

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: A51-00135
Date Received: 9/ 7/1993
Receipt No: W016707
Received By: _____

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

1. Name: SWAN LAND & LIVESTOCK COMPANY 208-857-2235
Address: HOUSE CREEK RANCH
ROGERSON ID 83302

2. Date of Priority: AUG 25, 1908

3. Source: DEADWOOD CREEK Trib. to: BRUNEAU RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	12E	4	NW	SE	SW		OWYHEE

5. Description of diverting works:
ROCK & CANVAS DAM TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.900		
STOCKWATER	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	29	NW	SW		IRR	5.0
			SW	SW		IRR	25.0
			SE	SW		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	32.0
		30	SE	SE		IRR	20.0
						Section Acres	20.0
		31	NE	NE		IRR	15.0
						Section Acres	15.0
		32	SW	NE		IRR	1.0
			NE	NW		IRR	16.0
			NW	NW		IRR	30.0
			SW	NW		IRR	14.0
			SE	NW		IRR	31.0
			NE	SW		IRR	30.0
			NW	SW		IRR	7.0
			SE	SW		IRR	22.0
			NW	SE		IRR	14.0
			SW	SE		IRR	39.0
			SE	SE		IRR	12.0
						Section Acres	216.0
16S	12E	5	NE	NE		IRR	21.0
			NW	NE		IRR	15.0
			NE	NW		IRR	4.0
						Section Acres	40.0
						Total Acres	323.0

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:
51-00143, 51-02442 & 51-10349

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

GRANDVIEW IRR. DIST.
Decree Plaintiff

BRUNEAU BUCKAROO CO-OP DITCH
vs 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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of)

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

Notary Public

Seal

Residing at

My Commission Expires

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

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

CIVIL CASE NUMBER: 39576
Ident. Number 751-00135
Date Received 9-7-93 fw-
Receipt Number W016707
check # 92-1/1241
2588

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Swan Land & Livestock Company Phone (208) 857-2235
Mailing Address House Creek Ranch, Rogerson, ID Zip 83302

2. Date of Priority (Only one (1) per claim) 8/25/1908

3. Source of water supply (a) Deadwood Creek
which is tributary to (b) Bruneau River, East Fork

4. a. Location of existing point of diversion is: Township 16S Range 12E Section 4,
NW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Rock & canvas dam

to ditch.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrig. purposes from 4-1 to 11-1 amount 1.90 or _____

For Stockwater purposes from 1-1 to 12-31 amount 0.10 or _____

For ~~Domestic~~ purposes from ~~1-1~~ to ~~12-31~~ amount ~~0~~ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.90 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 400 hd.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	12E	29										5	25	2					32
		30																20	20
		31	15																15
		32			1		16	30	14	31	30	7		22		14	39	12	216
16S	12E	5	21	15			4												40

Total number of acres irrigated 323

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
51-00143, 51-02442 & 51-10349 or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Decree ☒

If applicable provide IDWR Water Right Number 51-00135

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am X PRESIDENT

Title

of SWAN LAND + LIVESTOCK CO , that I have signed the foregoing

Organization

document in the space below as PRESIDENT of SWAN LAND + LIVESTOCK CO,

Title

Organization

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

Signature of Authorized Agent Senge H. D. Swan

Title and Organization PRESIDENT SWAN LAND + LIVESTOCK CO Date 9/7/93

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

Subscribed and sworn (or affirmed) before me this 17th day of September 19 93

SEAL

Notary Public Kathlyn A. Walker

Residing at Eagle, Idaho

My Commission Expires 2-14-1999

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

AJ0749NP
No. R51-00135

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

DATE: 07/25/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SWAN LAND & LIVESTOCK COMPANY HOUSE CREEK RANCH ROGERSON ID 83302 (208) 857-2235	08/25/1908	IRRIGATION STOCKWATER	04-01 10-31 01-01 12-31	1.90 CFS 0.09 CFS	
TOTAL DIVERSION:					1.90 CFS	

Water Source: DEADWOOD CREEK Tributary to: CLOVER CREEK Stage: DECREED

Point(s) of Diversion: T16S R12E S04 NWSESW OMYHEE County

Point(s) of Re-diversion: T15S R12E S32 SENESW OMYHEE County

Place of use Legal Description for: IRRIGATION

NE										SW										SE														
NENE					NWNE					SWNW					SESW					NENE					NWSE					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	12E	29	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	37.7					
15S	12E	32	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	136.7					
16S	12E	5	:	08	18	:	.1	:	02	:	15	12	16	22	:	11	12	:	07	27	:	01	:	:	:	28	:	28.4						
TOTAL ACRES																											202.8							

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

POU County: OMYHEE

Other Rights: 51-00143, 51-02442 & 51-10349

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A51-00130 A51-00134 A51-00135 A51-00141 A51-00143 A51-02442 R51-00130 R51-00134 R51-02442

Other Water Rights Listing Overlapping Place(s) of Use:
A51-00134 A51-00135 A51-00141 A51-00143 A51-02442 A51-10349 R51-00134 R51-00141 R51-00143 R51-02442

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.06 CFS.

P0U1 USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 202.8 ACRES IN A SINGLE
IRRIGATION SEASON.

AJ0749NP
No. R51-00135

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

DATE: 07/25/98
PAGE: 2

Remarks:

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00134 & 51-02442

EXP STOCKWATER, 400 RANGE CATTLE

Dates: Exam Made Date: 09/07/1993 Verified Date: 07/25/1998 Objection Filed Date:

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

Audit: 07/25/98 KWALKER

AJ0749NP
No. R51-00135

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

DATE: 07/25/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SWAN LAND & LIVESTOCK COMPANY	08/25/1908	IRRIGATION STOCKWATER	04-01 10-31 01-01 12-31	1.90 CFS 0.09 CFS	
TOTAL DIVERSION:					1.90 CFS	

Water Source: DEADWOOD CREEK Tributary to: CLOVER CREEK Stage: DECREED
Point(s) of Diversion: T16S R12E S04 NWSESW OMYHEE County
Point(s) of Re-diversion: T15S R12E S32 SENESW OMYHEE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R	S	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	SE	SUM		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt		
15S	12E	29	:	:	:	:	:	:	:	:	:	:	:	:	:	:		
15S	12E	32	:	15	12	16	22	:	11	12	:	07	27	01	:	37.7		
16S	12E	5	:	08	18	:	.1	:	02	:	:	:	:	19	:	136.7		
TOTAL ACRES																202.8		

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

POU County: OMYHEE

Other Rights: 51-00143, 51-02442 & 51-10349

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.09 CFS.
POU1 USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 202.8 ACRES IN A SINGLE IRRIGATION SEASON.

EXP STOCKWATER, 400 RANGE CATTLE

Dates: Exam Made Date: 09/07/1993 Verified Date: Objection Filed Date:

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

514-00134-1840.8

DATE: 07/25/98
PAGE: 1

1

Stage: DECREE

OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

[illegible]

TOTAL ACRES

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

POU County: Owyhee

Other Rights: 51-00143, 51-02442 & 51-10349

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

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

R51-00141 R51-00143 R51-02442

Conditions of Approval:

- THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.04 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 202.2 ACRES IN A SINGLE IRRIGATION SEASON.

AJ0749NP
No. R51-00135

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

DATE: 07/25/98
PAGE: 2

Remarks: EXP STOCKWATER, 400 RANGE CATTLE

Dates: Exam Made Date: 09/07/1993 Verified Date: 07/25/1998 Objection Filed Date:

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

Audit: 07/25/98 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 06/22/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SWAN LAND & LIVESTOCK COMPANY HOUSE CREEK RANCH ROGERSON ID 83302 (208) 857-2235	08/25/1908	IRRIGATION STOCKWATER	04-01 10-31 01-01 12-31	1.90 CFS 0.09 CFS	
TOTAL DIVERSION:					1.90 CFS	

Water Source: DEADWOOD CREEK Tributary to: CLOVER CREEK Stage: DECREED

Point(s) of Diversion: T16S R12E S04 NWSESW OMYHEE County
Point(s) of Re-diversion: T15S R12E S32 SENESW OMYHEE County

Place of use Legal Description for: IRRIGATION										
NE										
NW										
SW										
SE										
T	R	S	NE	NW	SW	SE	NESE	NWSE	SESE	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
15S	12E	29	:	15	12	17	22	:	08	28
15S	12E	32	:	:	:	:	:	:	01	:
16S	12E	5	:	08	18	:	:	:	19	:
SUM										
37.9										
136.0										
28.3										
202.2										

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

POU County: OMYHEE

Other Rights: 51-00143, 51-02442 & 51-10349

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A51-00130 A51-00134 A51-00135 A51-00141 A51-00143 A51-02442 R51-00134 R51-02442Other Water Rights Listing Overlapping Place(s) of Use:
A51-00134 A51-00135 A51-00141 A51-00143 A51-02442 A51-10349 R51-00134 R51-00141 R51-00143 R51-02442

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
 - SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: EXP STOCKWATER, 400 RANGE CATTLE

Dates: Exam Made Date: 09/07/1993 Verified Date: 06/22/1998 Objection Filed Date:

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

AJ0749NP
No. R51-00135

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

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PAGE: 2

Audit: 06/09/98 KWALKER

WESTERN REGION

CLAIM NUMBERS 51-00134 51-00135

AGENT Kay DATE 6-9-98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 202.2

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																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 4

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

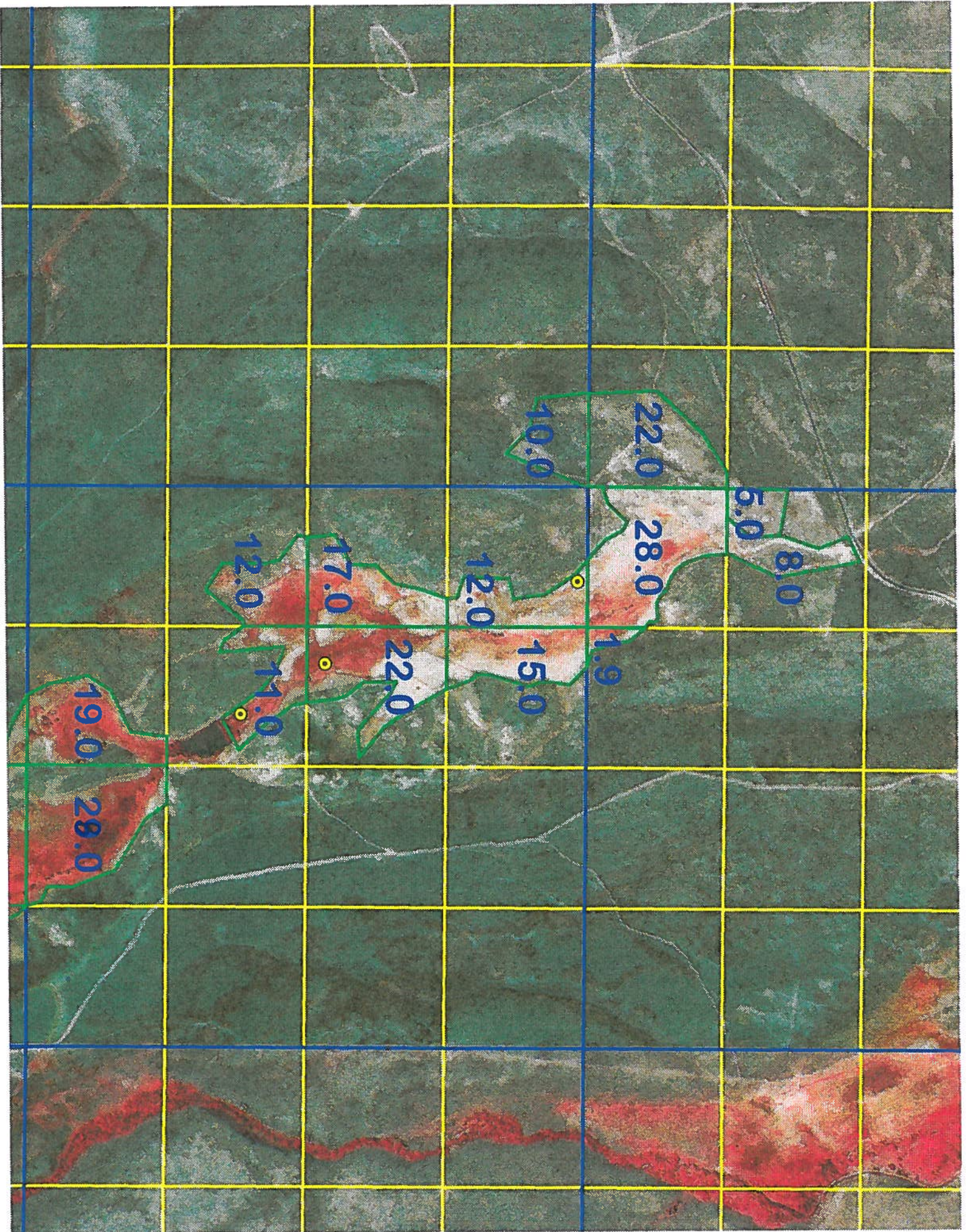
ATTRIBUTES OF B51-POU.SHP (61) (63) (64) (65) ()

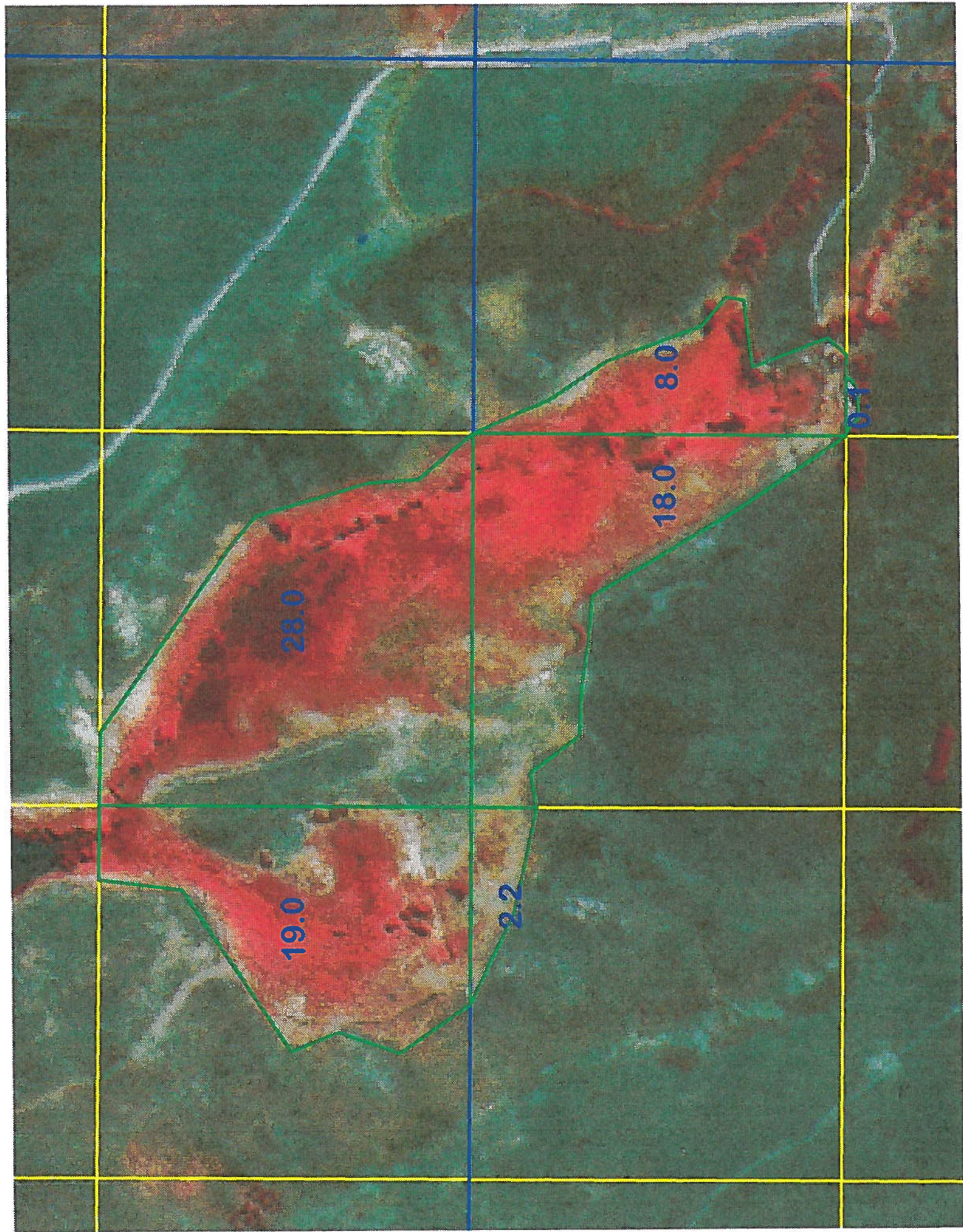
ATTRIBUTES OF B51-POD.SHP (75) (76) () () ()

B51-DBPOU.DBF _____ UPDATED BY

B51-DBPOD.DBF _____ UPDATED BY

updated mother 6/9/98





Stage: DECREED

OWYHEE County~~323.0~~~~209.2~~
202.2

add N05, N08
C05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00135

13:03:06
05/28/98

LAST: CURTIS

FIRST: LINCOLN

ADDRESS:

CITY: XXXX

STATE:

ID

ZIP:

00000

PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: SWAN LAND & LIVESTOCK COMPANY

FIRST:

ADDRESS: HOUSE CREEK RANCH

CITY: ROGERSON

STATE:

ID

ZIP:

83302

PHONE NUMBER: 208-857-2235

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

N

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/7/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: George Luman

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

See file A51-00134.

A. AJ CLAIM: # A51-00135 PRIORITY DATE: 08-25-1908 STAGE: D

B. WR RECORD: # 51-00135 PRIORITY DATE: 08-25-1908 STAGE: D

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

Y(☒) N(☐)

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

Y(☐) N(☒)

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

Y(☐) N(☒)

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

Recommend decedent priority date.

RECOMMENDED PRIORITY DATE:

08-25-1908

REVIEWED BY

ku

DATE

6/3/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-00135	16S	12E	4	NW	SE	SW			OMYHEE		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX R PREFIX											
A51-00130											
A51-00143											
A51-10349											
MR RECORDS IN SAME 40 ACRE TRACT											
NONE											

SOURCE: DEADWOOD CREEK

TRIB: BRUNEAU RIVER, EAST FORK

B. MR POINT OF DIVERSION AND SOURCE:

5100135 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: DEADWOOD CREEK

TRIB: BRUNEAU RIVER, EAST FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N()

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

Y() N()

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

N/A() Y() N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N()

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

Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

9-7-93

)

Y() N()

AJ FIELD EXAM

(DATE OF FIELD EXAM)

9-7-93

NAME OF EXAMINER

Ray, Michael

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
16S	12E	4	NW	SE	SW		FLAG	OWYEE		
15S	12E	32	SE	NE	SW				redirection pond	

TRIB: ~~BROWNHEAD RIVER, EAST FORK~~
Clover Creek

DATE: 10/3/98

see file A51-00134.

A. ROOT WATER RIGHT NUMBERS: A51-00135

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	12E	29	NW	NW		SWAN LAND & LIVESTOCK COMPANY A51-00135	5.0	-			4.0
			NW	SW		SWAN LAND & LIVESTOCK COMPANY A51-00143	5.0	-			
			NW	SW		SWAN LAND & LIVESTOCK COMPANY A51-02442	5.0	51-02442			5.0
			NW	SW		SWAN LAND & LIVESTOCK COMPANY A51-10349	5.0	-			
15S	12E	29	SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-00135	25.0	-			30.0
			SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-00143	25.0	-			
			SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-02442	25.0	51-02442			25.0
			SW	SW		SWAN LAND & LIVESTOCK COMPANY A51-10349	25.0	-			
15S	12E	29	SE	SW		SWAN LAND & LIVESTOCK COMPANY A51-00135	2.0	-			4.0
			SE	SW		SWAN LAND & LIVESTOCK COMPANY A51-00143	2.0	-			
			SE	SW		SWAN LAND & LIVESTOCK COMPANY A51-10349	2.0	-			
15S	12E	30	SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-00135	20.0	-			
			SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-00143	20.0	-			
			SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-02442	20.0	51-02442			20.0
			SE	SE		SWAN LAND & LIVESTOCK COMPANY A51-10349	20.0	-			
			SE	SE		AMERICA ACTING THROUGH, UNITED 51-124168	-	-			
15S	12E	31	NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-00135	15.0	-			
			NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-00143	15.0	-			
			NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-02442	15.0	51-02442			15.0
			NE	NE		SWAN LAND & LIVESTOCK COMPANY A51-10349	15.0	-			
15S	12E	32	SW	NE		SWAN LAND & LIVESTOCK COMPANY A51-00135	1.0	-			
			SW	NE		SWAN LAND & LIVESTOCK COMPANY A51-00143	1.0	-			
			SW	NE		SWAN LAND & LIVESTOCK COMPANY A51-10349	1.0	-			
15S	12E	32	NE	NW		SWAN LAND & LIVESTOCK COMPANY A51-00135	16.0	-			20.0
			NE	NW		SWAN LAND & LIVESTOCK COMPANY A51-00143	16.0	-			
			NE	NW		SWAN LAND & LIVESTOCK COMPANY A51-10349	16.0	-			
15S	12E	32	NW	NW		SWAN LAND & LIVESTOCK COMPANY A51-00135	30.0	-			10.0
			NW	NW		SWAN LAND & LIVESTOCK COMPANY A51-00143	30.0	-			
			NW	NW		SWAN LAND & LIVESTOCK COMPANY A51-10349	30.0	-			
			NW	NW		NOH, HARRY W.	51-00134	40.0			
			NW	NW		CURTIS, LINCOLN	51-00141	10.0			
			NW	NW		CURTIS, LINCOLN	51-02010	10.0			
15S	12E	32	SW	NW		SWAN LAND & LIVESTOCK COMPANY A51-00135	14.0	-			18.0
			SW	NW		SWAN LAND & LIVESTOCK COMPANY A51-00143	14.0	-			
			SW	NW		SWAN LAND & LIVESTOCK COMPANY A51-10349	14.0	-			
			SW	NW		NOH, HARRY W.	51-00134	40.0			

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	12E	32	SE	NW		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 31.0	-	51-00143 / 10.0	30.0		22
			SE	NW		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 31.0	-	51-02010 / 10.0			22
			SE	NW		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 31.0	-	-			22
15S	12E	32	NE	SW		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 30.0	-	51-00143 / 10.0	17.0		11
			NE	SW		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 30.0	-	-			11
			NE	SW		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 30.0	-	-			11
15S	12E	32	NW	SW		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 7.0	-	-	12.0		12
			NW	SW		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 7.0	-	-			12
			NW	SW		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 7.0	-	-			12
15S	12E	32	SE	SW		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 22.0	-	51-00143 / 20.0	23.0		18
			SE	SW		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 22.0	-	-			18
			SE	SW		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 22.0	-	-			18
15S	12E	32	NW	SE		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 14.0	-	-	2.0		0
			NW	SE		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 14.0	-	-			0
			NW	SE		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 14.0	-	-			0
15S	12E	32	SW	SE		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 39.0	-	-	29.0		28
			SW	SE		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 39.0	-	-			28
			SW	SE		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 39.0	-	-			28
			SW	SE		NOH, HARRY W.	51-00134 / 40.0	51-00141 / 35.0			28
			SW	SE		CURTIS, LINCOLN	51-00141 / 35.0	51-02010 / 35.0			28
			SW	SE		CURTIS, LINCOLN	51-02010 / 35.0	-			28
15S	12E	32	SE	SE		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 12.0	-	-			8
			SE	SE		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 12.0	-	-			8
			SE	SE		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 12.0	-	-			8
16S	12E	5	NE	NE		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 21.0	51-00135 / 40.0	15.0			8
			NE	NE		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 21.0	-	-			8
			NE	NE		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 21.0	-	-			8
			NE	NE		NOH, HARRY W.	51-00134 / 40.0	51-00141 / 20.0			8
			NE	NE		CURTIS, LINCOLN	51-00141 / 20.0	51-02010 / 20.0			8
			NE	NE		CURTIS, LINCOLN	51-02010 / 20.0	-			8
16S	12E	5	NW	NE		SHAN LAND & LIVESTOCK COMPANY A51-00135 / 15.0	51-00135 / 40.0	20.0			18
			NW	NE		AMERICA ACTING THROUGH, UNITED A51-12415 /	-	-			18
			NW	NE		SHAN LAND & LIVESTOCK COMPANY A51-00143 / 15.0	-	-			18
			NW	NE		SHAN LAND & LIVESTOCK COMPANY A51-10349 / 15.0	-	-			18
			NW	NE		NOH, HARRY W.	51-00134 / 40.0	51-00141 / 20.0			18
			NW	NE		CURTIS, LINCOLN	51-00141 / 20.0	51-02010 / 20.0			18
			NW	NE		CURTIS, LINCOLN	51-02010 / 20.0	-			18

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6/9/98

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KUD

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S	12E	5	NE	NW		SWAN LAND & LIVESTOCK COMPANY A51-00135	4.0	-	/		2.2
			NE	NW	3	SWAN LAND & LIVESTOCK COMPANY A51-00143	4.0	-	/		
			NE	NW	3	SWAN LAND & LIVESTOCK COMPANY A51-10349	4.0	-	/		

ADDITIONAL POU FOUND

16S 12E 5 SENE

0.1

TOTAL ACRES A51-00135 323.00 80.00 240.00

POU COUNTY: OMYHEE

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

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

Y (☒) N (☐)

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
A51-00135	DEADWOOD CREEK	SWAN LAND & LIVESTOCK COMPANY	1.900	0.005		
A51-00143	DEADWOOD CREEK	SWAN LAND & LIVESTOCK COMPANY	0.800	0.002		
A51-02442	CURTIS DRAW	SWAN LAND & LIVESTOCK COMPANY	1.300	0.020		
A51-10349	DEADWOOD CREEK	SWAN LAND & LIVESTOCK COMPANY	4.600	0.014		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-00135	STOCKWATER	SWAN LAND & LIVESTOCK COMPANY	FROM 01-01 TO 12-31	0.100 CFS	
51-124168	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.020 CFS	
A51-12415	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.240 CFS	
A51-12415	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.020 CFS	

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

Y (☒) N (☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 51-00143, 51-02442 & 51-18349

51-00134

- E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()
- * IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.
- F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y(☒) N(☒)
- G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y(☒) N()
- H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y(☒) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. DD168; () TOPOGRAPHIC QUAD, IDWR NO. _____;

☒ NAAPP, IDWR NO. DD168 NW1; ☒ ASCS PHOTO; () OTHER _____

NOTES:

See copies of these documents in file A51-00134.

RECOMMENDATIONS:

TOTAL ACRES: 209.2 N/A ()

REVIEWED BY: FW DATE: 6/3/98

A. AD CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-00135 IRRIGATION	FROM 4-15 TO 12-15	1,900 CFS	
A51-00135 STOCKWATER	FROM 01-01 TO 12-31	0.100 CFS	
TOTAL DIVERSION RATE/VOLUME		1,900 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-00135 IRRIGATION	FROM TO	1,900 CFS	
51-00135 STOCKWATER	FROM TO		
51-00135 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		1,900 CFS	

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

Y() N()

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

N/A() Y() N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

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

Y() N()

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

Y() N()

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

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

N/A() Y() N()

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

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

N/A() Y() N()

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 1.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.900 CFS

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

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

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

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

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

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

E. MEASUREMENT METHOD None FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 202.2 x 0.02 CFS/ACRE = 4.04 CFS
(Taken from pou review) 6/9/98

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME N/A - surface water
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 = 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 ()

400 range cattle x 0.0134 = 0.0032 = 0.088 = 0.09 cfs

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION ☒	4-15 10-15 04-01 11-01	1.900 0.100	EXAMINER 1.90 N/A	EXAMINER 0.0 N/A
STOCKWATER ☒	01-01 12-31	0.009	N/A	N/A
TOTAL FOR THIS RIGHT		1.90	N/A	N/A

NON-IRRIGATION USES CLAIMED: STOCKWATER, 400 HEAD

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

REVIEWED BY: EW DATE: 10/3/98

FLAG: C

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

N05
N05
C05

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: 51-00135

N/A

TOTAL DIVERSION RATE OF WR SPLITS

1.900

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-00135	1.900	-		51-00135	1.900
TOTAL CFS						1.900

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: _____
NAME OF FIELD EXAMINER: _____

DATE:

6/3/98

TITLE:

Sr. Agent

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

~~2208~~ 1976

IDMR ID NO.

2208

Y() N() ☒

☐ TOPOGRAPHIC

DATE FIELD CHECKED

8-4-87

IDMR ID NO.

2208 NW

Y() N() ☒

☒ ASCS AERIAL PHOTO

DATE OF PHOTO

1988

Flight - 3 pgs

Y() N() ☒

☐ ASCS COLOR SLIDE

DATE OF PHOTO

Y() N()

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

Y() N()

☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

1893 (155-13E)

1914 (168-13E)

Y() N() ☒

☐ SCS SOIL SURVEY MAP

DATE ISSUED

Y() N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

Y() N()

☐ OTHER

DATE

Y() N()

☐ OTHER

DATE

Y() N()

☐ OTHER

DATE

Y() N()

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

☐ IDMR APPROVED TRANSFER

DATE TRANSFER APPROVED

☐ SYSTEM DESCRIPTION

DATE DRAWN

☒ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

9-4-93

5

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

☒ OTHER

DATE

2/14/1985

1

attached

☐ OTHER

DATE

X
Dist #48
J
SAMUEL C. DUNN (Sometimes known as Crandall C. Dunn and as Crandall Dunn): S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, all in Township 15 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described: $\uparrow$ 51-0133 40 inches as of January 21, 1911.

Same amount, same p/u, same priority as 51-0041
X
HARRY W. NOH: W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, Township 15 South, Range 12 East, Boise Meridian, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Township 16 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described: $\uparrow$ 51-0134 115 inches as of August 25, 1908. 2.3 cfs

X
Dist #48
LINCOLN CURTIS: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Township 15 South, Range 12 East, Boise Meridian, and E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, Township 16 South, Range 12 East, Boise Meridian in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described: $\rightarrow$ 51 0135 95 inches as of August 25, 1908.

X
W. R. WALSH: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 16, Township 14 South, Range 10 East, Boise Meridian, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Township 14 South of Range 11 East, Boise Meridian, containing 168.75 acres in Owyhee County, Idaho, out of the waters of the East Fork of Bruneau River, a tributary of the Bruneau River; said waters to be diverted at or near the subdivision of land above described:

51 0136 2 cubic feet of water per second of time for the



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

August 4, 2000

KARL J. DREHER
DIRECTOR

Scott C. Campbell
Elam & Burke
P.O. Box 1539
Boise, ID 83701-1539

RE: Snake River Basin Adjudication (SRBA)
Water Rights #51-00134 & 51-00135
Aslett Ranches Partnership

Dear Mr. Campbell:

The Notice of Completed Administrative Proceeding was sent to the Court with your client Aslett Ranches Partnership owning the entire place of use. The amended report was filed without rectifying two points.

You are aware the objection of the United States disputes the place of use for two of the tracts in the place of use. No resolution of this issue has apparently occurred.

Another tract, NWSW of Section 32 was not found in the deed. I have overlooked this defect considering the lay of the irrigated field and no objection to this tract by the United States.

On the latter point I chose not to split the rights between your client and the seller. However, I bring the defect to your attention in light of possible future property transactions or water right matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Technical Section
Adjudication Bureau

DVS:ss:region:legal

In Re SRBA
Case No. 39576

51-00134 and 51-00135

Page 1

CERTIFICATE OF MAILING

I certify that on August 8, 2000, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449
3. One copy to:
United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724
4. One copy to Claimant/Seller, or attorney of record:
Swan Land & Livestock Company
Rogerson, ID 83302
5. One copy to Claimant/Purchaser, or attorney of record:
Scott C. Campbell
Elam & Burke
P.O. Box 1539
Boise, ID 83701



Signature of Person or Attorney Mailing the Form

08/03/2000

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

RIGHT NUMBER: 51-134

NAME AND ADDRESS: ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS, ID 833030015

SOURCE: DEADWOOD CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 2.3 CFS

USE OF THIS RIGHT WITH RIGHT NO. 51-00135 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.06 CFS

PRIORITY DATE: 08/25/1908

POINT OF DIVERSION: T15S R12E S32 SENESW Within OWYHEE County
T16S R12E S4 NWSESW Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	2.3 CFS

PLACE OF USE:

IRRIGATION Within OWYHEE County

T15S R12E S29	NWSW	7.9	T15S R12E S29	SWSW	27.9
T15S R12E S29	SESW	1.9	T15S R12E S32	NENW	15.4
T15S R12E S32	NWNW	12.1	T15S R12E S32	SWNW	16.6
T15S R12E S32	SESW	22	T15S R12E S32	NESW	11.1
T15S R12E S32	NWSW	12.2	T15S R12E S32	SESW	19
T15S R12E S32	SWSE	28.3	T16S R12E S5	NENE	8.1
T16S R12E S5	NWNE	18	T16S R12E S5	SENE	0.1
T16S R12E S5	NENW	2.2			
202.8 ACRES TOTAL					

USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 202.8 ACRES IN A SINGLE IRRIGATION
SEASON

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 51-00135 & 51-02442

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 - Decreed

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

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

08/03/2000

RIGHT NUMBER: 51-135
NAME AND ADDRESS: ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS, ID 833030015
SOURCE: DEADWOOD CREEK TRIBUTARY: CLOVER CREEK
QUANTITY: 1.9 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.06 CFS

PRIORITY DATE: 08/25/1908

POINT OF DIVERSION: T15S R12E S32 SENESW Within OWYHEE County
T16S R12E S4 NWSESW Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.09 CFS
IRRIGATION	4-01 10-31	1.9 CFS

PLACE OF USE:

IRRIGATION Within OWYHEE County					
T15S R12E S29	NWSW	7.9	T15S R12E S29	SWSW	27.9
T15S R12E S29	SESW	1.9	T15S R12E S32	NENW	15.4
T15S R12E S32	NWNW	12.1	T15S R12E S32	SWNW	16.6
T15S R12E S32	SESW	22	T15S R12E S32	NESW	11.1
T15S R12E S32	NWSW	12.2	T15S R12E S32	SESW	19
T15S R12E S32	SWSE	28.3	T16S R12E S5	NENE	8.1
T16S R12E S5	NWNE	18	T16S R12E S5	SENE	0.1
T16S R12E S5	NENW	2.2			
202.8 ACRES TOTAL					

USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 202.8 ACRES IN A SINGLE IRRIGATION
SEASON

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 240.2 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 51-00134 & 51-02442

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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
STOCKWATER, 400 RANGE CATTLE

51-00135

RECEIVED

MAR 27 2000

RECEIVED

DEC 23 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

FEB 29 2000

WATER RESOURCES
WESTERN REGION

Water Right No(s):

Adjudication Claim No(s):

see attached list

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant

SWAN LAND & LIVESTOCK COMPANY

ROGERSON, ID 83302

4. New Owner/Claimant(s)

ASLETT RANCHES PARTNERSHIP

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
P O BOX B

City, State and ZIP Code

TWIN FALLS, ID 83303-0015

New Telephone Number

(208) 734-5533

5. Date you acquired the property

12/3/99

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners**. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s)

[Handwritten signatures]

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

*change of 8/03/00 (see 8/03 correspondence)
Data Entry Earlier*

51-00134 : objection

51-00135 : :

51-00143 : ✓ - disallowed

51-02442 : ✓ done

A51-10193 ~~WAKET~~

A51-10194 " } decreed

A51-10195 " }

51-10196 : ✓ done

A51-10197 ~~WAKET~~ - decreed

RERECORDED TO CORRECT LEGAL

RERECORD TO CORRECT SCRIVENER ERROR

12/28/99

FILED-REC
99 DE 6 PM 3:11

230604

42118fc

TitleFact, Inc.

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

CHIEF
BY: *Cal*

RECEIVED

FEB 09 2000

Department of Water Resources
Southern Region

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto ASLETT RANCHES PARTNERSHIP, Grantee, whose address is: Box B, Twin Falls, Idaho 83303, the following described real estate, situated in Owyhee County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: December 3, 1999

SWAN LAND AND LIVESTOCK COMPANY, a Utah corporation

By: *George H. Swan*

GEORGE H. SWAN, President

BY: *Katherine Swan-Jones*

KATHERINE SWAN-JONES, Secretary

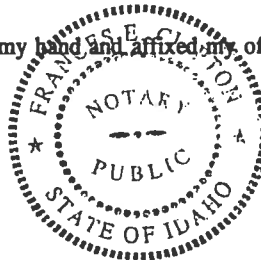
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 3rd day of December, 1999, before me, the undersigned, Notary Public in and for said State, personally appeared GEORGE H. SWAN, known to me to be the President, and KATHERINE SWAN-JONES, known to be the Secretary of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

Francis E. Clifton
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 01-20-2004



PO2436

Exhibit "A"

In Township 13 South, Range 10 East, Boise Meridian, Owyhee County, Idaho.

Section 26: ^{W1/2}~~W1/4~~ SE1/4 NE1/4

In Township 13 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 31: Lots 1, 2 and 3, E1/2 W1/2

In Township 14 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: S1/2

Section 3: W1/2

Section 4: All

Section 5: W1/2

Section 6: Lots 3, 5, 6 and 7, SE1/4 NW1/4, E1/2 SW1/4

Section 8: E1/2 NW1/4, SW1/4, W1/2 SE1/4

Section 10: All

Section 11: S1/2

Section 15: All

Section 17: S1/2 S1/2

Section 20: N1/2 N1/2

Section 21: N1/2

Section 22: N1/2

Section 28: N1/2

~~Section 29: W1/2~~

In Township 15 South, Range 11 East, Boise Meridian, Owyhee County, Idaho.

Section 2: N1/2 SW1/4, SE1/4 SW1/4, SW1/4 SE1/4

CORRECTION

15

In Township ~~15~~ 16 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

Section 29: W1/2 SW1/4

EXCEPTING LESS the following described parcel:

A strip of land 60 feet wide, 30 feet on either side of the center line of a center line survey, said center line being situate and running as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of the Northwest Quarter, Section 29, Township 15 South, Range 12 East, Boise Meridian, Owyhee County, Idaho; thence

South 0° 04' West a distance of 281.46 feet, to a point being station 236+37.86 of said center line survey, and said point being the REAL POINT OF BEGINNING; thence

230797

FILED - RECORDED
99 DEC 17 PM 4:38

North 69° 10' East a distance of 646.17 feet to a point being station 242+84.03 of said center line survey, the point of commencement of a 14° curve having a delta angle of 57° 28' to the left; thence around said curve for a distance of 101.82 feet to a point being station 243+85.85 of said center line survey.

Section 30: SE1/4 SE1/4

Section 31: NE1/4 NE1/4

Section 32: NW1/4, E1/2 SW1/4, SW1/4 SE1/4

In Township 16 South, Range 12 East, Boise Meridian, Owyhee County, Idaho.

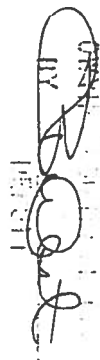
Section 5: N1/2 NE1/4, SE1/4 NE1/4

EXCEPTING from said property described above:

Any right, title, or interest in any minerals, minerals rights or related matters including but not limited to oil, gas, coal and other hydrocarbon, whether or not shown by the public records.



230909



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FILED - RECORDED

ACREAGE

Approximately 16,695 total deeded acres

- " 1,000 acres hay and irrigated pasture
- " 200 acres sub-irrigated meadow and creek bottom
- " 15,495 dry grazing

Bureau of Land Management	4,764 AUM's	John Biar (208) 736-2350
Forest Service	1,601 AUM's	Mike McNeil (208) 543-4129
Idaho State Leases	371 AUM's	
Private Lease	Approximately 1,000 deeded acres - 915 AUM's on BLM.	

*Coordinated Resource Management Plan: Allows landowner flexibility in determining numbers and periods of usage on federal and state leases. Has been in effect since 1981. AMP renewed March of 1998 with nine years remaining. Please call for detailed explanation.



*Swan Land & Livestock
Controls the water
source*

WATER

All irrigation is via flood method. Water from House Creek and Deadwood Creek is decreed as follows:

92 miners inches 5/1/1897 A47-00026	100 miners inches 5/1/1893 A47-00038
120 miners inches 5/1/98 A47-00030	45 miners inches 5/1/1893
80 miners inches 5/1/1889 A47-00040	92 miners inches 5/1/1904
70 miners inches 5/1/1909 A47-00041	110 miners inches 5/1/1905
60 miners inches 5/1/1909 A47-00032	175 miners inches 9/1/1915 A47-11491

Stock water is plentiful in the higher forest, BLM and deeded country. It is supplied by numerous creeks, seeps and natural springs. Many springs have been improved and developed to further enhance stock water. Water to the lower BLM desert allotment is primarily provided by a pipeline owned by Swan Land & Livestock along with other area ranchers. Swan Land & Livestock owns 38% of the pipeline and controls the water source. Ownership is based on AUM's.

GENERAL PARTNERSHIP AGREEMENT

1. **Parties.** This Agreement made among the MARVIN ASLETT, LARRY ASLETT, STEVE ASLETT, and STEVE ASLETT, JR. on December 22, 1999.

2. **Name of Business.** The parties form a general partnership which shall transact business under the name of ASLETT RANCHES.

3. **Partnership Business.** The partnership shall engage in the business of cattle ranching and in such other businesses of a similar or related nature as may be determined by the partners.

4. **Place of Business.** The place of business of the partnership shall be located at Rogerson, Idaho or at such other location or locations as the partners may from time to time designate.

5. **Term.** The term of the partnership shall begin on the date of its execution and shall continue until terminated as provided in this agreement.

6. **Capital.** The partners have made unequal contributions to the capital accounts of the partnership. The interest of each member of the partnership in the total shall be controlled by that partner's capital account indicating the proportional share of his investment to the total investment in the partnership. An individual capital account shall be established for each Partner. The initial capital accounts of the Partners shall be equivalent to their respective contributions to the

capital of the partnership. If at any time the partners should unanimously determine that further capital is required in the interests of the partnership, and that the capital of the partnership should be increased, the additional capital shall be contributed by the partners in the same percentages as their then capital accounts.

7. **Salaries and Expenses.** No partner shall receive any salary for services rendered to the partnership except as may be unanimously agreed by the partners. The partners shall have such drawing and expenses accounts as may be agreed upon.

8. **Partnership Profits and Losses.** The net profits of the partnership shall be divided among the Partners, and the net losses of the partnership shall be borne by the Partners, in proportion to their respective capital contributions as set forth in Section 6 of this agreement. For income tax purposes, all gains, losses, credits, and depreciation deductions on partnership property shall be allocated among the Partners in proportion to their capital contributions as provided in Section 6 of this agreement.

9. **Fiscal Year.** The fiscal year of the partnership shall commence on January 1.

10. **Book and Records.** The partnership shall maintain full and accurate books of account, which shall be kept at the office of Circle A Construction, Inc., 240 Highland Avenue, Twin Falls, Idaho 83301. Each Partner shall have access to and the

right to inspect and copy such books and all other partnership records during normal business hours.

11. **Bank Accounts.** The partnership shall maintain such bank accounts as the partners shall determine. Checks shall be drawn for partnership purposes only, and may be signed only by the person or persons designated by the partners. All moneys received by the partnership shall be deposited in such accounts.

12. **Management Duties and Restrictions.** The partners shall have rights in the management of the partnership proportionate to their capital accounts. No partner shall be required to devote any given time to the management of the partnership affairs. of Section 15 of this agreement, to lease such property

13. **Matters Requiring Unanimity.** No partner shall, without the consent of all other partners (which consent shall not be unreasonably withheld), do any of the following:

- a. Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership.
- b. Dispose of the good will of the partnership business.
- c. Do any other act which would make it impossible to carry on the ordinary business of the partnership.
- d. Confess a judgment against the partnership.
- e. Submit a partnership claim or liability to arbitration or reference.
- f. Make, execute or deliver for the partnership any bond, mortgage, deed of trust, guarantee, indemnity bond, surety bond or accommodation paper or accommodation endorsement.

g. Borrow money in the partnership name or use partnership property as collateral.

h. Assign, transfer, pledge, compromise or release any claim of or debt owing to the partnership except upon payment in full.

i. Convey any partnership real property.

j. Pledge or transfer in any manner his or her interest in the partnership except to another partner.

k. Any other act for which unanimity is required under other Sections of this Agreement.

14. **Transferability of Partnership Interests.** Except as otherwise provided in this agreement with respect to withdrawing or decreased partners, the interest of any partner in the partnership, or in the profits, assets, property, receivables, records, files, or clientele of the partnership, should not be sold, assigned, pledged, mortgaged, or transferred in any manner by a partner unless the written consent to do so is first obtained from every other partner.

15. **Partnership Property.** Partnership property, personal and real, shall be acquired, held, and conveyed in the name of the partnership, except that upon the unanimous consent of the partners, partnership property may be acquired, held, or conveyed in the name of any partner or other person as nominee for the partnership. Property acquired, held, or conveyed by a nominee shall be recorded as partnership property in the partnership books and records.

16. **Admission of New or Substituted Partners.** A new partner may be admitted to the partnership only upon the written consent of all existing partners. A substituted partner may be

admitted to the partnership only upon the written consent of two-thirds of the existing partners and only if the substituted partner purchases the partnership interest of a deceased or withdrawing partner. Upon the admission of a new partner, the name and capital contribution of the new partner shall be added to Section 6 of this agreement.

17. **Retirement of a Partner.** Any partner shall have the right to retire from the partnership at the end of any fiscal year. Written notice of intention to retire shall be served upon the other partners at the office of the partnership at least three months before the end of the fiscal year. Thereafter the retiring partner and the surviving partners shall have the same rights and elections as are specified in paragraph 18 with respect to the "Estate" and the surviving partners respectively, in the event of the death of a partner.

18. **Death of a Partner.** Upon the death of a partner, the partnership shall continue in operation and shall be managed by the surviving partners. The operation shall continue at last until the end of the fiscal year or to such other time as is necessary for the surviving partners to wind up the affairs of the partnership.

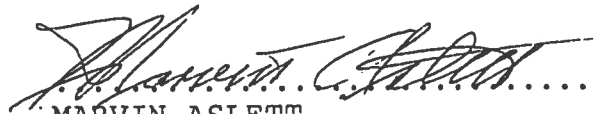
a. The surviving partners may elect to carry on the partnership business and to purchase the decedent's entire interest in the partnership. The value of the interest to be purchased will be agreed upon between the surviving partners and the personal representative of the

deceased partner. If the parties cannot agree upon a value, each shall appoint an appraiser, and the appraisers shall reach a value that will be binding upon the parties. The surviving partners shall give notice of their intent to purchase pursuant to this paragraph within six months of the death of the deceased partner and shall have three years from the date of death. in which to pay the purchase price to the personal representative of the deceased partner.

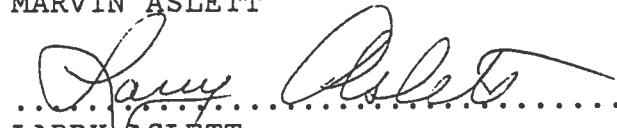
b. If the surviving partners do not elect to purchase the interest of the deceased partner, the partnership shall be terminated and its assets liquidated.

19. **Binding Effect.** This agreement shall bind the Partners, their heirs, personal representatives, and assignees.

Dated December 22, 1999.


MARVIN ASLETT

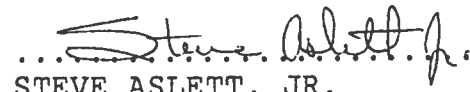
Dated December 22, 1999.


LARRY ASLETT

Dated December 22, 1999.


STEVE ASLETT

Dated December 22, 1999.


STEVE ASLETT, JR.

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 51-00135

(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: Swan Land & Livestock Company

Address: House Creek Ranch Rogerson, ID. 83302

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: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

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

E. REASONS SUPPORTING OBJECTION(S):

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

F.

VERIFICATION (Must be Completed)

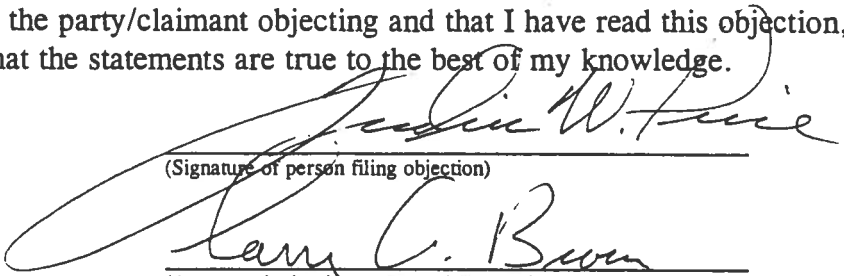
State of Idaho)

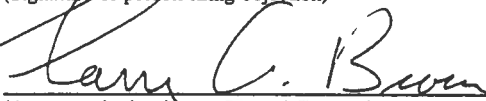
) ss.

County of Ada)

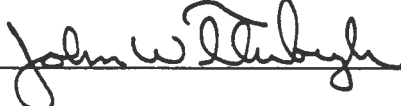
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.


(Signature of person filing objection)


(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: Swan Land & Livestock Company
Address: House Creek Ranch Rogerson, ID. 83302

Name:
Address:

Name:
Address:

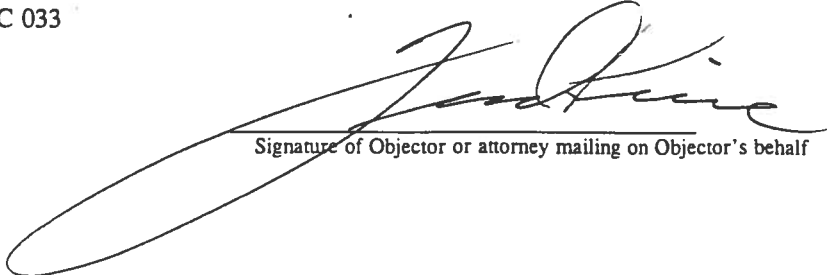
Name:
Address:

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-193-----
RIGHTS FROM: SOURCE: DEADWOOD CREEK TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 51-00135

NAME & ADDRESS: SWAN LAND & LIVESTOCK COMPANY
HOUSE CREEK RANCH
ROGERSON ID 83302

SOURCE: DEADWOOD CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 1.9 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.USE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.06 CFS.

PRIORITY DATE: 08/25/1908

POINT OF DIVERSION: T16S R12E S14 NWSESW Within Owyhee County
T15S R12E S32 SENESW (REDIVERSION)PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 1.9 CFS
STOCKWATER 01-01 12-31 0.09 CFSPLACE OF USE: IRRIGATION Within Owyhee County
T15S R12E S29 NWSW 7.9 SWSW 27.9 SESEW 1.9 BLM
S32 NENW 15.4 MNW 12.1 SWNW 16.6 SENW 22
NESW 11.1 NWSW 12.2 SESW 19 SENE 22.1
T16S R12E S05 NENE 3.1 MNW 12
202.8 ACRES TOTAL SENE 0.1 NENW 2.2 BLMUSE OF THIS RIGHT WITH RIGHT NO. 51-00134 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 202.8 ACRES IN A SINGLE
IRRIGATION SEASON.USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00134 & 51-02442

Place of use for STOCKWATER is same as IRRIGATION

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.

RECEIVED

APR 06 1999

WATER RESOURCES
WESTERN REGION

RECEIVED

APR 01 1999

Department of Water Resources

1999-MAR 31--PM 4:26

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

A Subcase 51-00135

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B

NAME AND ADDRESS OF PERSON OBJECTING

Name: Cedar Mesa Reservoir & Canal Company

Address: P. O. Box 525

Twin Falls, ID 83303-0525

Daytime Phone: _____

Name & Address of Attorney, if any:

Coleman, Ritchie & Robertson

P. O. Box 525

Twin Falls, ID 83303-0525

C

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Swan Land & Livestock Company

Address: House Creek Ranch

Rogerson, ID 83302

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

1. ☐ Name and Address

Should be: _____

2. ☐ Source

Should be: _____

3. ☐ Quantity

Should be: _____

4. ☐ Priority Date

Should be: _____

5. ☐ Point(s) of Diversion

Should be: _____

6. ☐ Instream Flow Description

Should be: _____

7. ☐ Purpose(s) of Use

Should be: _____

8. ☒ Period of Year

Should be: Period of use May 15 to October 1

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 decree in Grandview

Irrigation District establishes an irrigation season for the
above irrigation right of May 15 to October 1.

F:

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

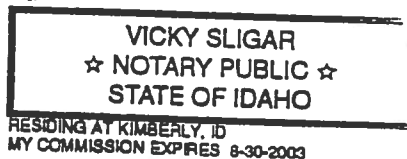
John R. Coleman, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

John R. Coleman
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 31, 1999



Vicky Sligar
Notary Public for Idaho
Residing at: _____
My Commission Expires: _____

INSTRUCTIONS FOR MAILING

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G.

CERTIFICATE OF MAILING

I certify that on March 31, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

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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