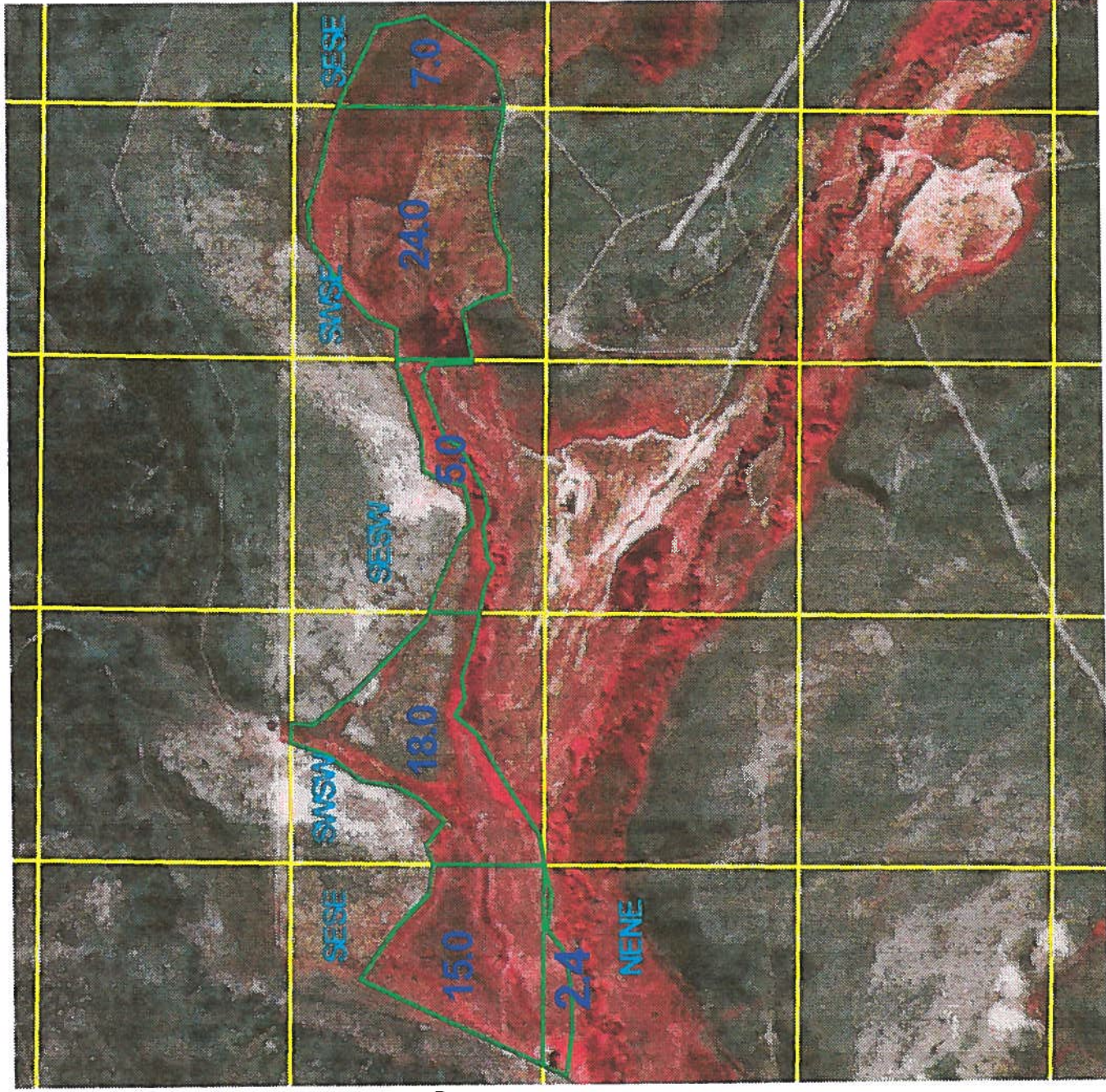
0

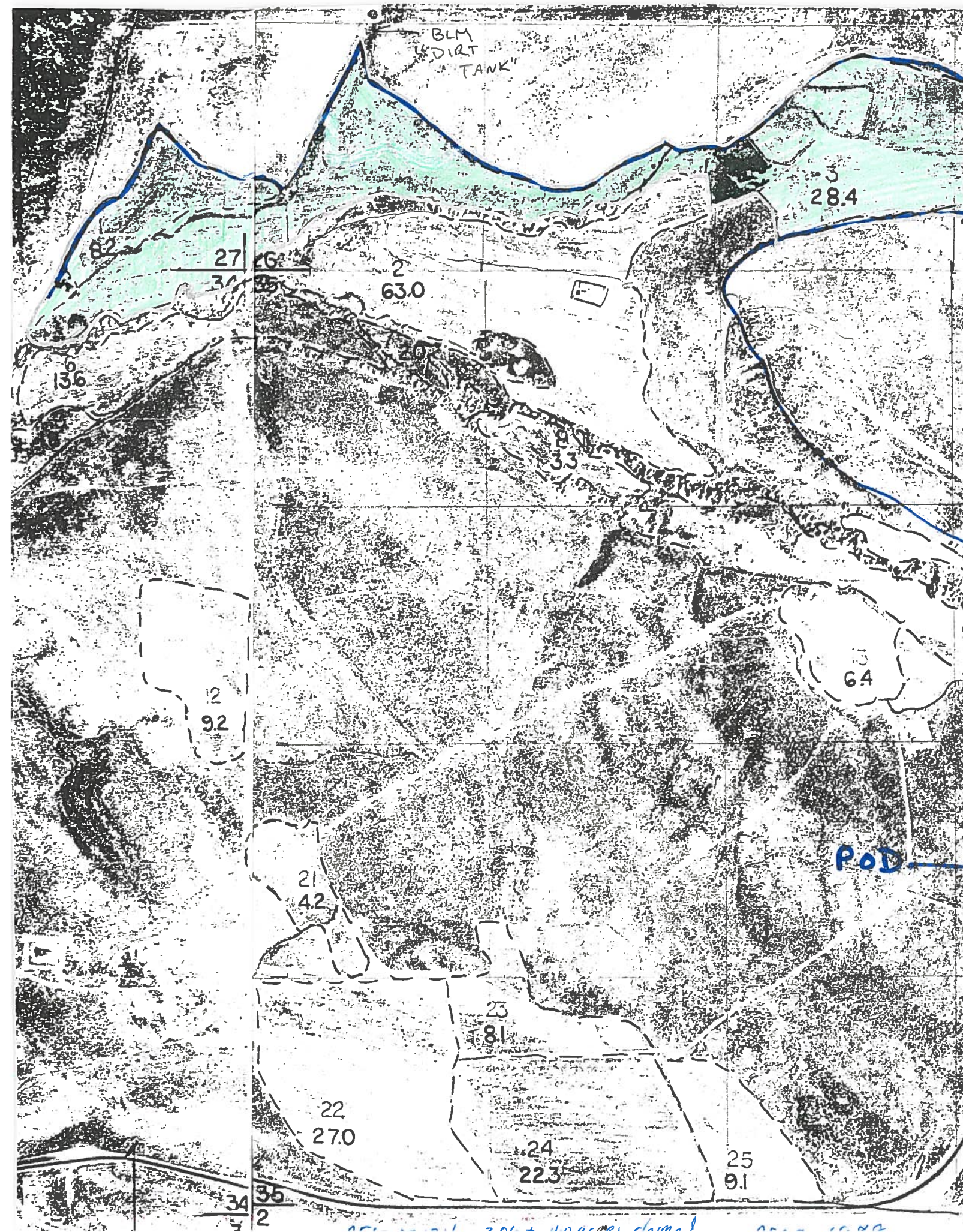
0.25

0.5

0.75 Miles

Total Acres = ~~72~~ 71.4





51-00124

Photos taken by M.M.

POD 4
NE SW
Sec 35



Ditch
leading from
POD 104
NE SW
S 35

51-00124

photos taken by M.M.



level location
for manning's
location NESW
Sec 35



Ditch From
POD No 4
in NENE
Sec 35 on Sk
Slope of hill.

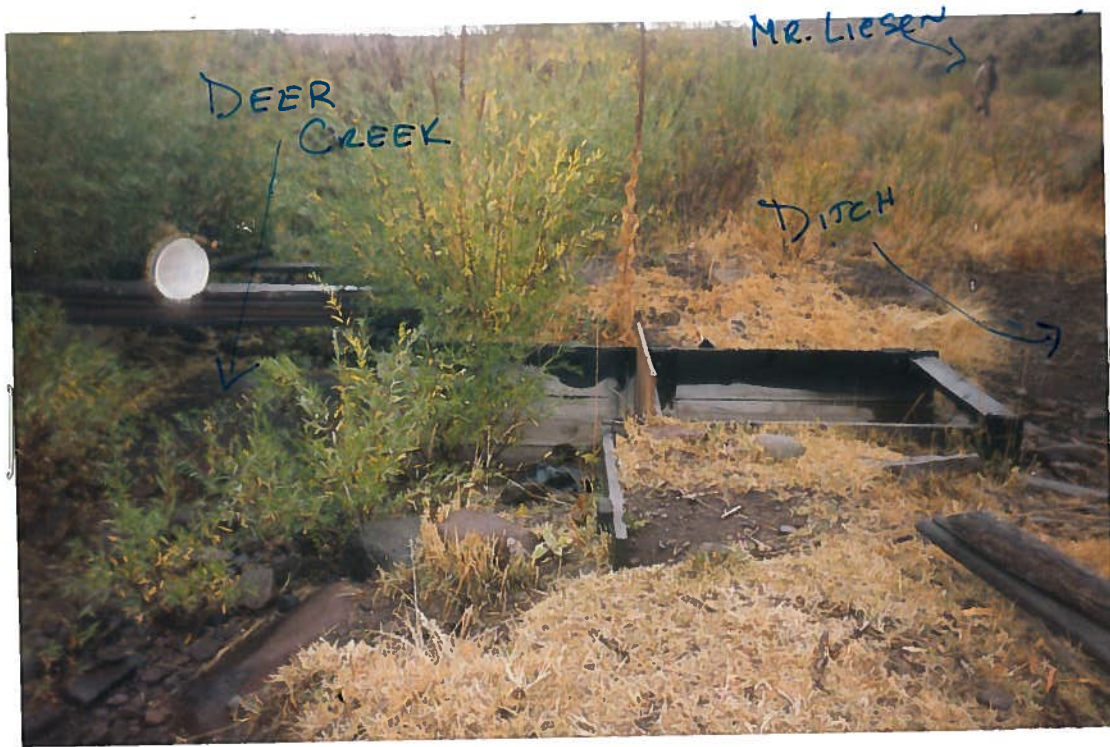
51-00124

photos taken by H.M.



NWNE Sec 35
looking down
at POU from
POD No 5
+ POD 6
in far left
Side of
photo

Photos taken 10/07/1993 by M Minicucci. J. Shurtz (IDWR)
and C. Liesen (3creek Ranch) also present



POINT OF DIVERSION T155 R11E S. 35 NESE
LOOKING NORTH - Highway is behind & to the left
of Mr. Liesen.

Photos taken 10/07/1993 by M. Minicucci, J. Shurte (IDWR) and C. Liesen (3 Creek Ranch) also present.



- ① Place of use in Mud Flat Draw. Willows follow drainage. T155 R11E S.26 SWSE, looking NORTH.



- ② Place of use in T155 R11E S.26 SWSE, SESW, SWSW
③ Willows follow Mud Flat Draw.

MANNING EQUATION CHANNEL CAPACITY RESULTS

05-28-1996

File Number: A51-00124?
Claimant: SIMPLOT LIVESTOCK
Channel measured: DIV PT NO. 4
Date of measurement: 05/23/1996
Measurement location:

@ POD

Calculation prepared by: MMINICUCCI

Comments about the measurement:

MEASUREMENTS BY KW & MM. MEASUREMENT AT SHORT STRETCH S OF HWY
LITTLE OR NO VEG. (OTHER THAN SAGEBRUSH) ON OTHER SIDE OF HWY NW7

The results of the calculation are:

The channel cross section is 1.27 ft-sq.
The wetted perimeter is 4.75 feet.
The hydraulic radius is 0.27 feet.
The slope is 0.0037
The roughness coefficient is 0.0650
The flow velocity is 0.577 ft/sec.
The rate of flow is 0.74 cfs.



level location
for field stop
measurement
NO 7B
looking west

MANNING EQUATION - DATA COLLECTION

Claim Number(s): Simplot livestock

Name of Claimant(s): A51-00124?

Name of Ditch, Canal, or Stream: Div. #4 Deer Cr

Date of Measurement: 05/23/1996 Data Collected By: MM + KW

Measurement Location: 1/4 1/4 Section T R

Cross Section Data

Basis: high water mark(X) maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading		distance from initial point		depth or rod reading		distance from initial point	
HWM #1	#2	#2 LEW	HWM #1 LEW	HWM #2	#2 DIST	Rod #1	HWM #1
1. 0	0			7. .43	2.4	.34	2.4
2. .23	~~.18~~	.4	.4	8. .35	2.8	.33	2.8
3. .38	~~.31~~	.8	.8	9. .31	3.2	.24	3.2
4. .38	~~.44~~	1.2	1.2	10. .19	3.6	.23	3.6
5. .34	~~.49~~	1.6	1.6	11. .03	4.0	.19	4.0
6. .45	~~.48~~	2.0	2.0	12. REW	4.4	.10	4.4
						REW	4.8

Slope Data

Basis: high water mark(X) channel bottom() land surface()

Level Readings: upstream downstream

upper stadia 5.18 5.73

center 4.85 5.31

lower stadia 4.52 4.89

channel length

stadia difference (.66 + .84) x 100 = 150'

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

DD67 +1569.

1977

POD #4

XFLOW INFO



AS1-00124 (AS1-02023) POD #4 X FLOW MEASUREMENT

Decreed source Deer Creek →

Claimed source Deer Creek Spring →

NWNE 5.34 claimed, not decreed

TOTAL acres 160, as decreed

If source is Creek, acres are along Mud Flat Draw

If source is Spring, are Deer Cr Fields along North side of Creek &
@ confluence of Deer Cr + Mud Flat Draw

Springs appear to be included in BR Decree

Div. capacity

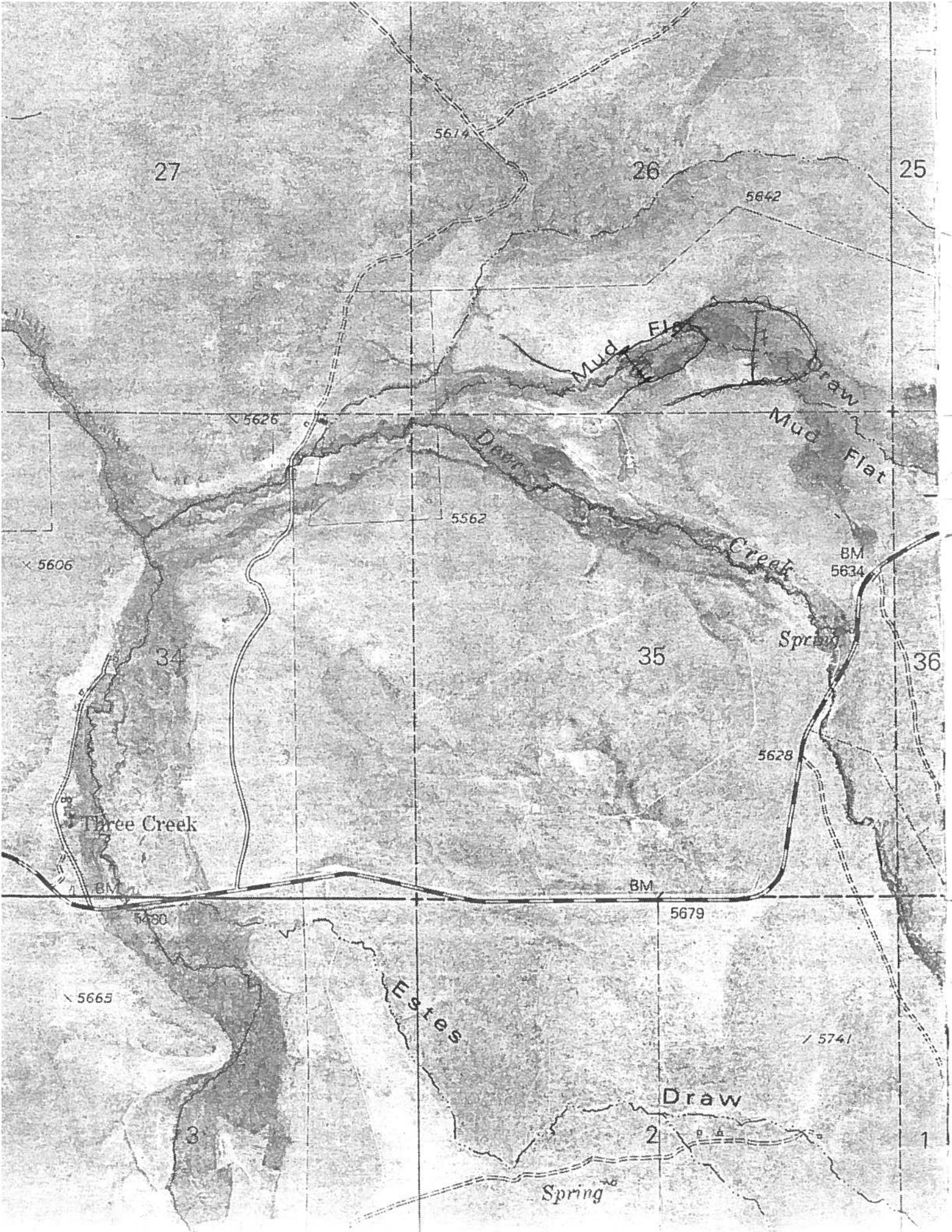
Where ditches go, and any other diversions to/from the ditches

Location of irrigated acres

Soil types

Description of diversion structure (measurements)

Slope of fields



FIELD SLOPE MEASUREMENT FORM FOR EXCESSIVE FLOW DATA

forms.slope.field



FIELD AGENT: MTTincucci

FX DATE: 08/15/1996

CLAIM NUMBER(S): 3 creek

FIELD NUMBER: _____
(Optional)

LOCATION: 75T #7A
"Mud Flat Fields" From POD #4
South side
Downhill rd @ Mud Flat Draw ~~can~~ channel

FIELD READINGS

SLOPE DATA:

	<u>UPHILL</u>		<u>DOWNHILL</u>	
UPPER STADIA	<u>2.56</u>		<u>8.66</u>	
MIDDLE (SLOPE)	<u>1.79</u>		<u>7.71</u>	
LOWER STADIA	<u>1.03</u>		<u>6.76</u>	
Stadia Difference:	<u>1.53</u> UPHILL	+	<u>1.90</u> DOWNHILL	X 100 = 343 SLOPE LENGTH
Slope Difference:	<u>7.71</u> DOWNHILL	-	<u>1.79</u> UPHILL	= 5.92 FT DIST

NOTE: The downhill reading must be higher than the uphill reading.

CALCULATIONS:

5.92	/	343	=	.017 FT/FT	91.13 FT/PILE
FT DIST		SLOPE LENGTH		SLOPE FT/FT	

FIELD SLOPE MEASUREMENT FORM FOR EXCESSIVE FLOW DATA

forms.slope.field



FIELD AGENT: T. T. Nicucci

FX DATE: 08/15/1996

CLAIM NUMBER(S): 3 CR Ranch

FIELD NUMBER: _____
(Optional)

LOCATION: Tnt #7B Tvd Flat Fields
West of bend in ditch MST - Ditch

FIELD READINGS

SLOPE DATA:

	<u>Down</u> <u>UPHILL</u>	<u>up hill</u> <u>DOWNHILL</u>	
UPPER STADIA	<u>5.28</u>	<u>4.72</u>	
MIDDLE (SLOPE)	<u>4.59</u>	<u>3.74</u>	
LOWER STADIA	<u>3.90</u>	<u>2.78</u>	
Stadia Difference:	<u>1.38</u> UPHILL	<u>1.94</u> DOWNHILL	X 100 = 332 SLOPE LENGTH
Slope Difference:	<u>4.59</u> DOWNHILL	<u>3.74</u> UPHILL	= 1.85 FT DIST

NOTE: The downhill reading must be higher than the uphill reading.

CALCULATIONS:

1.85

FT DIST

/

332

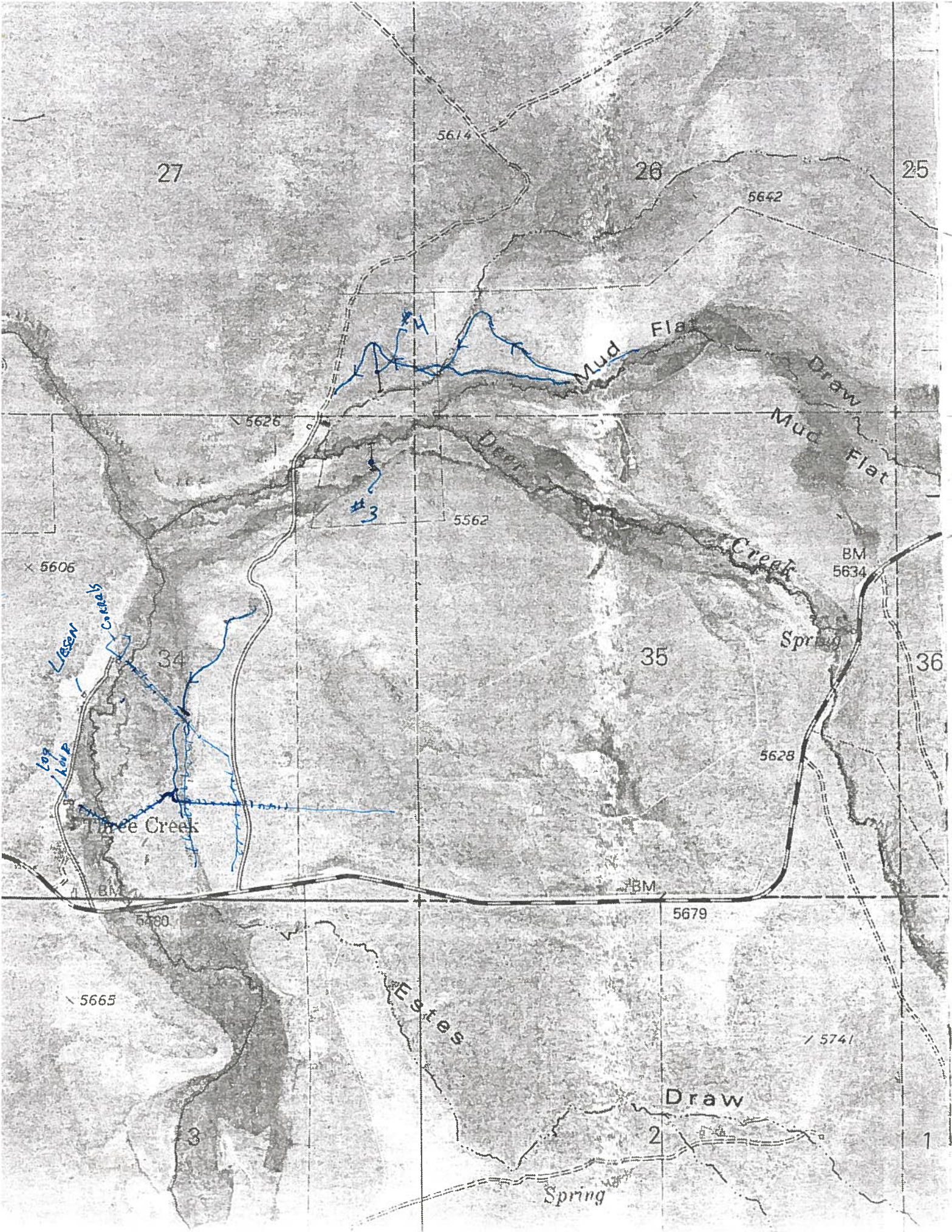
SLOPE LENGTH

=

.006 FT/FT

SLOPE FT/FT

29.42 FT/MILE



FIELD SLOPE MEASUREMENT FORM FOR EXCESSIVE FLOW DATA

forms.slope.field



FIELD AGENT: NTT/1000000

FX DATE: 08/15/1996

CLAIM NUMBER(S): 3 creek Ranch

FIELD NUMBER: _____
(Optional)

LOCATION: 3

FIELD READINGS

SLOPE DATA:

	<u>UPHILL</u>		<u>DOWNHILL</u>	
UPPER STADIA	<u>6.68</u>		<u>6.2002</u>	
MIDDLE (SLOPE)	<u>6.18</u>		<u>5.53</u>	
LOWER STADIA	<u>5.68</u>		<u>5.04</u>	
Stadia Difference:	<u>1.00</u>	+	<u>.98</u>	X 100 =
	<u>UPHILL</u> <u>DOWN</u>		<u>DOWNHILL</u> <u>UP</u>	
				198 SLOPE LENGTH
Slope Difference:	<u>6.18</u>	-	<u>5.53</u>	=
	<u>DOWNHILL</u>		<u>UPHILL</u>	
				.65 FT DIST

NOTE: The downhill reading must be higher than the uphill reading.

CALCULATIONS:

.65	/	198	=	.003 FT/FT	17.33 FT/MILE
FT DIST		SLOPE LENGTH		SLOPE FT/FT	

FIELD SLOPE MEASUREMENT FORM FOR EXCESSIVE FLOW DATA

forms.slope.field



FIELD AGENT: TT Tuncucci
FX DATE: 08/15/1996
CLAIM NUMBER(S): 3 CR Ranch
FIELD NUMBER: _____
(Optional)
LOCATION: #4 From POD # 4 AFTER TWO FLAT Fields

922
190
732

FIELD READINGS

SLOPE DATA:

	<u>UPHILL</u>		<u>DOWNHILL</u>	
UPPER STADIA	<u>3.40</u>		<u>11.55</u>	
MIDDLE (SLOPE)	<u>1.90</u>		<u>9.22</u>	
LOWER STADIA	<u>.42</u>		<u>6.85</u>	
Stadia Difference:	<u>2.98</u> UPHILL	+	<u>4.70</u> DOWNHILL	X 100 = 768 SLOPE LENGTH
Slope Difference:	<u>9.22</u> DOWNHILL	-	<u>1.90</u> UPHILL	= 7.32 FT DIST

NOTE: The downhill reading must be higher than the uphill reading.

CALCULATIONS:

7.32

FT DIST

/

768

SLOPE LENGTH

=

.010 FT/FT

SLOPE FT/FT

50.32 FT/MILE

51-00124 Field Slope Measurement photos taken by M.M.



POU taken
from NWNE
Sec 34 /
SWSESE
Sec 27
Bluff west
of small
yellow
house in
NENE
looking S.



Sec 27
SESE
level location
for field
slope
measurement
NO 4

51-0024 Field Slope Measurements photos taken by M.M.



location of
level for field
slope measurement
on side of
Deer Cr. 3
NENE Sec 34
Trees (shrubs)
are on Deer
Creek



Sec 27
SESE
looking E.

RECEIVED
OCT 18 1985Department of Water Resources
Boise, Idaho 83725STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that 7 Triangle Ranch

(Name of Claimant)

Rogerson, ID 83302

(Mailing Address)

Telephone No. 857-2212

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) 1900

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Mud Flat Draw Creek tributary to Deer Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	[Both dates inclusive]	
				(Mo., Day)	(Mo., Day)
Quantity <u>4.0 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Apr 1</u>	To <u>Jun 30</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 4.0 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NE 1/4, Sec. 35 Twp. 15S Rge. 11E B.M., County of OwyheeAdditional points of diversion: SWSW, SESW, SWSE, SESE S. 26; NENW, NWNW S. 36 T. 15S R. 11E

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

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

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
15S	11E	26										25	22			21	18		86
		27															20		20
		34	8																8
		35	12																12
		36					10	30											40
		25									5								5

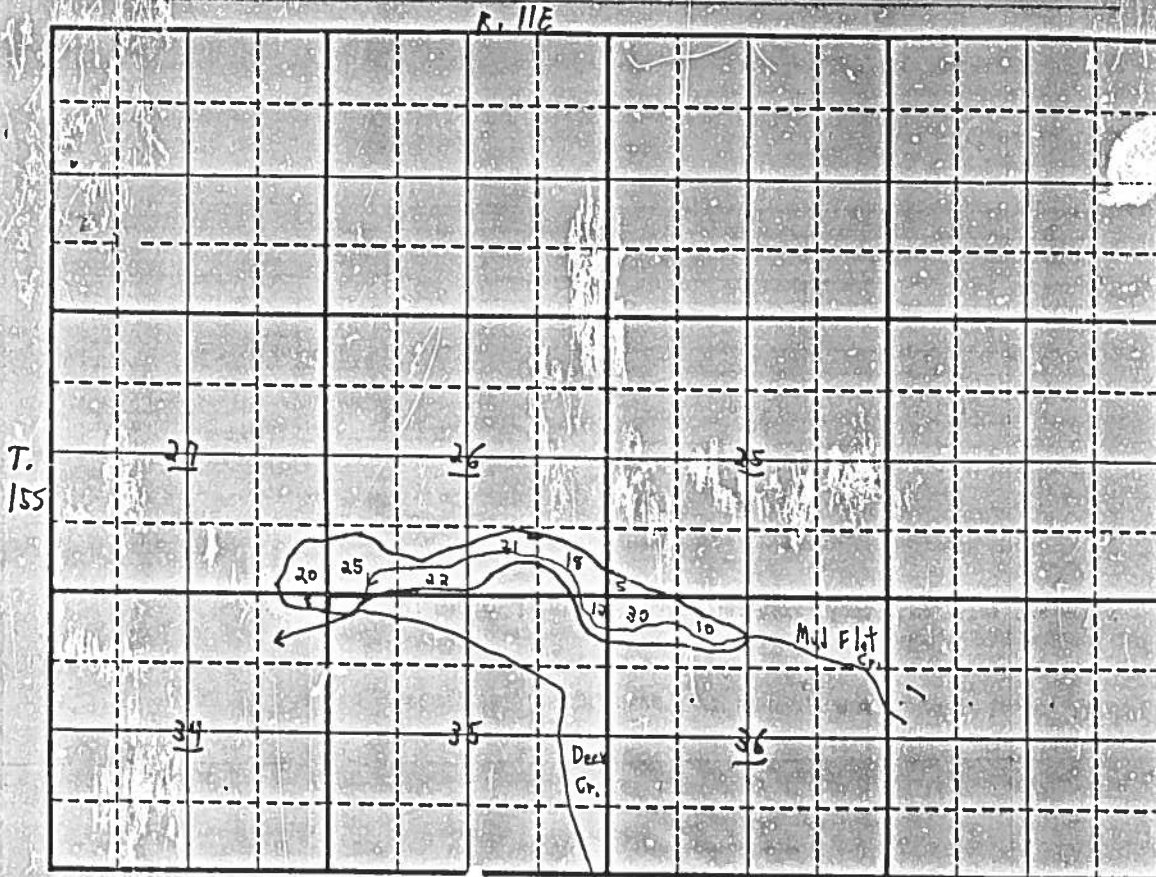
No. of acres 171

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

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

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

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of UTAH)
County of Cache) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 16th day of OCTOBER, 1985.

Allen Z. Beckman
OWNER (Claimant)

R. B. Bryant
Notary Public
Residing at Logan, Utah

My commission expires My Commission Expires October 13, 1988

11/29/85 FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>11/16/85</u>	Exception filed by:	Forwarded to	Date <u>12/12/85</u>
Prelim. check by <u>[Signature]</u>	Date <u>10/24/85</u>	<u>10/29/85</u>	claimant by: JP	
\$200/\$90.00 fee received by <u>analyst</u>	Date <u>10/24/85</u>	# <u>30758</u>		
Published in <u>Cache County Record</u>	Dates <u>11/27 & 12/4/85</u>		Wayne Bachman, Pres.	
			Bruneau Buckaroo Co-op Ditch	



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 25, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FRANK BACHMAN
THREE CREEK RANCH CO
PO BOX 27
BOISE ID 83707

RESPONSE DATE: FEBRUARY 4, 1994

RE: Snake River Basin Adjudication Notice of Claim A51-00124

Dear Mr. Bachman:

IDWR's initial investigation of the Notice of Claim listed above indicates that there has been a change in source and point of diversion as described below:

Previous source: Deer Creek
New source: Deer Creek Spring

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of these requirements is that the change not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

Before IDWR may recommend your claim, you must provide IDWR with the date the change was made and some evidence tending to support that date. If the change was made before November 19, 1987, then the date provided must include the month, day, and year. If the change was made after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987. An information sheet is enclosed that describes the types of evidence that can be submitted for showing the date of change.

Your response must be received by this office by the response date shown above. If no response is received then your claim to water from the new source and new point of the diversion will not be recommended to be decreed.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m
Enc.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 4, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FRANK BACHMAN
SIMPLOT LIVESTOCK
THREE CREEK RANCH
PO BOX 27
BOISE ID 83707

RE: Snake River Basin Adjudication (SRBA) Notices of Claims for Three Creek Ranch

Dear Mr. Bachman:

The Department is currently in the process of reviewing and preparing the following Notices of Claims for court decree in the SRBA. This process includes field verification, use of orthophotoquad and ASCS maps, NAPP photography, and correspondence with the ranch manager. During this review process a question has arisen concerning the flow rate claimed for these claims.

You indicated during a visit to this office that you wish to claim the full amount of each decreed right because the irrigation practices on Three Creek Ranch require more than the normal duty of water under Idaho water law.

Department policy requires excessive flow calculations for each of these claims which claim more than 1 inch of water per acre. These calculations require information which is not readily available to me, such as set times, frequencies, and breakdowns in acres of the types of crops grown. In order to determine if more than one inch per acre is needed, the enclosed Irrigation Flow Rate Questionnaire must be completed for each right. Once this form is completed and returned, the Department can determine if more than 1 inch per acre is needed.

Please return these forms to this office within 30 days of the date of this letter. If we do not receive these forms within that time period the Department will recommend 1 inch per acre for these claims. The claims will also include an amount of water for stock water in addition to the irrigation water amount.

Notice of Claim No. A51-00121:

This claim was filed for 2.06 cfs for 105.6 acres. The review found 42 acres. This is almost 2 1/2 inches of water per acre.

Notice of Claim No. A51-00124:

This claim was filed for 3.06 cfs for 160 acres. The review found 50.5 acres. This is over 3 inches of water per acre of land.

Notice of Claim No. A51-00125:

This claim was filed for 1.50 cfs for 80 acres. The review found 40 acres. This is almost 2 inches of water per acre of land.

Notice of Claim No. A51-00126:

This claim was filed for 2.70 cfs for 145 acres. The review found 85 acres. This is just over 1 1/2 inches of water per acre of land. An amended claim is enclosed for this claim. We discussed that this right was decreed with the source of Deer Creek, but was incorrectly claimed as Three Creek. The amended claim changes the source back to the originally decreed source of Deer Creek. The point of diversion was also changed to reflect the diversion point for the ditch which serves the decreed acres. Please review this amended claim, initial any changes you wish to make, complete the claim by adding the appropriate notarized signature, and return it to this office.

Notice of Claim No. A51-00127:

This claim was filed for 1.88 cfs for 94 acres. The review found 37 acres. This is more than 2 1/2 inches of water per acre of land.

Notice of Claim No. A51-00128:

This claim was filed for 4.28 cfs for 225 acres. The review found 106 acres. This is over 2 inches of water per acre of land.

Notice of Claim No. A51-00129:

This claim was filed for 2.40 cfs for 120 acres. The review found that these acres, which are on high ground between Three Creek and Deer Creek, are not irrigated. This finding was confirmed during conversations with the ranch manager and with you.

Enclosed are copies of orthophotoquads for each of these claims, with the points of diversion and places of use indicated on each map. If you do not agree with delineations of each of these claims, or have any questions or comments, please contact me at this office.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

Enc: Excessive flow sheets
OQ for each listed claim
Amended claim A51-00126

CLAIMANT'S NAME: Three Creek RanchDATE: 01/26/1994COUNTY: OwyheeEMPLOYEE: M Minicucci

Frank Bachman of Simplot Livestock was in my office today to discuss the SRBA claims on Three Creek Ranch. I asked Mr. Bachman about claim A51-00124, which was decreed with the source of Deer Creek, but has been claimed with the source of Deer Creek Spring.

Mr. Bachman feels that this spring has been developed since the area was first ranched, and that because the spring is so close to Deer Creek that although the decree named Deer Creek as the source, the source has actually always been the spring.

My initial reaction to this line of thinking was that it could indeed be true, but that some evidence must be submitted which substantiates the theory. I gave Mr. Bachman a letter requesting a date of change (see file). He indicated that he would be talking to an older gentleman in the Three Creek area who had personal knowledge of the workings + water development of Three Creek Ranch, and that he would obtain an affidavit from this individual.

No. 11995.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Charlottie E. Clark.

Postoffice address: Three Creek.

County: Owyhee State: Idaho.

2. The quantity of water claimed is One six tenths cubic feet per second.

3. Source of water supply: Deer Creek.

4. Location of point of diversion: NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Sec. 35, T. 15 S. R. 11 E.

County of Owyhee.

5. To be used for: Irrigation.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: Eighty acres.

(b) In the following legal subdivisions: South $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 26, Twp. 15 South,
Range 11 East, B. M.

6. Estimated cost of works: \$300.

7. Description of works for diversion:

I. Kind of works: Dam.

II. Dimensions of work:

(d) Conduit Ditch, width at bottom 1 $\frac{1}{2}$ feet, width at water line Two feet, depth of water $\frac{1}{2}$ foot. Average grade per mile is Six feet. Length of conduit is 1 $\frac{3}{8}$ mile, and it crosses the following quarter sections: NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, S $\frac{1}{2}$ of SW $\frac{1}{4}$ of Sec. 26, Township 15 South, Range 11 East Boise Meridian.

8. The time required for the completion of the construction of such work is Two years.

9. Time required for the complete application of the water to the proposed use is One additional year.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Charlottie E. Clark.,

Applicant.

REPORT OF ENGINEER

1. State name of applicant and number of permit: Chas. C. Clark 8/13
2. State source of water supply: Duck Creek
3. Location of point of diversion: P 8 Chains East of North line N 1/4 and 8 Chains + 10 ft South of North line N 1/4 of S W 1/4 Sec 35
Corwin 15 S R 11 E B. M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: two ft
 - (b) Width at water line: three "
 - (c) Depth of water: 1 ft
 - (d) Grade per mile: about 6 ft
 - (e) Capacity of ditch: two - second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: yes
to the full extent

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: S 1/4 of S W 1/4 S. 26. T. 5. S. R. 11. E. B. M.
S. E 1/4 of S W 1/4 Sec 26 about 22 1/2 acres
S W 1/4 of S W 1/4 " 26 about 27 1/2 "

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: I measured around the land in each
40 other but I could not with the above
results, not being a surveyor it is some
of a guess. but it is close.

C. C. Clark

STATE OF IDAHO.

County of Adair

A. C. Estes, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 27th day of April 1915

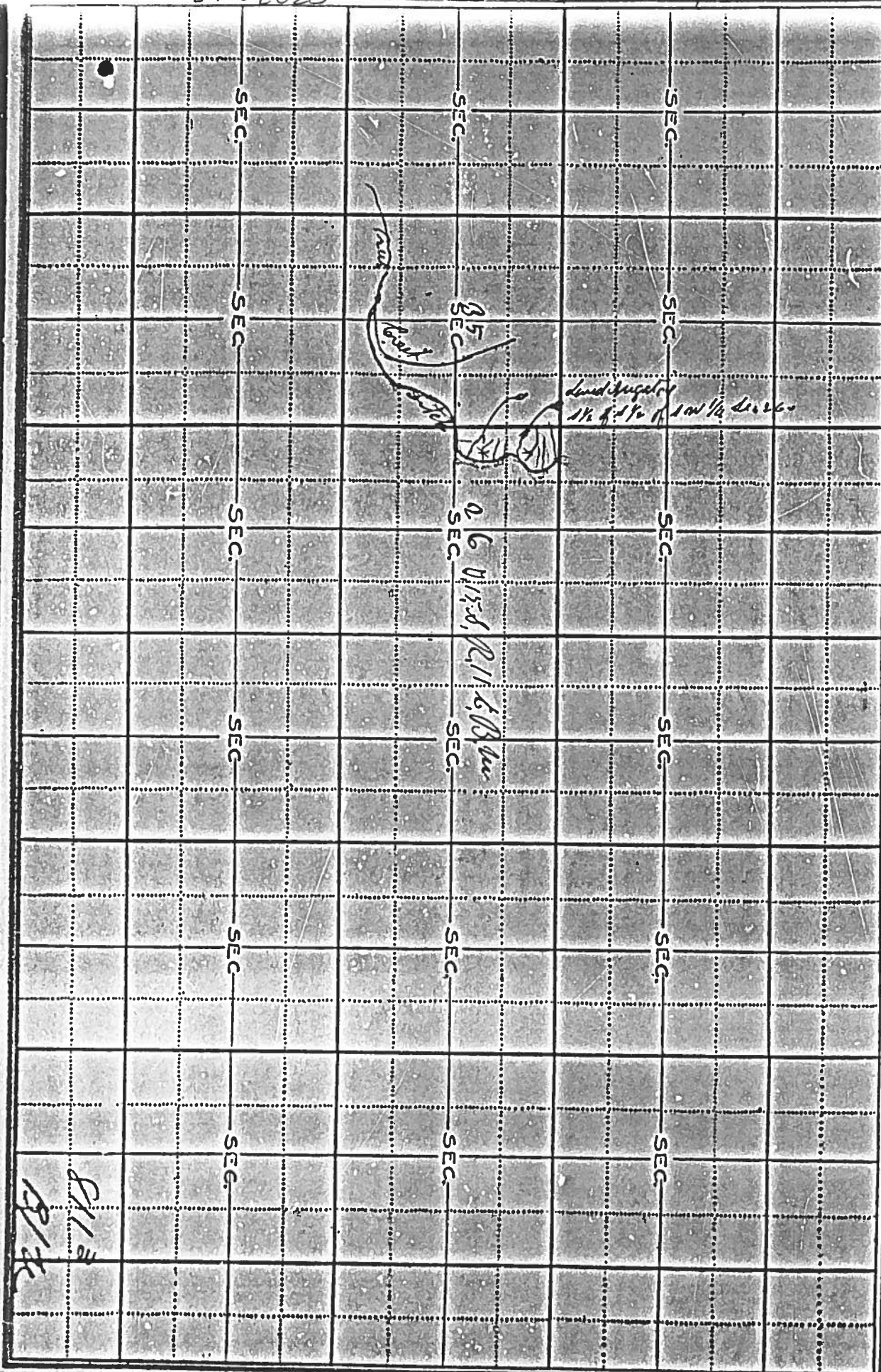
My Commission Expires Sept 16-1916

E. J. Mahoney
Notary Public.

8/13
8/2

0702-15

0702-15



SCALE: 2 INCHES=1 MILE DRAW PLAN IN INK.

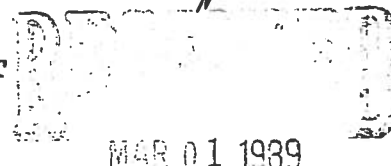
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00124
Date Received: 3/1/89
Receipt No: 0005640
Received By: 98

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



1. Name: THREE CREEK RANCH COMPANY
Address: P.O. BOX 27
BOISE, ID

83707

Department of Water Resources

2. Date of Priority: APR 08, 1885

3. Source: DEER CREEK SPRING

Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	11E	35	SW	SE	NE		OWYHEE

5. Description of diverting works:
DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.060		
STOCKWATER	01/01	12/31	0.350		

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

A.F.A.

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	11E	26	SW	SW		IRR	20.0
			SW	SW		STOCK	

A51-00124

Page 1

Date: 02/24/89

RECORDED
AUG 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	11E	26	SE	SW		IRR	20.0
			SE	SW		STOCK	
			Section Acres				40.0
		27	SE	SE		IRR	30.0
			SE	SE		STOCK	
			Section Acres				30.0
		34	NE	NE		IRR	40.0
			NE	NE		STOCK	
			NW	NE		IRR	40.0
			NW	NE		STOCK	
			NE	NW		IRR	10.0
			NE	NW		STOCK	
			Section Acres				90.0
			Total Acres				160.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
Decree Defendant

16. Signature(s)

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

Number of attachments: 1 Map

For Organizations:

I do solemnly swear or affirm that I am _____ Secretary _____ of _____ Title _____

Three Creek Ranch Company _____, that I have signed the foregoing Organization _____

document in the space below as _____ Secretary _____ of _____ Title _____

Three Creek Ranch Company _____ and that the statements contained in the Organization _____ foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary, Three Creek Ranch Company
Title and Organization

2-28-89
Date

State of Idaho)
County of Ada) SS.

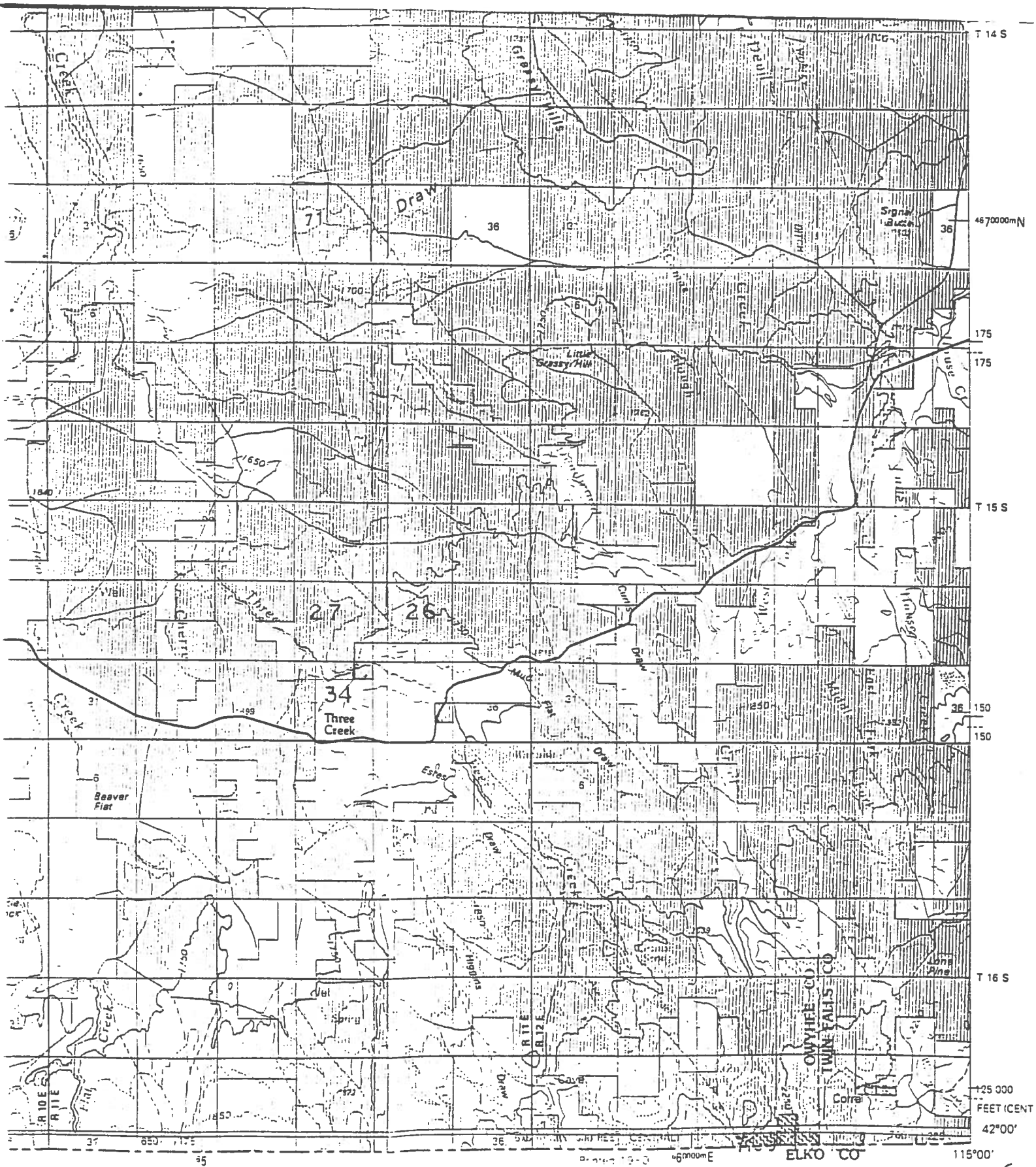
Subscribed and sworn (or affirmed) before me this 28th day
of February 19 89

[Signature]
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91











121

MUD FLAT FIELDS

DEER CREEK FIELDS

SPRINGS

SCREEK FIE

CORRAL

WHIP HOUSE

LOG HOUSE

ING

