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Department of Water Resources

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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 51-02103

(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)

Sam C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Jan. 29, 1999

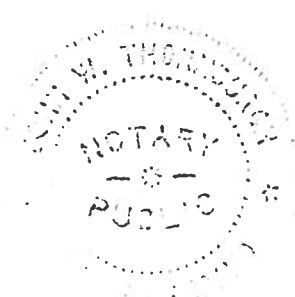
John W. Thornburgh

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:

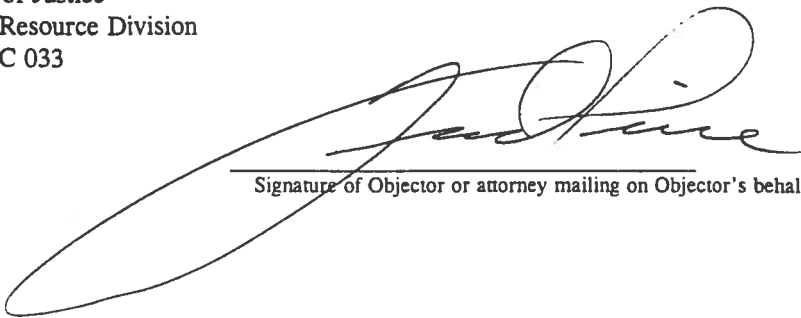
Name: Three Creek Ranch Company
Address: P.O. Box 27 Boise, ID. 83707
Name:
Address:
Name:
Address:
Name:
Address:

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

WESTERN REGION

CLAIM NUMBERS 51-02103

AGENT SB DATE 7/27/88

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES 28

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 _____

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

ATTRIBUTES OF B51-POU.SHP (442)(163) () () ()

ATTRIBUTES OF B51-POD.SHP (309) () () () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF _____ UPDATED BY

RDH GPSTABLE

Waiting for a corrected PAD

AC5856NP

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

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

RIGHTS FROM: SOURCE: DEER CREEK TRIBUTARY: THREE CREEK

RIGHT NUMBER: 51-02103

NAME & ADDRESS: THREE CREEK RANCH COMPANY
PO BOX 27
BOISE ID 83707

SOURCE: DEER CREEK TRIBUTARY: THREE CREEK

QUANTITY: 0.56 CFS

PRIORITY DATE: 02/21/1944

POINT OF DIVERSION: T16S R11E S01 NESW BLM Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.56 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T16S R11E S02 NWNE 24 SWNE 4
28 ACRES TOTAL

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

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

WATER RIGHT NO. SOURCE
NONE NONE

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

WATER RIGHT NO. SOURCE
NONE NONE

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:33:52
09/30/96
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A51-02103

OWNER CODE: C THREE CREEK RANCH COMPANY
NAME & ADDRESS: C THREE CREEK RANCH COMPANY
PRIORITY DATE: 02/21/1944
WATER USE: IRRIGATION
USE PERIOD FROM: 04-01 11-01
TO: 10-15
DIVERSION RATE: 500.70 CFS
DIVERSION VOLUME: 725
TOTAL DIVERSION: 500.70 CFS
CONSUMPTIVE USE: 70.00 AFA

Water Source: DEER CREEK
Tributary to: THREE CREEK
Stage: LICENSE
Point(s) of Diversion: T16S R11E S01
Place of use Legal Description for: IRRIGATION
NENE NAME SENE : NENE NAME SENE : NENE NAME SENE : NENE NAME SENE :
Lt Ac
T R S : Lt Ac
16S 11E 2 : 25 10 4
POU County: Owyhee
Non-Irrigation Uses: NONE
Other Rights: NONE

Conditions of Approval:
Dates: Exam Made Date: 05/22/1994
Misc: Water District Number:
No GOUT LOTS
Shared ditch w/ A51-00129 (00129?)
System capacity limitations?

Objection Filed Date:

Verified Date:
Field Inspection Flag:
Presumption Flag:

TOTAL ACRES

35.0 29.0
35.0 29.0

POU County: Owyhee

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

Dates: Exam Made Date: 05/22/1994

Misc: Water District Number:

No GOUT LOTS

Shared ditch w/ A51-00129 (00129?)

System capacity limitations?

Objection Filed Date:

Verified Date:
Field Inspection Flag:
Presumption Flag:

TOTAL ACRES

35.0 29.0
35.0 29.0

POU County: Owyhee

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

Dates: Exam Made Date: 05/22/1994

Misc: Water District Number:

No GOUT LOTS

Shared ditch w/ A51-00129 (00129?)

System capacity limitations?

08:31:06
09/30/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-02103

LAST: CLARK

ADDRESS: THREE CREEK
CITY: BOISE
PHONE NUMBER: 208-000-0000

STATE: ID ZIP: 0

OWNER CODE: 0

LAST: THREE CREEK RANCH COMPANY

ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000

STATE: ID ZIP: 83707

OWNER CODE: C

LAST: SIMPLOT

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

STATE: ID ZIP: 83707

OWNER CODE: K

LAST: YOUNG OR TERRY UHLING

ADDRESS: ENV AND REGULATORY AFFAIRS
J R SIMPLOT COMPANY
PO BOX 27

STATE: ID ZIP: 837070027

CITY: BOISE
PHONE NUMBER: 208-389-7318

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE

N

FIELD

EXAMINER

mm

y-
change in
poo

CONTACT PERSON: Vic Conrad

PHONE NUMBER: (208) 834-2231

DATE OF FIELD EXAM: 10/07/1993

APPOINTMENT MADE: Y(☒) N(☐)

TIME: : A(☐) P(☐)

ACCOMPANIED BY: 05/22/1996 C. Liesen

PHONE NUMBER: (208) 857-2247

RELATIONSHIP TO CLAIMANT: Ranch Mgr

DIRECTIONS TO PROPERTY / NOTES:

184 to Twin Falls. Rt. 93 (off Blue Lakes Blvd) to Rogerson. Turn west @ Rogerson
(only turn in town), past dam to Three Creeks. Wooden sign @ 3 creek.
Turn in @ log house - Mr. Liesen lives @ white house @ end of driveway.

A. AJ CLAIM: # A51-02103 PRIORITY DATE: 02-21-1944 STAGE: L
 B. WR RECORD: # 51-02103 PRIORITY DATE: 02-21-1944 STAGE: L
 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? (IF YES, DESCRIBE BELOW) Y(X) 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(X) Y() N()
 FIELD EXAM COMPLETED N/A(X) Y() N()
 FIELD EXAM SENT TO STATE OFFICE N/A(X) Y() N()
 LICENSE ISSUED N/A(X) Y() N()

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

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

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

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

NOTES: 09/30/1996: Acres are no strong on OQ but ASCS (1987) map shows acres. This Right is not subject to the Bureau Liver Decree. Priority claimed as licensed. 727

RECOMMENDED PRIORITY DATE:

02-21-1944

REVIEWED BY THH

DATE 09/30/1996

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-02103	16S	11E	1	NE	SW				OWYHEE			

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A51-00128
A51-02028
A51-02029
A51-02116
R PREFIX
NONE
51-02028
51-02029
51-00128
Presented

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: DEER CREEK

TRIB: THREE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-02103	16S	11E	1	NE	SW				OWYHEE			

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX
51-02028
51-02029
A51-00128
A51-02028
A51-02029
A51-02116
NONE

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(X) 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(X) N()

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

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

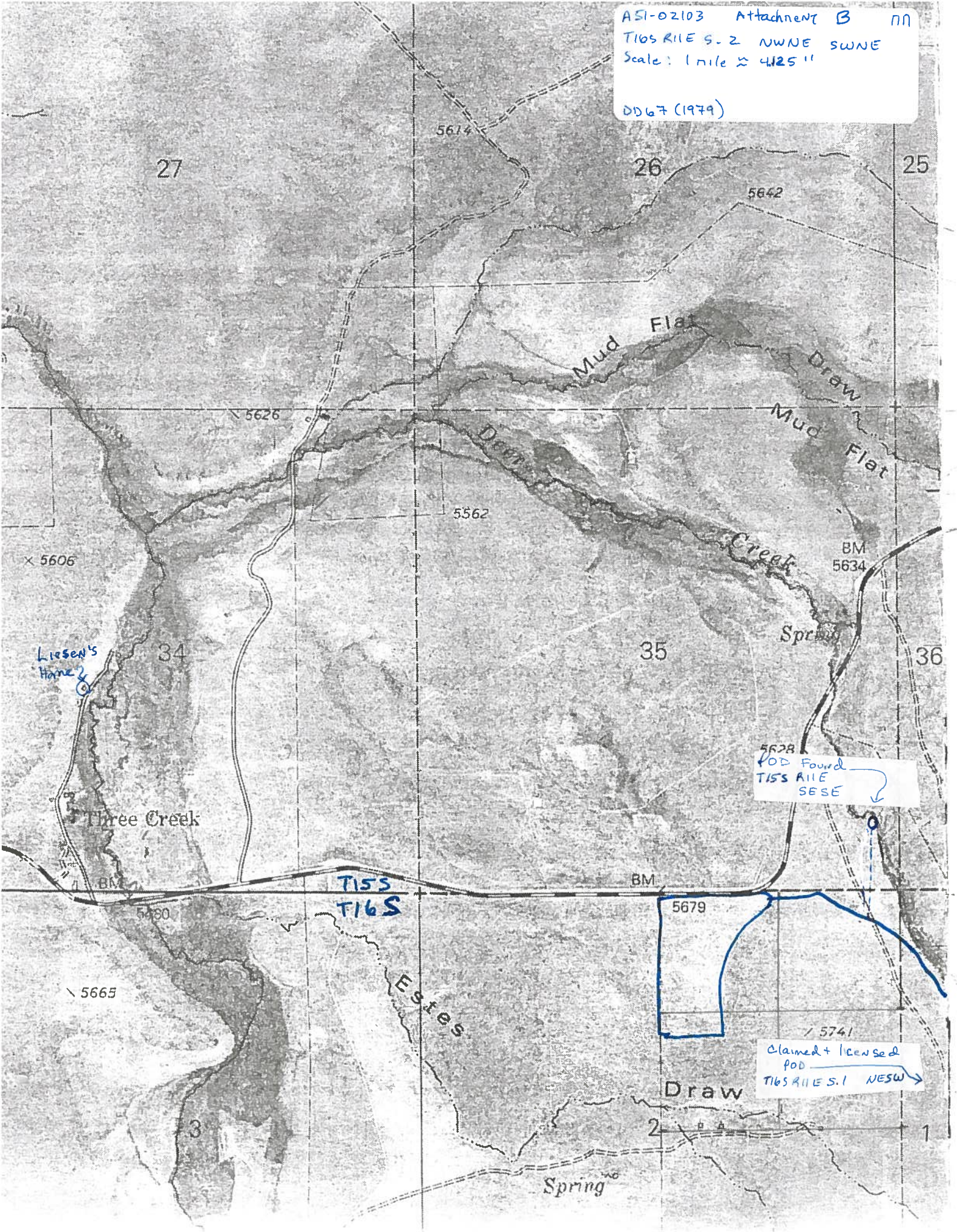
* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

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

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

ASI-02103 Attachment B 00
T16S R11E S. 2 NWNE SWNE
Scale: 1 mile ≈ 4125'

DD67 (1979)





PHOTOGRAPHER AND DATE OF PHOTOS MMWICVCEL 05/22/1996

FILE NO. A51-02103



Point of
diversion
developed in
the summer
of 1995

TISS RIE
S. 35 SESE

Fuel tank on
site, 30 ft
uphill



End of
pipe where
it empties into
ditch in TIES
RIE S. 2 NENE.
Location is right
@ spot where
Road crosses
the ditch.

A. ROOT WATER RIGHT NUMBERS: A51-02103
R51-02103

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S	11E	2	NW	NE		THREE CREEK RANCH COMPANY	A51-02103 / 25.0	51-02103 / 25.0		25	25
			NW	NE		THREE CREEK RANCH COMPANY	R51-02103 / 27.9	- /			
16S	11E	2	SW	NE		THREE CREEK RANCH COMPANY	A51-02103 / 10.0	51-02103 / 10.0		4	4
			SW	NE		THREE CREEK RANCH COMPANY	R51-02103 / 4.0	- /			
ADDITIONAL POU FOUND											

ADDITIONAL POU FOUND

TOTAL ACRES A51-02103 35.00 35.00 29.0

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(X) Ditch also delivers
to acres on N side of
Hwy under another
H2O right (51-00128) 177

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
A51-02103	DEER CREEK	THREE CREEK RANCH COMPANY	0.700	0.020		
R51-02103	DEER CREEK	THREE CREEK RANCH COMPANY	0.620	0.020	108.50	3.50

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Y() N(X)

Adjusted
09/30/1996

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) 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(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: () ORTHOPHOTOQUAD, IDWR NO. DD67; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(X) NAPP, IDWR NO. DD67NE; (X) ASCS PHOTO; (X) OTHER Dr. Liesen's Map

NOTES: 09/30/1996: Recommended acres reviewed & the number of acres in each QQ determined using Dot Grid method on ASCS map.

RECOMMENDATIONS:

TOTAL ACRES: 29 N/A()

REVIEWED BY: [Signature] DATE: 09/30/1996

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-02103 IRRIGATION	FROM 04-01 TO 11-01	0.700 CFS	
TOTAL DIVERSION RATE/VOLUME		0.700 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-02103 IRRIGATION	FROM TO	0.700 CFS	
51-02103 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		0.700 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(X) N()

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

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N(X)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N(X)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(X) N()

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

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

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) 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: 0.700 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.700 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()

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 29 x 0.02 CFS/ACRE = .58 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 29 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 101.5 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 70.0 AF/A

ACRES 29 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 72.5 AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:
016 - See remarks for additional conditions of approval.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
	FROM	TO		DATABASE	EXAMINER	
IRRIGATION	04-01	11-01	DATABASE 0.700	DATABASE	EXAMINER	DATABASE 70.0
TOTAL FOR THIS RIGHT						

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: _____ DATE: _____

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED	NEEDS
FORFEIT/ABANDON	AS CLAIMED	REVIEW
ADDITIONAL DIV. AMOUNT	()	()
	()	()
	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-02103

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE	EXAMINER	CFS
0.700		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-02103	0.700	R51-02103	0.620	51-02103	0.700
TOTAL CFS		0.700		0.620		0.700

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 ()?

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>1979</u> IDWR ID NO. <u>DD67</u>	Y(<u>X</u>) N(<u> </u>) (B)
☐ 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>DD67NE</u>	Y(<u> </u>) N(<u>X</u>)
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(<u> </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>Re Lieven's map</u>	DATE <u>Drawn on enlargement of NAPP DD67NE</u>	Y(<u> </u>) N(<u>X</u>)
☐ OTHER _____	DATE _____	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 _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>Corp</u>	DATE <u>08/30/1996</u>	<u>1</u>	<u>Appl for X Fee</u> (A)
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:31:06
09/30/96

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A51-02103

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								
SOURCE								
PLACE OF USE								
	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

State of Idaho

License and Certificate of Water Right

Water License No. 19474

Amount 0.7 second foot

Water District No.

Priority February 21, 1944

THIS IS TO CERTIFY that RAY A. CLARK

of Three Creek, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 21, 1944; that Permit No. 19474 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.4 second feet, was issued thereunder on March 12, 1947, showing that said works were completed on the 24th day of February, 1947; and that on the 29th day of March, 1948,

RAY A. CLARK

of Three Creek, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Deer Creek, a tributary of Three Creek, for the purpose of irrigation and domestic uses, under Use Permit No. 19474 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4438, on the 24th day of January, 1949;

The right hereby confirmed dates from February 21, 1944.

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 2, Tp. 16 S., R. 11 E., B. M. Owyhee County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.7 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	11 E.	35	SE 1/4	30	--
15 N.	11 E.	2	NE 1/4	35	25
			SW 1/4	35	10
Number of Acres actually irrigated -					35

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 24th day of January, 1949.

(SEAL)

MARK R. KULP

State Reclamation Engineer

51-2103

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19474

This proof is for Beneficial use

In Water District No.

1. Name of applicant Ray A. Clark, Thres Creek, Idaho

2. Source of water supply: Deer Creek

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 1

T. 16 S., R. 11 E., County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: A Concrete Diversion Dam
 Thirty feet long, and Five feet high; A spillway Five feet wide, and three
 feet deep

5. Water is used for: Irrigation and domestic purposes

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

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 15 South, Range 11 East, B.M.W $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, Township 16 South, Range 11 East, B. M.

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

8. What large stream would the water here appropriated finally reach? Br. uneau, and Snake Rivers.

Remarks:

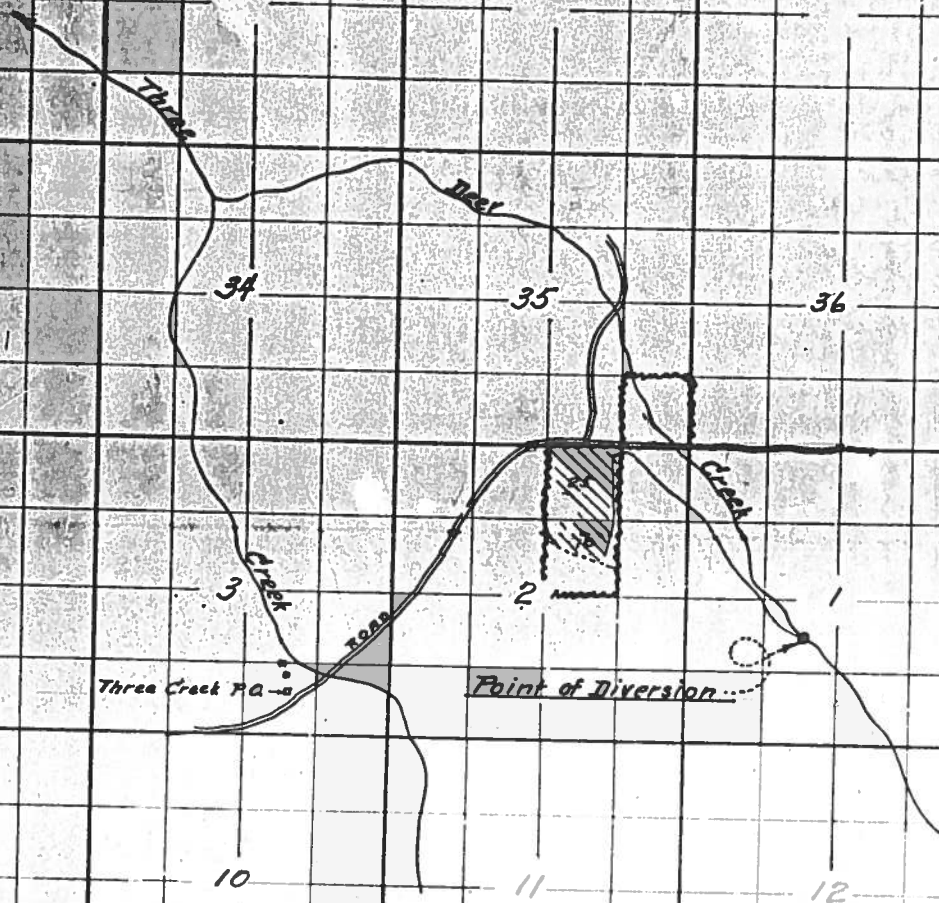
This examination was made on the 12th day of August 1948

(Signed)

A. B. Nelson

Examiner

51-02103



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

19474

Idaho Dept of Water Resources

T16S, 11E, S02
Claim(s) : 51-02103
Owner(s): Three Creek Ranch Co
Prepared by: Sue Bock
Date: 4/27/1998

22

Acres



Place of Use



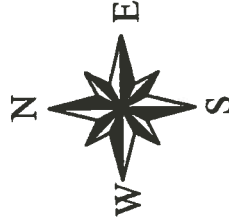
Point of Diversion



Section Lines



1/4 1/4 lines



1987 NAPP

0.5 Miles

0.25

0

Total Acres = 28



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VIC CONRAD
SIMPLOT LIVESTOCK
PO BOX 27
BOISE ID 83701

RE: Notice of claim to a Water Right No. A51-02103

Dear Mr. Conrad:

IDWR is finalizing our recommendation for the above-reference claim. During a filed investigation in 1996, it was found that the point of diversion has been changed as follows:

Claimed Point of Diversion: T16S, R11E, S01, NESW
Found Point of Diversion: T15S, R11E, S35, SESE

According to Idaho Code #42-222, a change in point of diversion of a water right requires an approved Application for Transfer from IDWR. At this time there is no record in IDWR files that such an application has been filed.

Without an approved Application for Transfer, the change in point of diversion is not valid and the new point of diversion cannot be recommended to the court for decree. If the point of diversion is not changed, there could be problems delivering the water if a Watermaster was called in.

Enclosed are an Application for Transfer form, instructions and information sheet. Please contact me regarding this matter by May 15, 1998.

Sincerely,

Susan Bock
Sr. Water Resources Agent

SB:sb

Enc: Profile Report, Appl for Transfer., instructions and info. sheet.

From: DWR03::DSHAFF 28-APR-1998 14:43:28.79
To: DWR80::JSHURTE
CC: DSHAFF
Subj: RE: B51 SIMPLOT CLAIM

What I think is recommend old POD in Prelim. Report (I'm glad this is not B55 where we have to have a Dir. Report in the near future.) and see what happens. I would imagine JR will file a NOE returning to the square of file a transfer or show the POD change was before 1987. The advantage of the Prelim. Report is we can send a strong signal we're willing to call their bluff or lack of ignoring or forgetting our request without the decisiveness of a Dir. Report. Go for it. Don

From: DWR80::JSHURTE 28-APR-1998 13:43:53.98
To: DWR03::DSHAFF
CC: JSHURTE
Subj: B51 SIMPLOT CLAIM

Hi Don - Here's the big question. We have a Simplot claim where they changed the pd ini 1995. So, we requested a transfer be filed so we could recommend the new pd. They have never filed the transfer (two letters). In looking at the claim investigation manual (new one doesn't address specifics) it looks like Lynne was saying if you find the date of change is after 1987 - to go ahead and recommend the old pd. That just doesn't seem right. The reason I'm asking this is because I want Sue to write to Vic Conrad and tell him he has to file the transfer or we will That's the part I don't know what to threaten him with. What do you think? Jan

T16S
R11E



AS1-02103
T16S R11E S.2 NWNE SWNE
198 ASCS MAP (copy)
1 mile to 8"



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Attachment A

PHILIP E. BATT
GOVERNOR

September 30, 1996

KARL J. DREHER
DIRECTOR

VIC CONRAD
SIMPLIT LIVESTOCK
PO BOX 27
BOISE ID 83701

RE: Notice of Claim to a Water Right No. A51-02103

Dear Mr. Conrad:

IDWR is currently finalizing our recommendation for the above-referenced claim. During our field investigation it was found that the point of diversion has been changed as follows:

Claimed Point of Diversion: T16S, R11E, s. 1, NESW
Found Point of Diversion: T15S, R11E, s. 35, SESE

According to Idaho Code § 42-222, a change in point of diversion of a water right requires an approved Application for Transfer from IDWR. At this time there is no record in IDWR files that such an application has been filed.

Without an approved Application for Transfer, the change in point of diversion is not valid and the new point of diversion cannot be recommended to the court for decree.

Enclosed are an Application for Transfer form, instructions and Information Sheet. Please do not hesitate to contact this office if you have any questions or comments.

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: Profile Reports, A51-02103, 51-02103; Appl for Trans., instructions, &
information sheet

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: A51-02103
Date Received: 3/1/89
Receipt No: 0005640
Received By: JK

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: FEB 21, 1944

3. Source: DEER CREEK

Trib. to: THREE CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	11E	2	NW	NE		IRR	25.0
			SW	NE		IRR	10.0

Section Acres 35.0

A51-02103

Page 1

Date: 02/24/89

APR 10 1989

10. Place of Use: Continued

Total Acres 35.0

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: LICENSE
Water Right Number: 19474

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 Three Creek Ranch Company, that I have signed the foregoing

Organization document in the space below as Secretary of Three Creek Ranch Company

Organization and that the statements contained in the 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

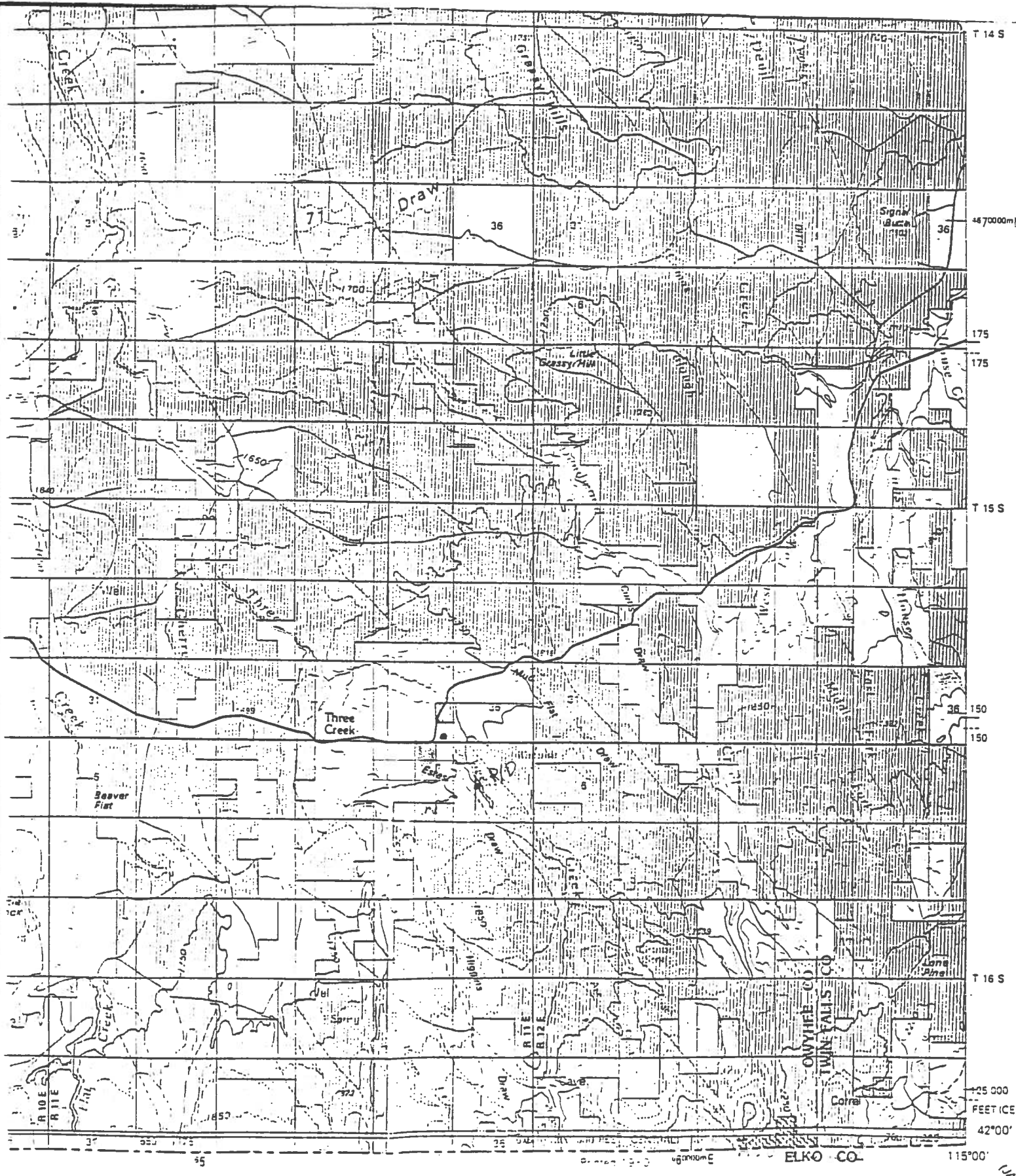
[Signature]
Notary Public

Seal

Residing at Meridian, Idaho
My Commission Expires 11-06-91

WR# A51-02103

ExDoc 3 creek Ranch #1





771110001 AS1-00128

Field in NESE S.35 Not
included in ASCS

>M255 35 N N N NC 5



TiPawicool AS 1-00-28

Planning, meas. no. 1

SWSE S. 35

>M255 35 N N N N N 1

>



177 Newicucci

AS1-00128

Location of level for trainings

Looking East

< M255 35 N N N N N 2



77 Pinnicucci

Thous. location SWSE S. 35

> M255 35 N N N N N 3



22 November

Meas. location SWSE S. 35

20255 35 N N N N 4



17 Nimicucci

AS1-2/03
AS1-00128

Pcd

< M255 41 N N N N C 5



17 November A-1-02103
AS1-00132

Pipe coming up the hill from POP
on Deer Creek

8 41 N N N NC 8



T. T. Minicucci

AS1-02103

AS1-00127

Pipe discharge @ top of hill

where @ Road

6 41 N N N N N C 6



Titmice

A51-00128

A51-02103

Ditch on right side of fence goes thru

~~concrete~~ culvert + under road to

Bench fields on N side of Hwy

Field on left is 100 A51-02103

M255 41 M N M N C 9





17 Newicecci

82100-06128

17th to concrete head wall

S side of hwy

Recently Maintained

11 Mc N N N N 41 552M







MMN100001 AS1-00128

Discharge on N side of bay

Trans west to post

< MM255 41 N N N N N 14