

RECEIVED

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 51-00126

(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)

James 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:

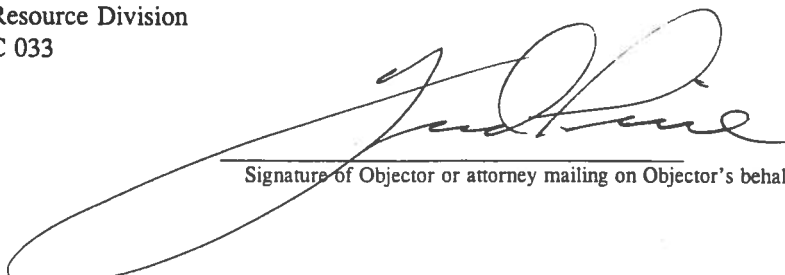
Name: Three Creek Ranch Company
Address: P.O. Box 27 Boise, ID. 83707
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-20-1998
PAGE: A-301-----
RIGHTS FROM: SOURCE: DEER CREEK TRIBUTARY: THREE 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
NESE BLM

PURPOSE 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 CFS

PLACE 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	
	SENEW 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	SENEW 1.4		
240.5 ACRES TOTAL					

THIS 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

RIGHTS FROM:	SOURCE: DEER CREEK	TRIBUTARY: THREE CREEK			
RIGHT NUMBER:	51-00126 (CONT)				
PLACE OF USE: (CONT)	T15S R11E S26	SWSW	SESW	SWSE	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 51-15124 125 126 127, C2005 _____

AGENT S.B. DATE 6/23/98

TOTAL ACRES FROM RECOMMENDATION 240.5

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES)

SENT FOR DECREE ____ (YES)

[illegible]

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 SJ 35 NWNW SE NW SE SE SE SE
UPDATED BY 35 NE SE SE SE SE SE SE SE

B51-DBPOD.DBF SS UPDATED BY

Added to B-51

RDH GPSTABLE

Remarks:

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.

EXP STOCKWATER, 1500 RANGE CATTLE

Dates: Exam Made Date:

Verified Date:

06/23/1998

Objection Filed Date:

Misc:

Water District Number: 51A

Field Inspection Flag:

Presumption Flag: C

Comments:

Date: 06/23/1998 User-ID: SBOCK Subject: PERMISSIBLE PLACE OF USE
I SPOKE TO VIC CONRAD ON 6/22/1998, ABOUT CREATING A PPU FOR 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 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 IN NOT LIMITED BY CAPACITY. CURRENT IDWR SEASON OF
USE FOR THIS AREA IS 4-1 THROUGH 10-31.

Audit:

06/23/98 SBOCK

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A51-00126

4-1-10-21

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THREE CREEK RANCH COMPANY	04/04/1885	IRRIGATION	04-01-11-01	2.70 CFS	
			STOCKWATER	01-01-12-31	0.35 CFS	
			DOMESTIC	01-01-12-31	0.04 CFS	

TOTAL DIVERSION: 2.70 CFS
CONSUMPTIVE USE: 290.00 AFA

Stage: DECREED
OHYHEE County

Water Source: THREE CREEK
Point(s) of Diversion: 15S 11E 35 NE 1/4 Sec 26, T3N R14E S83
Tributary to: BRUNEAU RIVER, EAST FORK
NENEN-SESE
NENEN-SESE
NENEN-SESE

Place of use Legal Description for: IRRIGATION									
NE									
T	R	S	NE	SE	SW	SE	NE	SW	SE
15S	11E	34	14.3	15.3	3.0	1.3	1.3	1.3	1.3
TOTAL ACRES									
145.0									

Place of use Legal Description for: STOCKWATER									
NE									
T	R	S	NE	SE	SW	SE	NE	SW	SE
15S	11E	34	14.3	15.3	3.0	1.3	1.3	1.3	1.3
TOTAL ACRES									
145.0									

Place of use Legal Description for: DOMESTIC									
NE									
T	R	S	NE	SE	SW	SE	NE	SW	SE
15S	11E	34	14.3	15.3	3.0	1.3	1.3	1.3	1.3
TOTAL ACRES									
145.0									

POU County: OHYHEE

Non-Irrigation Uses: D/I, S/1500 HEAD CATTLE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 51A Field Inspection Flag: C
Presumption Flag:

248
QNT 327
Q001 K006 E14

14:51:47
12/12/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

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 ID ZIP: 837070027

OWNER CODE: A

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

FIRST:
STATE: ID ID ZIP: 83707

OWNER CODE: C

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

FIRST: GEORGE
STATE: ID ID ZIP: 0

OWNER CODE: O

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

FIRST:
STATE: ID ID ZIP: 83707

OWNER CODE: K

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: Frank Bachman

PHONE NUMBER: (208) 834-2231

DATE OF FIELD EXAM: 1/17/17 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, RT 93 south to Rogerson. In Rogerson turn right on
Three Creek highway. Past dam. Wooden sign identifies Three Creek.
Driveway is on North side of highway. Liesen home is at the
end of the driveway.

A. AJ CLAIM: # A51-00126 PRIORITY DATE: 04-04-1885 STAGE: D
B. WR RECORD: # 51-00126 PRIORITY DATE: 04-04-1885 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?

* 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: 12/12/1996: This water right was not recorded previous to the Bureau River Decree. Claimed as decreed. No evidence of non-use other than less acres found during field exams than claimed. 177

RECOMMENDED PRIORITY DATE:

04-04-1885

REVIEWED BY MM

DATE 12/12/1996

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 159 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 $\frac{1}{4}$ SE $\frac{1}{4}$ 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 $\frac{1}{4}$ SE $\frac{1}{4}$ 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, SE $\frac{1}{4}$ 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 of Three Creek, tributary of Bruneau River:

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-00126	16S	11E	3	NE	NE	NW		OWYHEE		
OTHER AJ CLAIMS WITH SAME AJ POD										
A PREFIX R PREFIX										
A51-00121 R51-00121										
WR RECORDS IN SAME 40 ACRE TRACT										
NONE										

SOURCE: THREE CREEK

TRIB: BRUNEAU RIVER, EAST FORK

B. WR POINT OF DIVERSION AND SOURCE:

5100126 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(☒) Y(☐) N(☐)

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

AJ FIELD EXAM (DATE OF FIELD EXAM May NAME OF EXAMINER Tracy) Y(☐) N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: 12/12/1996: The POD for these acres is located on Deer Creek ~~as~~ as described below. The claim incorrectly shows the water coming from the south. The right as decreed is accurate. No POD decreed. 177

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()										DIVERSION NBR
TWP.	RGE.	SEC.	1/4 NE	1/4 NE	1/4 NW	LOT	FLAG	COUNTY	DIVERSION NAME	
16S	11E	3		NE	NW			ONTARIO		
15S	11E	35		NW	NW			Owyhee		
SOURCE: Deer Creek										
TRIB: Three Creek										

REVIEWED BY: T. M. Mendenhall DATE: 12/12/1996

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

9.9.9.

SYSTEM DESCRIPTION ATTACHMENT

A51-00126

Field exams were conducted to determine the point of diversion and source for the acres claimed. The point of diversion for this water right is located in T15S, R11E, s. 35, NWNW, on Deer Creek. The claim incorrectly locates the diversion on Three Creek in T16S, R11E, s. 3, NENENW.

The diversion consists a wooden headbox in the creek 6.5 ft wide, 2.6 ft high, and 2.6 ft long (see photograph in file). Boards are placed in the box to dam up water back to another wooden headbox at the head of the ditch. During the May 23, 1996 field exam the ditch was filled to capacity although there was no active diversion at the time. Based on field observations, the diversion previously was an earthen dam, which has now been removed.

The ditch leaves the stream on the south side and parallels the creek down the drainage to its confluence with Three Creek. The ditch then turns to the south along the drainage of Three Creek and continues in a southern direction to the NWSWSE of s. 34 until it bumps into the ditch/drainage coming from the south. This other ditch is the water coming from Estes Draw.

All irrigation is flood irrigation from earth ditches. Mr. Liesen described the irrigation practices 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 12/13/1996

mm

A. ROOT WATER RIGHT NUMBERS: A51-00126

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	11E	34	SW	NE		THREE CREEK RANCH COMPANY	A51-00126 / 40.0	51-00126 / 40.0	13.0		22
15S	11E	34	SW	NE		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	13.0		—
15S	11E	34	SW	NE		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	13.0		—
15S	11E	34	NE	NW		THREE CREEK RANCH COMPANY	A51-00126 / 30.0	51-00126 / 40.0	10.0		7.5
			NE	NW		YOUNG OR TERRY UHLING, GRAY	A51-00124 / 10.0	/			
15S	11E	34	NE	NW		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	10.0		—
			NE	NW		YOUNG OR TERRY UHLING, GRAY	A51-00124 / 10.0	/			
15S	11E	34	NE	NW		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	10.0		—
			NE	NW		YOUNG OR TERRY UHLING, GRAY	A51-00124 / 10.0	/			
15S	11E	34	SE	NW		THREE CREEK RANCH COMPANY	A51-00126 / 40.0	51-00126 / 40.0	18.0		—
15S	11E	34	SE	NW		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	18.0		16.2
15S	11E	34	SE	NW		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	18.0		—
15S	11E	34	NE	SW		THREE CREEK RANCH COMPANY	A51-00126 / 15.0	51-00126 / 20.0	35.0		—
			NE	SW		YOUNG OR TERRY UHLING, GRAY	A51-00121 / 20.0	51-00121 / 20.0			
			NE	SW		YOUNG OR TERRY UHLING, GRAY	R51-00121 / 14.0	/			
15S	11E	34	NE	SW		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 20.0	35.0		15.7
			NE	SW		YOUNG OR TERRY UHLING, GRAY	A51-00121 / 20.0	51-00121 / 20.0			
			NE	SW		YOUNG OR TERRY UHLING, GRAY	R51-00121 / 14.0	/			
15S	11E	34	NE	SW		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 20.0	35.0		—
			NE	SW		YOUNG OR TERRY UHLING, GRAY	A51-00121 / 20.0	51-00121 / 20.0			
			NE	SW		YOUNG OR TERRY UHLING, GRAY	R51-00121 / 14.0	/			
15S	11E	34	NW	SE		THREE CREEK RANCH COMPANY	A51-DD126 / 20.0	51-00126 / 40.0	6.0		6.5
			NW	SE		ESTES, JANE		51-02029 / 20.0			
15S	11E	34	NW	SE		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	6.0		—
			NW	SE		ESTES, JANE		51-02029 / 20.0			
15S	11E	34	NW	SE		THREE CREEK RANCH COMPANY	A51-00126 /	51-00126 / 40.0	6.0		—
			NW	SE		ESTES, JANE		51-02029 / 20.0			

ADDITIONAL POU FOUND

4.5
2.5
15.3

TOTAL ACRES A51-00126

145.00 540.00 246.00

See 34 NENE
35 NENE
106.8

14.3
7.7

POU COUNTY: OWYHEE

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

Y(X) N()

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00126	THREE CREEK	THREE CREEK RANCH COMPANY	2.700	0.018		
A51-00121	THREE CREEK	YOUNG OR TERRY UHLING, GRAY	2.064	0.019		
R51-00121	THREE CREEK	YOUNG OR TERRY UHLING, GRAY	1.190	0.027		
A51-00124	DEER CREEK SPRING	YOUNG OR TERRY UHLING, GRAY	3.060	0.019		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-00126	STOCKWATER	THREE CREEK RANCH COMPANY	FROM 01-01 TO 12-31	0.350 CFS	
A51-00126	DOMESTIC	THREE CREEK RANCH COMPANY	FROM 01-01 TO 12-31	0.040 CFS	
A51-00124	STOCKWATER	YOUNG OR TERRY UHLING, GRAY	FROM 01-01 TO 12-31	0.350 CFS	
A51-00121	STOCKWATER	YOUNG OR TERRY UHLING, GRAY	FROM 01-01 TO 12-31	0.350 CFS	
R51-00121	STOCKWATER	YOUNG OR TERRY UHLING, GRAY	FROM 01-01 TO 12-31	0.330 CFS	

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

Y() N(X)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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() N(X)

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDNR NO. DD67; () TOPOGRAPHIC QUAD, IDNR NO. _____;

(X) NAPP, IDNR NO. DD67NE; (X) ASCS PHOTO; (X) OTHER Mr. Liesen's map

NOTES: 12/13/1996: This point of diversion serves acres along the south side of Deer Creek and the east side of Three Creek, including acres represented by deeded rights 51-00124 and 51-00125. The acres recommended under A51-00126 are those acres in the same QRS as the deeded QRS. 777

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00126 IRRIGATION	FROM 04-01 TO 11-01	2.700 CFS	
A51-00126 STOCKWATER	FROM 01-01 TO 12-31	0.350 CFS	
A51-00126 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	
TOTAL DIVERSION RATE/VOLUME		2.700 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00126 IRRIGATION	FROM TO	2.700 CFS	
51-00126 STOCKWATER	FROM TO		
51-00126 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		2.700 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* 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?

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

* 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?

* 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?

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* 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?

No domestic use

Y() N(X)

N/A() Y(X) N()

Y(X) N()

Y() N(X)

Y(X) N()

N/A() Y() N(X)

N/A() Y() N(X)

N/A(X) Y() N()

N/A() Y() N()

NOTES: 12/16/1996: See System Description Attachment for discussion of irrigation practices. Although claimant has indicated that high peak flows are necessary to produce a crop, it appears that the historical irrigation methods are based on convenience and not necessarily on production. →

AJ CLAIM TOTAL DIVERSION RATE: 2.700 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.700 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 () N (X)

* 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 ()

E. FLOW MEASUREMENT

MEASUREMENT METHOD Flannings Egozon Measurement, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 126.8 x 0.02 CFS/ACRE = 2.14 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 () N ()

2. IRRIGATION DIVERSION VOLUME N/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 = 290.D 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

4.34 Dush Capacity

NOTES:

As per current IDNR policy if flood in is the common accepted practice of 1 acre, then we allow amount of water discharge without performance based. The other limiting factor is total capacity in this case it is 434 cfs was decided for 5.7 hrs duration to conform to IDNR standards.

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	
IRRIGATION	04-01 11-01	2.700			290.0
STOCKWATER	01-01 12-31	0.350			290.0
DOMESTIC	01-01 12-31	0.040			290.0
IRR	4-15 10-15				
	4-1 10-31	62248			
TOTAL FOR THIS RIGHT		2.700			290.0

NON-IRRIGATION USES CLAIMED: D/1, S/1500 HEAD CATTLE

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

REVIEWED BY: Sub Back DATE: 06/19/88

FLAG: C

STANDARD CONDITIONS (CODE): NFB

STANDARD REMARKS (CODE):

GNT EAS
POOL KOL E14

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 51-00126

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.700

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-00126	2.700	-		51-00126	2.700

TOTAL CFS

2.700

2.700

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

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?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>DD67</u> IDWR ID NO. <u>DD67</u>	Y(<u>X</u>) N(<u> </u>)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(<u> </u>) N(<u> </u>)
☒ NAPP	DATE OF PHOTO <u>08/04/1987</u> IDWR ID NO. <u>DD67ME</u>	Y(<u>X</u>) N(<u> </u>)
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987</u>	Y(<u>X</u>) N(<u> </u>)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(<u> </u>) N(<u> </u>)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(<u> </u>) N(<u> </u>)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(<u> </u>) N(<u> </u>)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(<u> </u>) N(<u> </u>)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(<u> </u>) N(<u> </u>)
☒ OTHER <u>GIS map</u>	DATE <u>Slide Napp 1987</u>	Y(<u>X</u>) N(<u> </u>)
☒ OTHER <u>GIS PD map</u>	DATE <u>6/22/98 see 51-00124</u>	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☒ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>8/15/94 many</u>	<u>9</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>5/23/94</u>	<u>9</u>	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:51:47
12/12/96

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A51-00126

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								
POINT OF DIV	Y			2	James			
SOURCE	Y			2	February			
PLACE OF USE	Y			2	"			
DIV. AMOUNT CFS/VOLUME	Y			2	"			
CONSUMPTIVE USE	-			2	James			
PURPOSES OF USE				2	2/14			
PERIOD OF USE	Y			2	James			
BASIS OF CLAIM				2	February			
REMARKS				2	FDU2 FDU2			

BARCODE UPDATED
WHOM/DATE

FILE

CLAIM/WR NO: 51-00124, 51-00125, 51-00126, 51-00127
AGENT: Sue Bock
DATE: May 15, 1998
REF: THREE CREEK EXCESSIVE FLOW

Having reviewed these rights, it appears there is no overlap of the rights. All of the rights were decreed in the Bruneau River Decree with no point of diversion specified and a total irrigated acreage per right.

The decision has been made by Dave Tuthill, Adjudication Bruneau Chief, to allow excessive irrigation flows to flood irrigated lands if this is the common accepted practice for a given area, without having to perform the Hubble Analysis. It has been decided to recommend the amount of water decreed to each right, the only limiting factor being ditch capacity. Reference for this can be found in Jeff Peppersack's 706 report page 36.

Additionally if the claimant agrees, the rights ~~can~~ from the same source can be combined into a permissible place of use.

AS1-00126

04/21/1994

Originally decreed as Deer Creek, claimed as
Three Creek.

Claim: 2.70 CFS 290.0 AFA Cons. V

Amended claim sent to claimant 02/04/1994
to correct source back to Deer Creek
and change POD to point #7 on
Mr. Leisen's map. Not returned as of
04/21/1994.

Acres (From ASCS map (1988) Dot Grid
Method)

TISS	RIIE	S.34	FOUND	Claimed
NENE		11	ares	
NWNE		17	"	
SWNE		20	"	40
SENE		0	"	
NENW		6	"	30
SENW		12	"	40
NESW		6	"	15
NWSE		6	"	20
		78	S.34 ACRES	+

TISS	RIIE	S.35
NWNW		11
NENW		11
		12
		S.35 ACRES

(90) TOTAL ACRES $1.02 \text{ CFS} = 1.80 \text{ A}$

Idaho Dept of Water Resources

T15S, R11E, S34, S35
Claim(s) : 51-00126
Owner(s): Three Creek RanchCo
Prepared by: Sue Bock
Date: 5/12/1998

22 Acres



Place of Use



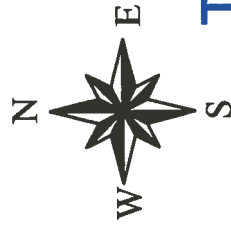
Point of Diversion



Section Lines



1/4 1/4 lines



1987 NAPP

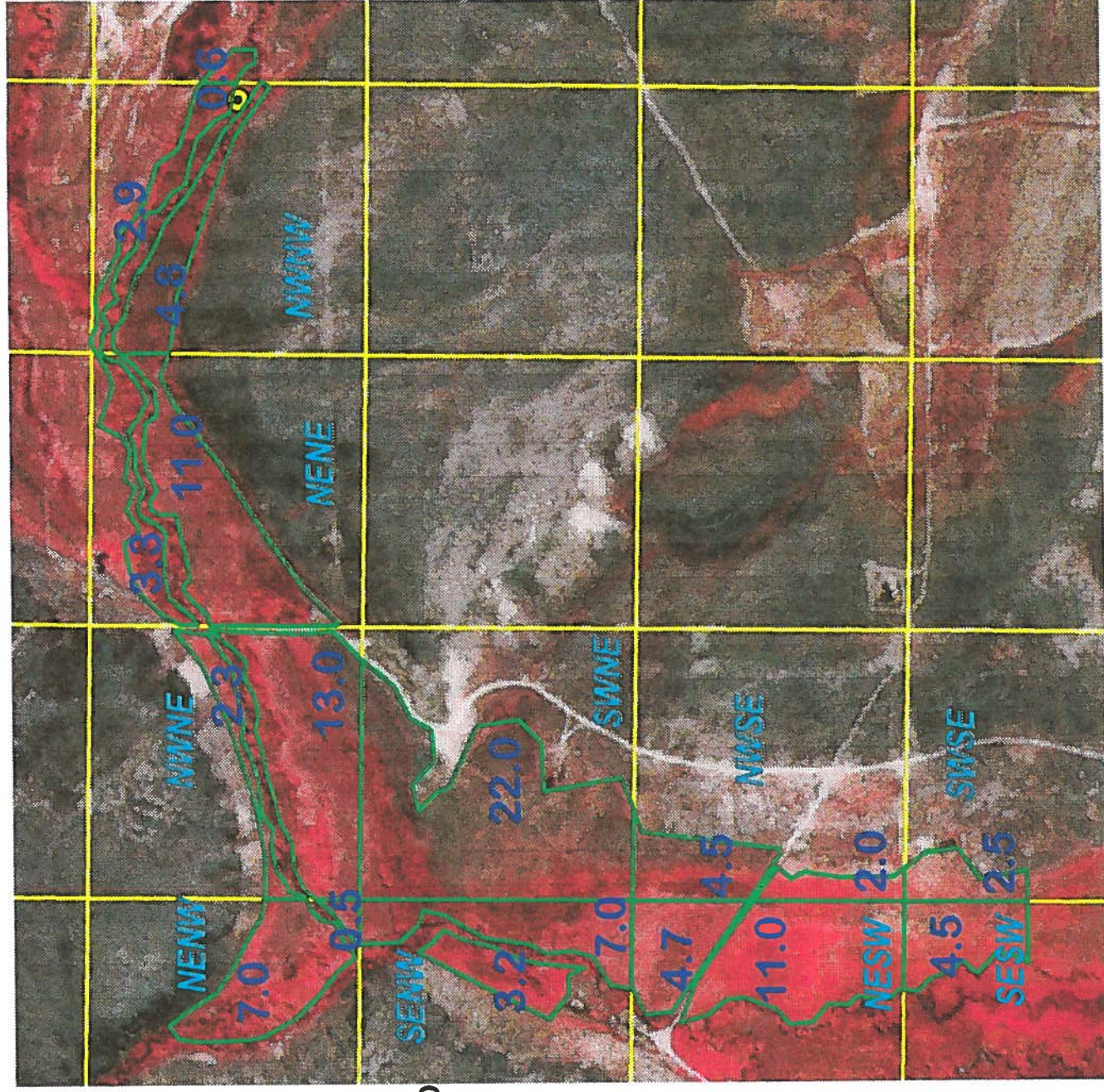
0

0.25

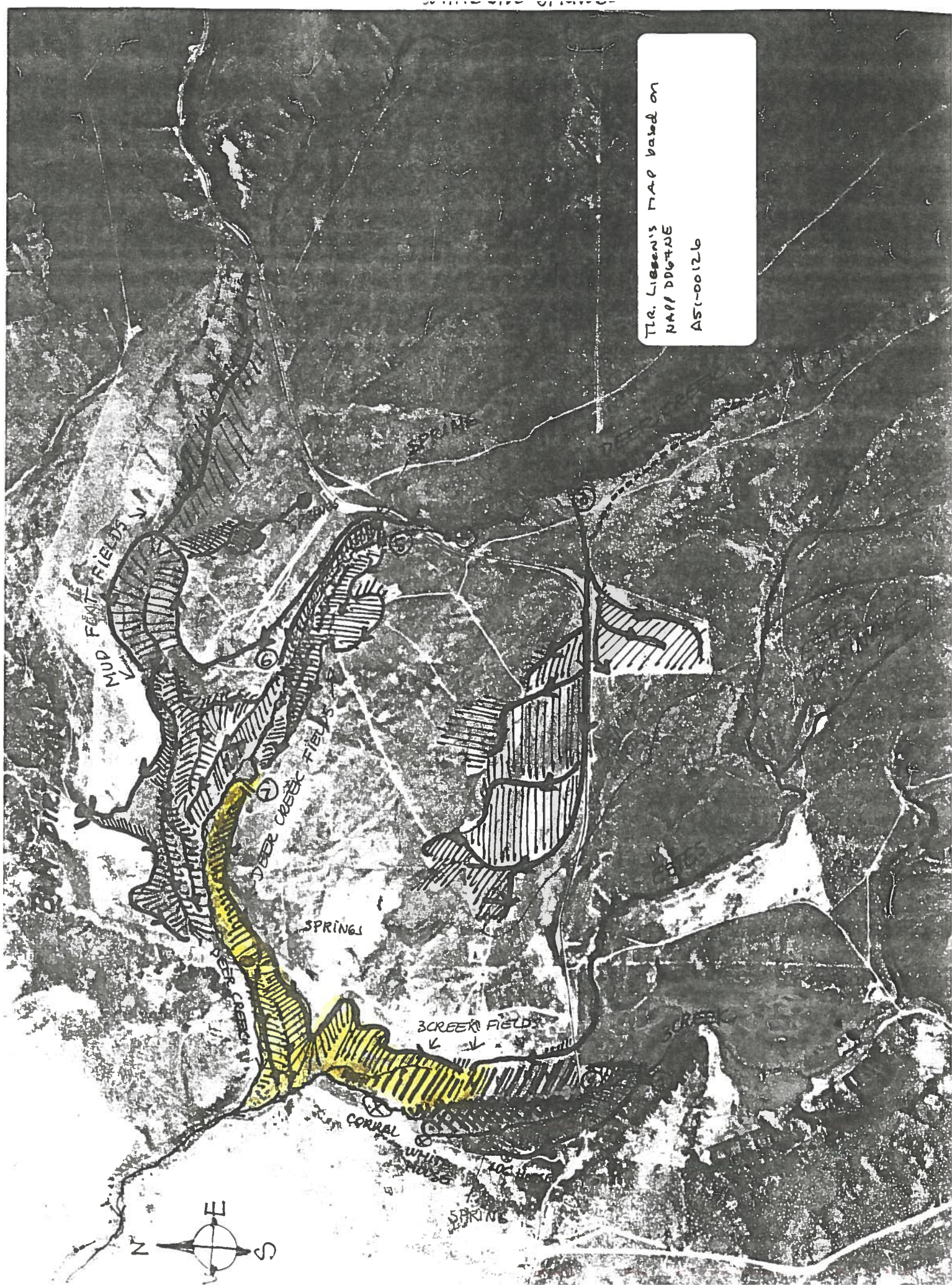
0.5

0.75 Miles

Total Acres = 107



MAP SECTION OF CHARLEY LIGGEN'S RANCH



TIA. LIGGEN'S MAP based on
NAF 00642E
AS1-00126

3 CREEK RANCH
CHARLY LIESEN
ROGERSON. ID.
83302 —H—

FO 8572247

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 + 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 creek
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.../...

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
1.8842	00127	152	118	35		14	40	40												94	

PD
3 5 SW&NE

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
2.064	00121	152	118	34								20		35.6				40		95.6	
		162	118	03				10												10.0	

PD
3 NENE&W

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
2.7	00126	162	118	03		40														40	
			34		40	20				40	15					20				145	

PD
3 NENE&W

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
3.06	00124		26									20								20	
			27															30		30	
			34	40	40		10													90	

3.06
35 SW&NE

[illegible]



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 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

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 BLN 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 creek
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"

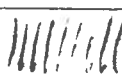
Best regards.

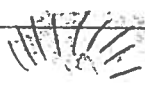
CHARLES. J. LIESSEN



 diversion from head gate ①

 " " " " ②

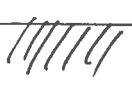
 " " " " ③

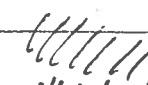
 " " " " ④

(includes Mud Flat pasture
+ BLM TRANK + lower deer creek field)



 Diversion from # ⑥

 " " # ⑤

 " " # ⑦
with lots of red

 ACRES irrigated from Estes drainage -

 ACRES " " SPRINGS.



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.

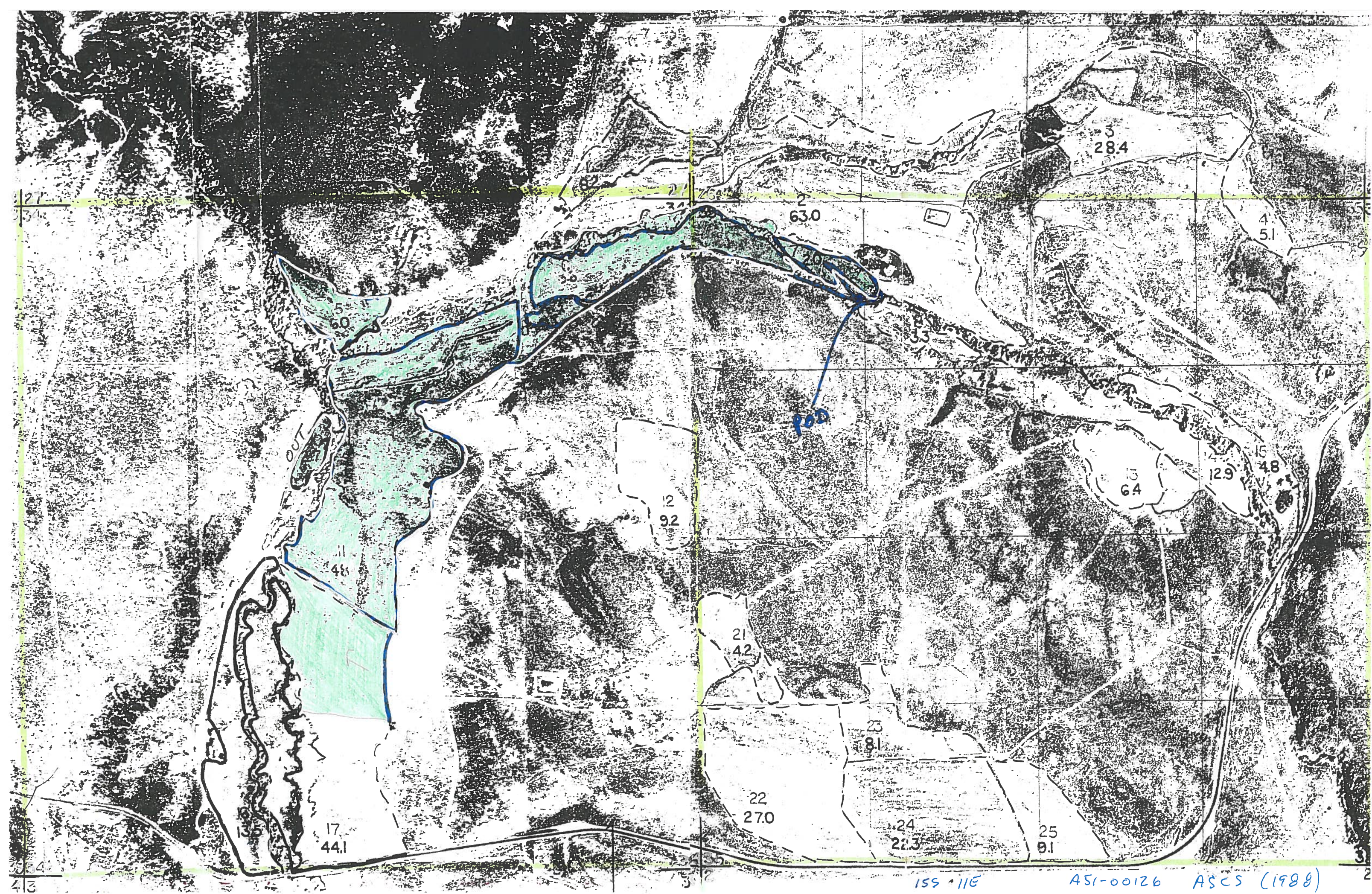
Thank you once again for your help. Please contact me at the number at the top of this letter if you have any questions or comments.

Sincerely,

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

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m
Enc.



MANNING EQUATION CHANNEL CAPACITY RESULTS

05-28-1996

File Number: A51-00125?

Claimant: SIMPLOT LIVESTOCK

Channel measured: MAIN DITCH AFTER ONE SMALL DITCH HAS BEEN DIVERTED OFF

Date of measurement: 05/23/1996

Measurement location:

DIV PT NO. 7 S35 SENWNW

Calculation prepared by: M. MINICUCCI

Comments about the measurement:

MEASUREMENTS BY KW & MM. DITCH HAD WATER WITHOUT ACTIVE DIVERSION.
MANY WILLOWS.

The results of the calculation are:

The channel cross section is 3.64 ft-sq.

The wetted perimeter is 5.83 feet.

The hydraulic radius is 0.62 feet.

The slope is 0.0078

The roughness coefficient is 0.0805

The flow velocity is 1.192 ft/sec.

The rate of flow is 4.34 cfs.

MANNING EQUATION - DATA COLLECTION

Claim Number(s): _____

Name of Claimant(s): Simplot Livestock

Name of Ditch, Canal, or Stream: Div. #7

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

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

Cross Section Data

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

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

depth or rod reading LEW	distance from initial point 0	depth or rod reading REW	distance from initial point 0
1. <u>.20</u>	<u>0.5</u>	7. <u>.99</u>	<u>.5</u>
2. <u>.45</u>	<u>1.0</u>	8. <u>1.08</u>	<u>1.0</u>
3. <u>.68</u>	<u>1.5</u>	9. <u>1.08</u>	<u>1.5</u>
4. <u>.76</u>	<u>2.0</u>	10. <u>1.09</u>	<u>2.0</u>
5. <u>.76</u>	<u>2.5</u>	11. <u>1.06</u>	<u>2.5</u>
6. <u>.77</u>	<u>3.0</u>	12. <u>1.03</u>	<u>3.0</u>
7. <u>.77</u>	<u>3.5</u>		<u>3.5</u>
8. <u>.66</u>	<u>4.0</u>		<u>4.0</u>
9. <u>.52</u>	<u>4.5</u>		<u>4.5</u>
10. <u>.43</u>	<u>5.0</u>		<u>5.0</u>
11. <u>REW</u>	<u>5.2</u>		

Slope Data

Basis: high water mark(☒) channel bottom() land surface() ~~cal~~

Level Readings:	upstream	downstream	
upper stadia	<u>4.61</u>	<u>5.52</u>	
center	<u>4.34</u>	<u>5.18</u>	
lower stadia	<u>4.12</u>	<u>4.84</u>	channel length
stadia difference	<u>(.49 + 68)</u> x 100 = <u>117</u>		

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

Comments

Are maps and/or photos attached? yes()

BASIC "n"				CHANNEL MATERIAL							
earth	.020	X	(1)	rock	.025		(2)				
fine gravel	.024		(3)	coarse gravel	.028		(4)				
SURFACE IRREGULARITY				VEGETATION							
smooth	.000		(1)	low	.005		(1)				
minor	.005	X	(2)		.010		(2)				
moderate	.010		(3)	medium	.015	/	(3)				
severe	.020		(4)		.020	X	(4)				
				DEGREE OF MEANDERING							
				gradual	.000		(1)	minor	1.00		(1)
				occasional	.005	X	(2)	appreciable	1.15	X	(2)
				frequent	.010		(3)	severe	1.30		(3)
</											

AS1-00125

PON No. 6, 7, Deer Cr

X FLOW

1.50 CFS decreed + claimed

Decreed + claimed source Deer Creek, acres appear to be also served by Deer Creek Spring, claimed under AS1-00124

X FLOW

DIV. CAPACITY

Location of ditch + ~~an~~ input/output to ditches

Soil types

Measurement of div. structure

Slope of fields

A51-00126

POD No 7, 1, 2

X FLOW

Decead source: Deer Creek

Claimed source: Three Creek

Source appears to be Deer Creek (No. 7), possibly Deer Creek (Nos 1+2), possibly Loghouse spring, possibly spring near confluence of 3 CR + Deer CR (near rd that crosses Deer CR). Also check Ester Draw H₂O (headgate on S side of Hwy)

100# 6 +15670



POD # 7 DOG # 7
+15676



Delet +15670
1979
POD #6
XFlow



See 0Q

IN
A51-00124 - T6TS

for location of
fences +
Ditch

**FIELD SLOPE MEASUREMENT FORM FOR EXCESSIVE
FLOW DATA**

forms.slope.field



FIELD AGENT: TTTINICUCCI

FX DATE: 08/15/1996

CLAIM NUMBER(S): _____

FIELD NUMBER: _____
(Optional)

LOCATION: See OG Btwn Cr + Tree
2B

2016
259
1857

FIELD READINGS

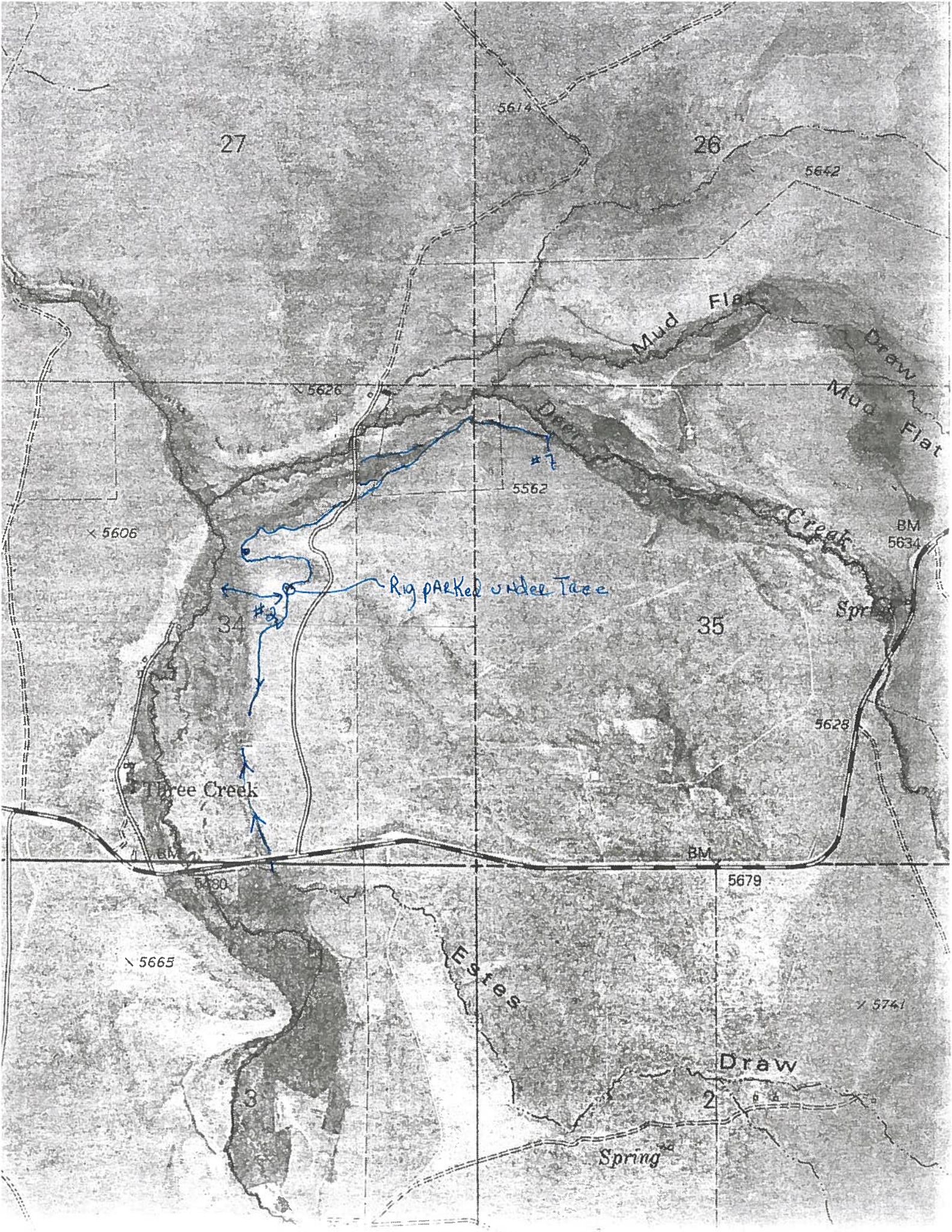
SLOPE DATA:

	<u>UPHILL</u>		<u>DOWNHILL</u>	
UPPER STADIA	<u>2.5376</u>		<u>21.90</u>	
MIDDLE (SLOPE)	<u>2.59</u>		<u>20.16</u>	
LOWER STADIA	<u>2.43</u>		<u>18.40</u>	
Stadia Difference:	<u>.33</u> UPHILL	+	<u>3.50</u> DOWNHILL	X 100 = 383 SLOPE LENGTH
Slope Difference:	<u>20.16</u> DOWNHILL	-	<u>2.59</u> UPHILL	= 18.57 FT DIST

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

CALCULATIONS:

18.57	/	383	=	.049 FT/FT	256 FT/MILE
FT DIST		SLOPE LENGTH		SLOPE FT/FT	



27

26

5642

5614

5626

5562

x 5606

BM 5634

5628

35

34

Three Creek

Spring

BM

5680

5679

5665

5741

Estos

Draw

2

Spring

3

Field Slope Measurement SI-00126 SI-00121
photos by M.H.



NE SW Sec 34
Ditch comes
from N
Flattens
under fence
area for



S34
SWNE

51-00126 8/15/1996 photos by H.M.



Field Slope
location
SUN E Sec 34
looking W
toward
3 Creek



Sec 34
Fence line
approx.
along E-W
center line
of Sec
Ditch is
flowing
from the
N. (Rt
side of
photo)

51-02005 photos taken by M.M.
00126
00124
00125

POD NO. 7
NWNWS35



Measurement
location
POD NO. 7
NWNWS35

51-02005, 00124, 00124, 00125

Photos by M.M

location of
level
manning's
measurement
POD NO7



Div From
ditch From
POD NO7
Smaller
ditch goes
through
small
field in
S 35
NWRW

51-02005, 00124, 00124, 00125 photos by M.M.



POU area
NWNW35
Small field
between creek
& base of hill
Looking W
toward small
yellow house



POD NO7
NWNW35

51- 02005, 00126, 00124, 00125 photos by M.M.



POD NO 7
Ditch on
left side
of photo



POD NO 7
Ditch is
on left
side of
photo

Three Creek Ranch

photos by M.M.



Mud Flat Draw
on W. side of
hwy, looking
west along
drainage
S 36 NWE



Mud Flat
Draw photo
taken from
Hwy looking
W along
drainage



Mud Flat
Draw @ its
intercept
w/ditch
From POD
No 4 looking
E, up Draw
towards Hwy



Mud Flat
Draw
(culvert)
where it
crosses
ditch from
POD No 4
Looking W
down Draw



Mud Flat
Draw
SWSE S26



Mud Flat
Draw Flow
through
culvert.
Ditch is
from PoD
NO4.
Turning
back around
to swing
to the W.

DEPARTMENT OF WATER RESOURCES

AS1-00126

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: AS1-00121
☒ 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: AS1-02029 (as licensed)

☐ 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 weekly exam completed prog. report? ☐ Yes ☐ No

Exam completed date data entered on claim _____ (initial & date)

Claim Verification Report completed _____ (initial & date)

Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)

R claim file created _____ (initial & date)

Recommendations entered on R claim file _____ (initial & date)

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

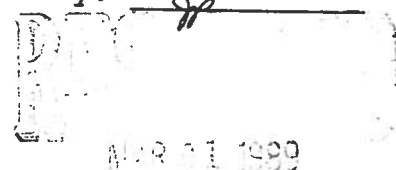
Ident. Number: A51-00126

Date Received: 3/1/89

Receipt No: C005640

Received By: JP

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 04, 1885

3. Source: THREE CREEK

Trib. to: BRUNEAU RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	11E	3	NE	NE	NW		OWYHEE

5. Description of diverting works:
DIVERSION 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	2.700		
STOCKWATER	01/01	12/31	0.350		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 290.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1, S/1500 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15S	11E	34	SW	NE		IRR	40.0

A51-00126

Page 1

Date: 02/24/89

INDEXED
AUG 10 1989

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	11E	34	SW		NE		STOCK	
			SW		NE		DOMEST	
			NE		NW		IRR	30.0
			NE		NW		STOCK	
			NE		NW		DOMEST	
			SE		NW		IRR	40.0
			SE		NW		STOCK	
			SE		NW		DOMEST	
			NE		SW		IRR	15.0
			NE		SW		STOCK	
			NE		SW		DOMEST	
			NW		SE		IRR	20.0
			NW		SE		STOCK	
			NW		SE		DOMEST	

Section Acres 145.0

Total Acres 145.0

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

RECORDED

AUG 10 1989

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

