

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A34-00399

13:07:55
10/01/90

LAST: SAN FELIPE RANCHES
ADDRESS: P.O. BOX 388
CITY: MACKEY
PHONE NUMBER: 208-588-2805
STATE: ID ZIP: 83251

OWNER CODE: 0

LAST: JOHNSON
ADDRESS: X
CITY: X
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 00000

OWNER CODE: 0

LAST: BROKEN RIVER RANCH
ADDRESS: C/O ROBERT C. HADLEY
CITY: STAR ROUTE
PHONE NUMBER: 208-588-2880
STATE: ID ZIP: 83251

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: OWNERSHIP CHANGE 9/18/90/EC
DATABASE
FIELD EXAMINER

MICROFILMED
NOV 20 1992

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 9/26/90 APPOINTMENT MADE: Y(✓) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: BOR HANLEY

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: PATNER

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
NOV 20 1992

A. AJ CLAIM: # A34-00399 PRIORITY DATE: 05-01-1905 STAGE: D
B. WR RECORD: # 34-00399 PRIORITY DATE: 05-01-1905 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)

REMARKS:

RECOMMENDED PRIORITY DATE:
05-01-1905

REVIEWED BY BAC DATE 8-1-91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A34-00399	08N	22E	29	SE	NE	NE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A34-00398 NONE

WR RECORDS IN SAME 40 ACRE TRACT

34-02056
34-07465
34-07466

SOURCE: HAMILTON SPRINGS

TRIB: WARM SPRINGS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
34-00399	08N	22E	28			NW		CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

34-00398A
34-00398B
34-00527
34-00528

NONE NONE

SOURCE: WARM SPRINGS CREEK

TRIB: BIG LOST RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	<u>S</u>

REMARKS:

MICROFILMED
NOV 20 1992

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4	1/4	1/4	LOT	COUNTY
TWP.	RGE.	SEC.				
SOURCE: <u>Chadwick</u>						
REVIEWED BY: <u>SMC</u> TRIB: _____ DATE: <u>8-1-91</u>						

MICROFILMED
NOV 20 1992

7878

10398

AGENT: *Shirley*

CLAIM NUMBER: 34 - 00398
00309

WR NUMBER - 00399

- Has an expansion in Place of Use occurred?

YES	NO
If YES, is it based on 42-1416(1) or 42-1416(2)?	

- Has there been an increase in diversion rate? YES NO

If YES, disallow claim, "No Lawful Approp. Shown".

- Has an unrecorded transfer occurred? YES NO

If YES, determine if it can be recommended as an accomplished transfer.

CONDITION CODES:

05

[illegible]

RECORDED PLACE OF USE

[illegible]

000

82

226

28

122c

家

ANALYSIS AND RECOMMENDATIONS:

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A. ROOT WATER RIGHT NUMBERS: A34-00399

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	22E	27	NW	SW		BROKEN RIVER RANCH BROKEN RIVER RANCH JOHNSON , OTTO A.	A34-00399 /22.0 A34-00398 /22.0	- 34-00398A /	39.0	36	19.5
08N	22E	27	SW	SW		BROKEN RIVER RANCH BROKEN RIVER RANCH BROKEN RIVER RANCH	A34-00399 /35.0 A34-00398 /35.0 A34-07010 /35.0	34-00399 / - 34-07010 / 6.0	13.0	5	1
08N	22E	27	SE	SW		BROKEN RIVER RANCH BROKEN RIVER RANCH BROKEN RIVER RANCH YOUNG , HYRUM YOUNG , HYRUM	A34-00399 /21.0 A34-00398 /21.0 A34-07010 / 9.0	34-00399 / - 34-00857 / 34-00858 /	31.0	23.5	0
08N	22E	28	NE	SE		BROKEN RIVER RANCH BROKEN RIVER RANCH JOHNSON , OTTO A. BAKER , ORLIN D.	A34-00399 /37.0 A34-00398 /37.0	- 34-00398B / 34-07010 /26.0	30.0	27.3	27.3
08N	22E	28	NW	SE		BROKEN RIVER RANCH BROKEN RIVER RANCH JOHNSON , OTTO A. BAKER , ORLIN D.	A34-00399 /35.0 A34-00398 /35.0	- 34-00398B / 34-07010 / 6.0	34.0	35	35
08N	22E	34	NE	NW		BROKEN RIVER RANCH BROKEN RIVER RANCH BROKEN RIVER RANCH YOUNG , HYRUM YOUNG , HYRUM	A34-00399 /34.0 A34-00398 /34.0 A34-07010 /13.0	34-00399 / - 34-07010 /17.0 34-00857 / 34-00858 /	4.0	18.3	18.3
08N	22E	34	NW	NW		BROKEN RIVER RANCH BROKEN RIVER RANCH BROKEN RIVER RANCH	A34-00399 /23.0 A34-00398 /23.0 A34-07010 /23.0	34-00399 / - 34-07010 /25.0		13	13
TOTAL ACRES							A34-00399	207.00	151.00		114.1

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

MICROFILMED

NOV 20 1992

PRESUMPTION FLAG: C

REMARKS:

See 34-00398 for EXPLANATION.

RECOMMENDATIONS:

TOTAL ACRES: 114.1

REVIEWED BY: SMC

DATE: 8-1-91

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NOV 20



CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
IRRIGATION	FROM 05-01 TO 10-15	1.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS

RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
IRRIGATION	FROM 05-01 TO 10-15	1.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS

CON FLAG:

EXAM REQUIRED?		DATABASE	FIELD EXAMINER
WATER-USE DISCREPANCY?	(Y/N)	N	_____
DIVERSION RATE DISCREPANCY?	(Y/N)	N	_____
PERIOD FROM/TO DISCREPANCY?	(Y/N)	N	_____

AD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, bel

DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(✓) N()

TOTAL CLAIMED DIVERSION RATE: 1.200 CFS

ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

OW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD EXAMINER

DATABASE

✓

MEASUREMENT METHOD

FLOW MEASUREMENT

no made

, SEE ATTACHED CALCULATIONS.

OTHER WATER RIGHTS USED?

Y(✓) N() IF YES COMPLETE OVERLAP REVIEW.

HER RIGHTS LISTED IN CLAIM: A34-00398/00868/07010.

RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

M	SOURCE	NAME	DIV.		DIV. VOL.	D: VOL
			DIV. RATE	RATE/ACRE		
399	HAMILTON SPRINGS	BROKEN RIVER RANCH	1.200	0.005		
398	HAMILTON SPRINGS	BROKEN RIVER RANCH	2.000	0.009		
010	GARDEN CREEK	BROKEN RIVER RANCH	1.600	0.020	240.00	

IGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

OVERLAPPING RIGHTS ANALYSIS SHEET

6/26/91
VERSION 1

NT: _____

ANALYSIS

DATE: _____

OVERLAPPING: 114.1

TION METHOD: FLOOD 100 % SPRINKLER _____ %

RY LOSS FACTOR USED:

ILTOP
PIPPES = 30 % _____ = _____ %
(SOURCE) (SOURCE)

EEK = 10 %
(SOURCE)

RANGE OF RECOMMENDABLE DIVERSION RATES & VOLUMES

SOURCE	ACRES	DIVERSION RATE		DIV VOL	C.U. VOL
		MIN	MAX		
<u>ILTOP</u> <u>PIPPES</u>	<u>114</u>	<u>2.44</u>	<u>3.25</u>		<u>285</u>
<u>EEK</u> <u>EEK</u>	<u>79.1</u>	<u>1.32</u>	<u>1.75</u>		<u>197.8</u>

SOURCE	NUMBER	ACRES	PRIORITY	CLAIMED CFS
#1 <u>HAMILTON</u> <u>SPRINGS</u>	<u>00398</u>	<u>114.1</u>	<u>8-30-1929</u>	<u>2.0</u>
#2 _____	<u>00399</u>	<u>"</u>	<u>5-1-1925</u>	<u>1.2</u>
#3 <u>GARDEN</u> <u>CREEK</u>	<u>07010</u>	<u>79.1</u>	<u>8-28-1968</u>	<u>1.60</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

IS FOR CLAIM NO.: _____

rd Conditions: _____

rd Remarks:

E12 3.24 c/s, 285 AF, 114 AC. #2, #3/

E12 DITTO

#1 #3/

E12 DITTO

#1, #2/

114 X 0.02 =

3.20 X .7 =

3.20 + .04 =

MIC
NO

RATE/VOLUME CALCULATIONS: (IRRIGATION)

IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 287.5 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

IRRIGATION DIVERSION VOLUME

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

ALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

(Include limitations on CONSUMPTIVE USE for combined rights.)

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=====									
DATIONS:									
REC. PURPOSES	REC. PERIOD FROM TO		REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS USE		
RIGATION	05-01	10-15	DATABASE 1.200	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 287.5	EXAM	_____
R THIS RIGHT			1.200				~~287.5~~		
BY: <u>EMC</u>			DATE: <u>8-1-91</u>						
=====									

HECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
P _____	()	()
ABANDON _____	()	()
AL DIV. AMOUNT _____	()	()

IT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 34-00399		DATABASE		EXAMINER		CFS	
TOTAL DIVERSION RATE OF WR SPLITS		1.200		_____			
SPLITS:							
OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSIO RATE	
-	A34-00399	1.200	-		34-00399	1.200	
TOTAL CFS		1.200				1.2	

N RATE REVIEW

HE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	DATABASE	FIELD
0, is the written review sheet attached? (Y/N)	Y	EXAMINER

=====
CATION:

E: _____ DATE: _____

FIELD EXAMINER: _____ TITLE: _____

=====

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:07:55
10/01/90

CLAIM NUMBER: A34-0039

ENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VE
DATE								
DIV	Y		EMC 9-26-90	N	5	EMC 8-1-91	EMC 8-1-91	
	Y			N	5			
USE	Y			Y	5	CONVERTED CPS		
UNT UME				N		EP1		
IVE USE	-			Y	6			
F USE								
CLAIM								
	Y							

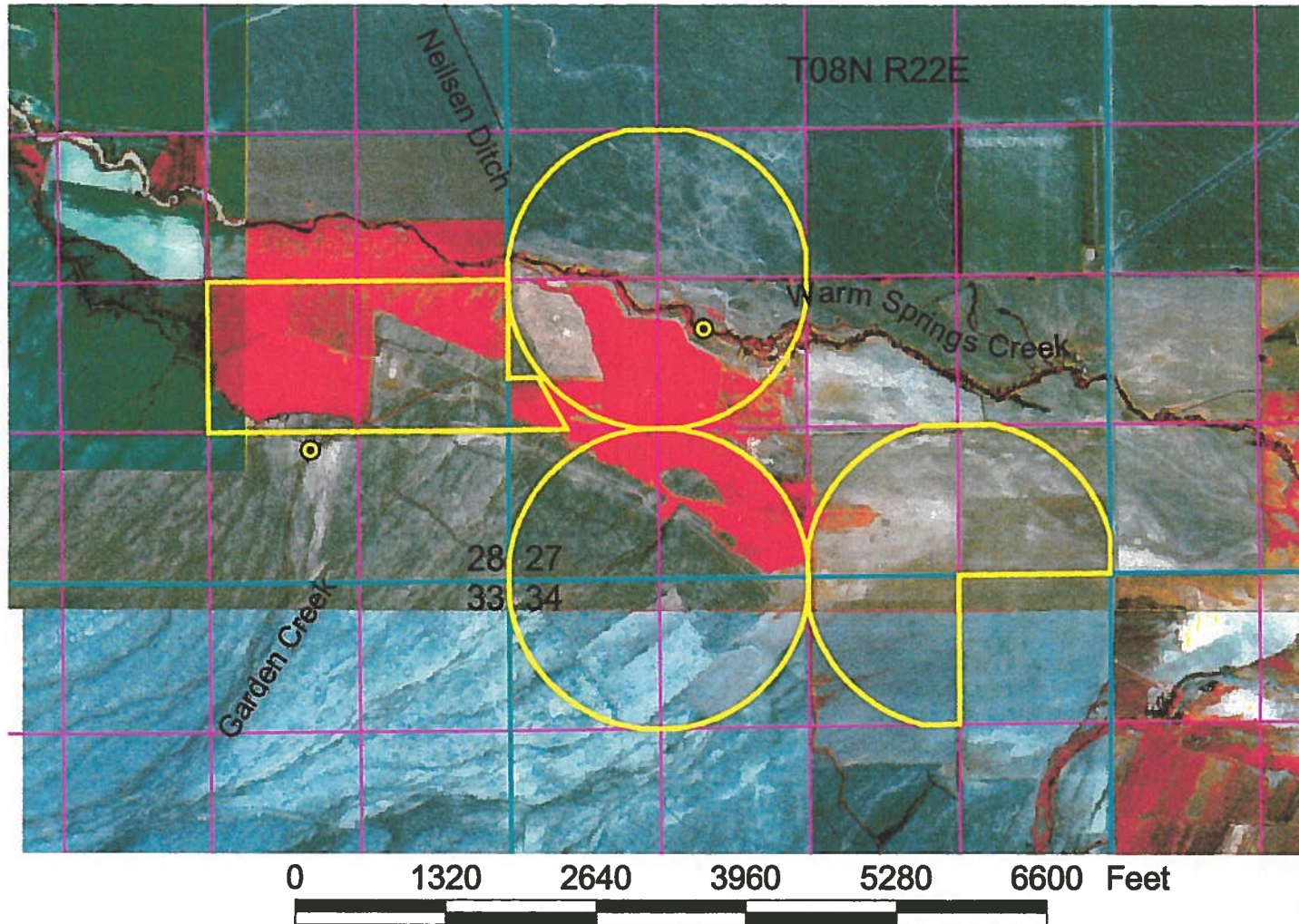
"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6 - DEPT STO.

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICRO
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**Water Right(s): 34-00398, 34-00399
34-00861A, 34-00868
34-07010**



LEGEND

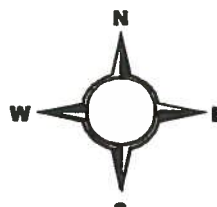


Point of Diversion



Place of Use

Acres Irrigated = 437.4



RIGHTS FROM: SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

RIGHT NUMBER: 34-00399

NAME & ADDRESS: BROKEN RIVER RANCH

C/O ROY E CRAWFORD

5660 W 4920 N

MACKEY ID 83251

SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 1.2 CFS

214.0 AFY

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

USE OF THIS RIGHT WITH RIGHT NOS. 34-00398 AND 34-07010 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS AND A TOTAL COMBINED DIVERSION VOLUME OF 599.2 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.54 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1390.0 AF. COMBINED RIGHT NO.: 34-00398, 34-00399, 34-00861A, 34-00868 AND 34-07010.

PRIORITY DATE: 05/01/1905

POINT OF DIVERSION: T08N R22E S27 MNESW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	05-01	1.2 CFS
		10-15	210.0 AFY

STOCKWATER 01-01 12-31

210.0 AFY
0.02 CFS
4.0 AFY

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES.

PLACE OF USE: IRRIGATION Within CUSTER County

T08N R22E S27	SHNW 31	SENW 32	NESW 34.4	NMSW 36
	SHSW 32	SESW 32	SWSE 32	SESE 32
	NESE 40	NWSE 40		
	NWNE 32	NENW 32	NUNW 32	

S28
S34
437.4 ACRES TOTAL

RIGHTS FROM: SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

RIGHT NUMBER: 34-00399 (CONT)

PLACE OF USE: (CONT)

USE OF THIS RIGHT WITH RIGHT NOS. 34-00398 AND 34-07010 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 168.9 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 437.4 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00398, 34-00399, 34-00861A, 34-00868 AND 34-07010.

STOCKWATER		Within CUSTER County	
T08N R22E S27	SWNW	SENW	NESE
	SWSW	SESW	SWSE
S28	NESE	NWSE	SESE
S34	NWNE	SWNE	NWSE

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
DIVERSION FROM WARM SPRINGS CREEK IS LIMITED TO THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT FROM THE ORIGINAL SOURCE, HAMILTON SPRINGS, IN T08N, R22E, S29, NENE.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5552 BY MARCH 21, 2001.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
STOCKWATER, 300 RANGE

RIGHTS FROM: SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

RIGHT NUMBER: 34-00399

NAME & ADDRESS: BROKEN RIVER RANCH
5660 W 4920 N
MACKAY ID 83251

SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 1.2 CFS
214.0 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 34-00398 AND 34-07010 IS
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS AND A
TOTAL COMBINED DIVERSION VOLUME OF 599.2 AF.

PRIORITY DATE: 05/01/1905

POINT OF DIVERSION: T08N R22E S27 MNWESW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	05-01 10-15	1.2 CFS 210.0 AFY
STOCKWATER	STOCKWATER	01-01 12-31	0.02 CFS 4.0 AFY

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING
DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF
THE WATERMASTER FOR WATER DISTRICT 34.

PLACE OF USE:	IRRIGATION	Within CUSTER County		
	T08N R22E S27	NWSW 19.5	SWSW 29.5	SESW 7.1
	S28	NESE 27.3	NWSE 35	
	S34	NENW 30	NWNW 20.5	
	168.9 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NOS. 34-00398 AND 34-07010 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 168.9 ACRES IN A
SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHTS FROM: SOURCE: WARM SPRINGS CREEK TRIBUTARY: BIG LOST RIVER

RIGHT NUMBER: 34-00399 (CONT)

PLACE OF USE: (CONT) T08N R22E S27 NMSW

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.

DIVERSION FROM WARM SPRINGS CREEK IS LIMITED TO THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS RIGHT FROM THE ORIGINAL SOURCE, HAMILTON SPRINGS, IN T08N, R22E, S29, NENE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT NO. 34-00398 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
STOCKWATER, 300 RANGE

DATE: 04/15/92
PAGE: 2

Dates: Exam Made Date: 09/26/1990 Verified Date:

Misc: Water District Number: 34 Field Inspection Flag:
Presumption Flag: C

DATE: 04/15/92
PAGE: 1

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 34-00398 AND 34-07010 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 422.2 AF, AND TO THE

10/01/91
P:

1 - C/O ROBERT C. HADLEY
2 - STAR ROUTE
3 -
City- MACKAY State- ID Zip-
Phone - 208-588-2880

1 - P.O. BOX 388
2 -
3 -
City- MACKAY State- ID Zip-
Phone - 208-588-2805

1 -
2 -
3 -
City- X State- ID Zip-
Phone - 208-000-0000

Total Acres: 114.1

MICROFILM
NOV 20 1988

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

10/01/91
P:

Number - R34-00399 Prefix Translation: RESEARCH

Irrigation Use -
Rights for Same Use - A34-00398/07010.

----- Remarks -----
USE OF THIS RIGHT WITH RIGHT NOS. 34-00398 AND 34-07010 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.24 CFS, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 285 AF, AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 114.1 ACRES IN A SINGLE
IRRIGATION SEASON.
RIGHT NO. 34-00398 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

----- Old Water Right Numbers -----
No Old Water Right Numbers found.

----- Conditions of Approval -----
C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.

Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree
TION JOHN F. ABBOTT, ET AL 00/00/0000

Fields - 08/01/91 CARLSEN 09/27/91 CARLSEN 09/30/91 CARLSEN

----- Comments -----
991 User Id: CARLSEN Subject: COPIED FROM REMARKS
CHANGE 9/18/90/EC

----- Adjudication Rights Dates and Flags Area -----
Court Report Filing - 00/00/0000 Field Inspection Made - 09/26/1990 Civil Case Number - 39576
Petition Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 09/30/1991 Old Judicial District -
Claim Received Date - 09/18/1990 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District - 34
Censed Date - 00/00/0000 Receipt Number - E015244 Federal/State Indicator - S
Claims Tape Error Flg - POU Ownership Flag - Y Presumption Flag - C
Is Exempt Flag - Name Connector - Notice of Error Flag -

MICROFIL
NOV 20

Ident. Number: A34-00399
Date Received: 1/09/1990
Receipt No: E015244
Received By: ELUE

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BROKEN RIVER RANCH
Address: C/O ROBERT C. HADLEY
STAR ROUTE
MACKAY, ID 83251

208-588-2880

2. Date of Priority: MAY 01, 1905

3. Source: HAMILTON SPRINGS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	22E	29	SE	NE	NE		CUSTER

5. Description of diverting works:
HAMILTON SPRINGS/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	1.200		

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

8. Total consumptive use is 287.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	22E	27	NW	SW		IRR	22.0
			SW	SW		IRR	35.0
			SE	SW		IRR	21.0

Township	Range	Section	1/4	or	1/4	Ac.	or	Ac.	Notes
----------	-------	---------	-----	----	-----	-----	----	-----	-------

Section Acres 78.0

28	NE	SE	IRR	37.0
	NW	SE	IRR	35.0

Section Acres 72.0

34	NE	NW	IRR	34.0
	NW	NW	IRR	23.0

Section Acres 57.0

Total Acres 207.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A34-00398/00868/07010.

14. Remarks:

15. Basis of Claim: DECREED

Case Number: 17

Court :

Decree date:

UTAH CONSTRUCTION
Decree Plaintiff

vs JOHN F. ABBOTT, ET AL
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: _____

I do solemnly swear or affirm that I am Managing General Partner of

Title

Broken River Ranch, that I have signed the foregoing

Organization

document in the space below as Managing General Partner of

Title

Broken River Ranch and that the statements contained in the

Organization

foregoing document are true and correct.

Robert C. Hadley
Signature of Authorized Agent

Mg. Gen. Partner, Broken River Ranch
Title and Organization

9-18-90

Date

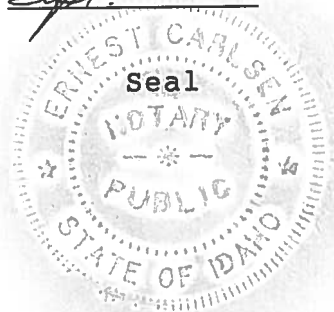
State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day

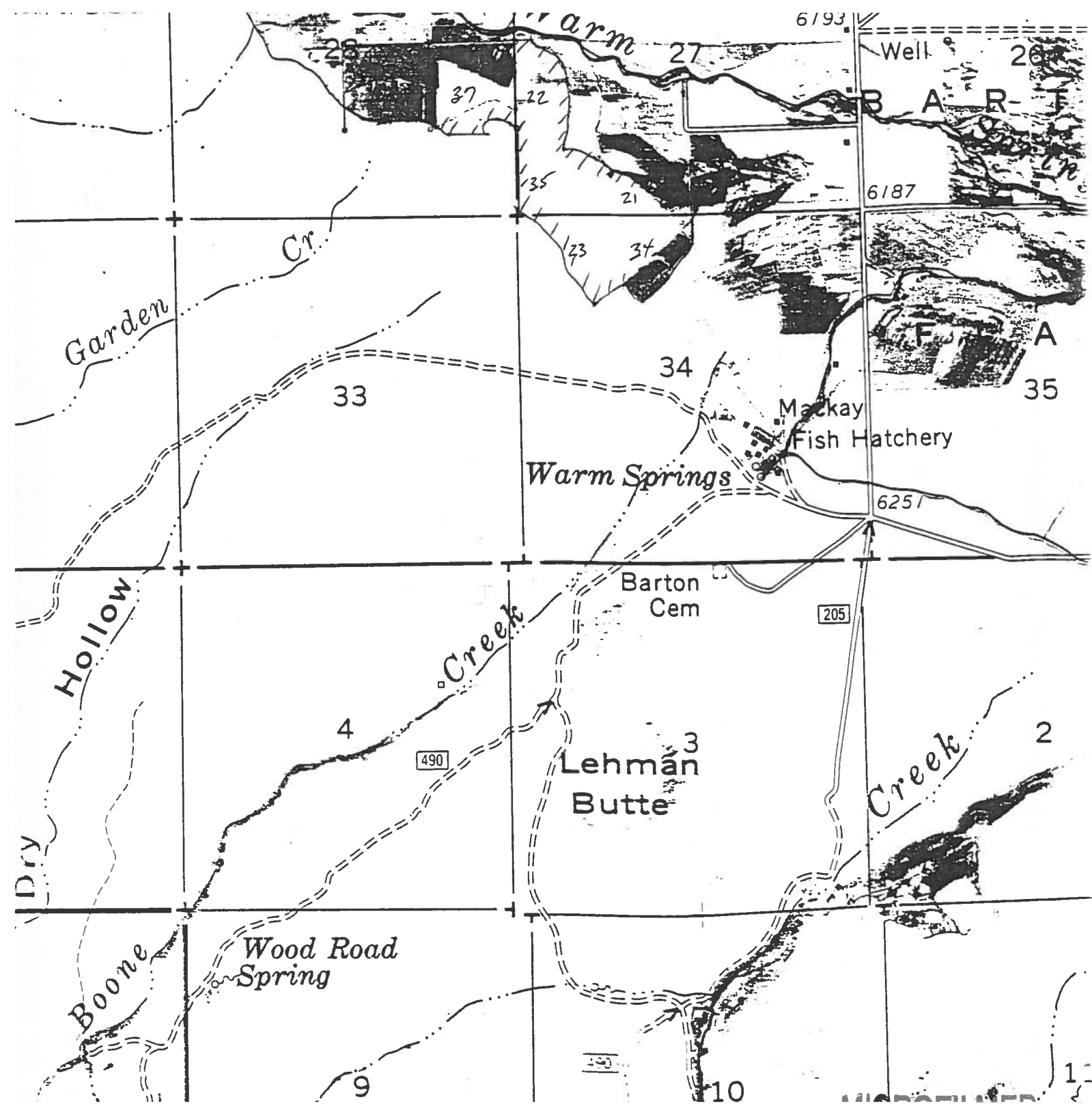
of Sept. 19 90

Ernest Carlsen
Notary Public



Residing at Idaho Falls, ID.

My Commission Expires 6-14-1994.



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: A34-00399
Date Received: 12/27/1989
Receipt No: E011549
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SAN FELIPE RANCHES 208-588-2805
Address: P.O. BOX 388
MACKAY, ID 83251
2. Date of Priority: MAY 01, 1905
3. Source: HAMILTON SPRINGS Trib. to: WARM SPRINGS CREEK
4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 08N | 22E | 29 | NE | NE | | | CUSTER |
5. Description of diverting works:
HAMILTON SPRINGS/DITCH
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|-------|------|--------|
| Purpose | From | To | C.F.S | (or) | A.F.A. |
| IRRIGATION | 05/01 | 10/15 | 1.200 | | |
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 287.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	22E	27	NE	SW		IRR	15.0
			SE	SW		IRR	40.0
						Section Acres	55.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	22E	28	NE	SE		IRR	15.0
			NW	SE		IRR	35.0
					Section Acres		50.0
		34	NE	NW		IRR	10.0
					Section Acres		10.0
					Total Acres		115.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A34-00398/00868/07010.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

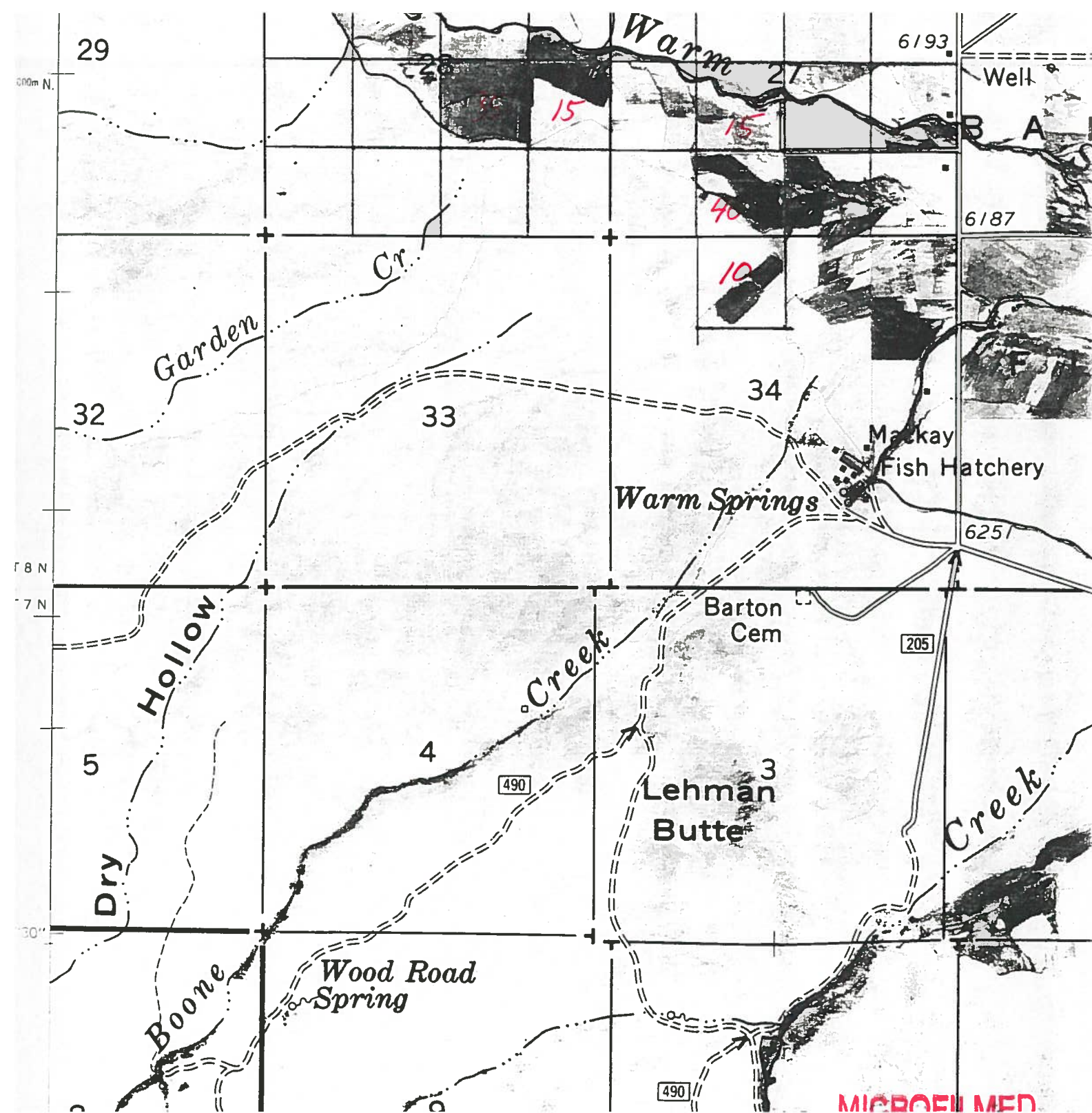
UTAH CONSTRUCTION

Decree Plaintiff

vs

JOHN F. ABBOTT, ET AL

Decree Defendant



May 1, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BROKEN RIVER RANCH LP
C/O ROY E CRAWFORD
5660 W 4920 N
MACKAY ID 83251

RE: Transfer #5552 for water right(s) 34-00398, 34-00399, 34-00861A, 34-00868, 34-07010 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On March 21, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5552, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

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

Water Rights: 34-00398, 34-00399,
34-00861A, 34-00868, 34-07010

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer **5552**
 - ☒ point of diversion ☒ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 4, 00

Ernest Carlson
Signature of IDWR Representative

I certify that on May 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
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BROKEN RIVER RANCH LP
C/O ROY E CRAWFORD
5660 W 4920 N
MACKAY ID 83251

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

Each party in the subcase, or attorney of record
N/A

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

TRANSFER NO. 5552

WATER RIGHT NO(S). 34-00398/34-00399/34-00861A/34-00868/34-07010

*Season of
use**pd**pd**Season of
use*

This is to certify that: BROKEN RIVER RANCH LP
C/O ROY E CRAWFORD
5660 W 4920 N
MACKAY ID 83251

*Season of
use**Season of
use*

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00398 :			
Priority: 08/30/1909			
IRRIGATION	05/01 to 10/15	2.00 CFS	350.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.0 AF
		<u>2.00 CFS</u>	<u>354.0 AF</u>
Right No. 34-00399 :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	1.20 CFS	210.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	4.0 AF
		<u>1.20 CFS</u>	<u>214.0 AF</u>
Right No. 34-07010 :			
Priority: 08/28/1968			
IRRIGATION	~~05/01 to 10/15~~ <i>03/01 10/31</i>	1.60 CFS	276.8 AF
		<u>4.34 CFS *</u>	<u>599.2 AF *</u>
SUBTOTAL			
Right No. 34-00861A :			
Priority: 05/01/1894			
IRRIGATION	05/01 to 10/15	2.98 CFS	455.0 AF
Right No. 34-00868 :			
Priority: 12/06/1913			
IRRIGATION	05/01 to 10/15	3.20 CFS	484.8 AF
		<u>10.52 CFS **</u>	<u>1539.0 AF **</u>
TOTAL			

SOURCETRIBUTARY OF

Right Nos. 34-00398/34-00399/34-00861A :

WARM SPRINGS CREEK

BIG LOST RIVER

Right Nos. 34-00868 :

BIG LOST RIVER

SINKS

Right Nos. 34-07010 :

GARDEN CREEK

SINKS

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 34-00398/34-00399/34-00861A :

NWNESW , Sec. 27, Township 08N, Range 22E
CUSTER County

Right Nos. 34-00868 :

Injection

Rediversion

NESWNW , Sec. 15, Township 08N, Range 21E
SWSWNW , Sec. 27, Township 08N, Range 22E
NWNESW , Sec. 27, Township 08N, Range 22E
CUSTER County

Right Nos. 34-07010 :

Injection

Rediversion

SWSE , Sec. 28, Township 08N, Range 22E
SWNE , Sec. 28, Township 08N, Range 22E
NWNESW , Sec. 27, Township 08N, Range 22E
CUSTER CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 22E 27	SWNW 31.0	SENW 32.0	NESW 34.4	
	NWSW 36.0	SWSW 32.0	SESW 32.0	
	SWSE 32.0	SESE 32.0		261.4
28	NESE 40.0	NWSE 40.0		80.0
34	NWNE 32.0	NENW 32.0	NWNW 32.0	96.0
		Total number of acres irrigated:	*** 437.4	

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>			
08N 22E 27	SWNW	SENW	NESW
	NWSW	SWSW	SESW
	SWSE	SESE	
28	NESE	NWSE	
34	NWNE	SWNE	NENW
	NWNW		

CONDITIONS OF APPROVAL AND REMARKS

- Gen. 1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster..
6. The total instantaneous diversion of water from all points of diversion under Transfer 5552 shall not exceed 10.52 cfs, nor total combined annual volume of 1539.0 af.
7. Prior to the diversion and use of water under Rights 34-00868 and 34-07010, the right holder shall install and maintain acceptable measuring devices at the point of injection into Warm Springs Creek and the point of rediversion from Warm Springs Creek.
- *** 8. Right 34-00398 is limited to the irrigation of 100.0 acres in the place of use described above in a single irrigation season.
- *** 9. Right 34-00399 is limited to the irrigation of 60.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 34-07010 is limited to the irrigation of 79.1 acres in the place of use described above in a single irrigation season.
- * 11. Rights 34-00398, 34-00399 and 34-07010 when combined shall not exceed a total diversion rate of 4.34 cfs, a total annual maximum diversion volume of 599.2 af at the field headgate, for the irrigation of 168.9 acres and stockwater use.
- *** 12. Right 34-00861A is limited to the irrigation of 130.0 acres in the place of use described above in a single irrigation season.
- *** 13. Right 34-00868 is limited to the irrigation of 138.5 acres in the place of use described above in a single irrigation season.
- ** 14. Rights 34-00398, 34-00399, 34-00861A, 34-00868 and 34-07010 when combined shall not exceed a total diversion rate of 10.52 cfs, a total annual maximum diversion volume of 1539.0 af at the field headgate, for irrigation of 437.4 acres and stockwater use.

21 March 2000

34-00868
point of
injection

QNT E27

QNT E27

point E14

point E14

CONDITIONS OF APPROVAL AND REMARKS

15. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than ~~the date of this approval~~. *March 21, 2000.*
16. Diversion from Warm Springs Creek under Rights 34-00398 and 34-00399 is limited to those times water is available for diversion under these rights and priorities from the original source, Hamilton Springs.
17. The quantity of water under Rights 34-00398 and 34-00399 for *N11* stockwater use is not a determination of historical beneficial *N13* use, and shall not exceed 13,000 gallons per day.
18. Water is diverted by pumps and a headgate diversion within the NWNESW, S27, T08N, R22E.

Dated this 21st day of March, 2000.

A. Glen Saxton

Chief, Water Allocation Bureau



EASTERN REGION

October 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BROKEN RIVER RANCH LP
C/O ROY E CRAWFORD
5660 W 4920 N
MACKAY ID 83251

RE: Application for Transfer #5552 (34-00389, 34-00399,
34-07010) and Notice of Administrative Proceeding (NAP)

Dear Mr. Crawford:

On August 18, 1999, the Idaho Department of Water
Resources (IDWR) received an Application for Transfer for
the above referenced water right(s).

In response to the Application, this office is sending
the enclosed NAP to the SRBA Court and other parties
listed on page 2 of the form. The intent of this mailing
is to notify those parties of the requested change.

Please feel free to contact me if you have any questions
concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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	)	Water Rights: 34-00398, 34-00399, 34-07010
	)	
Case No. 39576	)	NOTICE OF ADMINISTRATIVE PROCEEDING
_____	)	

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer TRX 5552

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:

OCTOBER 21, 2000

DATED: 14 October 1999



Signature of IDWR Representative

I certify that on 08/15, 1999, 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
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
BROKEN RIVER RANCH LP
C/O ROY E CRAWFORD
5660 W 4920 N
MACKAY ID 83251

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

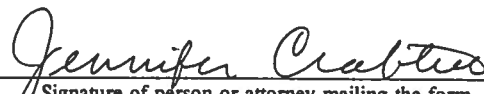
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

August 24, 1998

BROKEN RIVER RANCH
C/O BUTCH SHIELD
5660 W 4920 N
MACKAY ID 83251

RE: Transfer #5131 for water right(s) 34-00398, 34-00399
Notice of Completed Administrative Proceeding (NCAP)

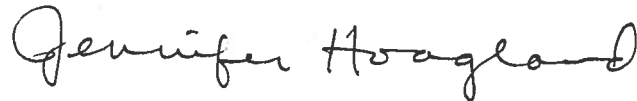
Dear Mr. Shield:

On July 14, 1998, the Idaho Department of Water Resources (IDWR) approved Transfer #5131, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,



Jennifer Hoagland
Technical Records Specialist

Enclosure: copy of NCAP

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)
)
)
)
) SUB CASE NO. 34-00398, 34-00399

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER
5131

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐	Change in Ownership	☐	Split of Water Right
☒	Point of Diversion	☐	Place of Use
☐	Period of Use	☐	Nature of Use
☒	Other (Source)		

FROM: Claimant/Seller(s):	TO: Claimant/Purchaser(s):
Name and Address of Claimant/Seller(s):	Name and Address of Claimant/Purchaser(s):

BROKEN RIVER RANCH
C/O BUTCH SHIELD
5660 W 4920 N
MACKAY ID 83251

N/A

Phone:

The Claimant has filed Objections or Responses to the following water rights:

NO OBJECTIONS

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 8/26/98

Ernest A. ...

1. Copy to be made on _____, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:

BROKEN RIVER RANCH
C/O BUTCH SHIELD
5660 W 4920 N
MACKAY ID 83251

3. One Copy to:

Claimant/Purchaser for Substitution of Party or attorney of record:

N/A

4. One Copy to:

Each party in the subcase or attorney of record:

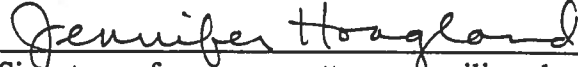
N/A

5. One Copy to:

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

6. One Copy to:

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

This is to certify that: **BROKEN RIVER RANCH LTD**
5660 W 4920 N
MACKAY ID 83251

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00398 :			
IRRIGATION	05/01 to 10/15	2.00 CFS	350.0 AF
STOCKWATER	10/16 to 04/30	0.02 CFS	4.0 AF
Priority: 08/30/1909			
		2.00 CFS	354.0 AF
Right No. 34-00399 :			
IRRIGATION	05/01 to 10/15	1.20 CFS	210.0 AF
STOCKWATER	10/16 to 04/30	0.02 CFS	4.0 AF
Priority: 05/01/1905			
		1.20 CFS	214.0 AF
TOTAL:		* 3.20 CFS	* 568.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
** WARM SPRINGS CREEK	BIG LOST RIVER

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 27, Township 08N, Range 22E
CUSTER County

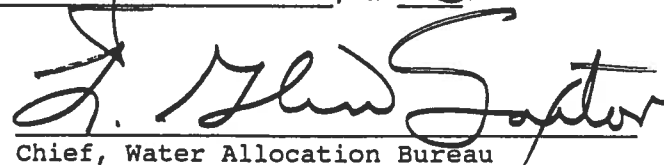
<u>PLACE OF USE: IRRIGATION</u>					
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>
08N	22E	27	NWSW 19.5	SWSW 29.5	SESW 7.1
		28	NESE 27.3	NWSE 35.0	
		34	NENW 30.0	NWNW 20.5	
Total number of acres irrigated:					*** 168.9

PLACE OF USE: STOCKWATER
TWN RGE SEC

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- *** 6. Right 34-00398 is limited to the irrigation of 100.0 acres in the place of use described above in a single irrigation season.
- *** 7. Right 34-00399 is limited to the irrigation of 60.0 acres in the place of use described above in a single irrigation season.
- * 8. Rights 34-00398, 34-00399 and 34-07010 when combined shall not exceed a total diversion rate of 4.34 cfs, a total annual maximum diversion volume of 599.2 af at the field headgate, the irrigation of 168.9 acres and stockwater use.
- GEF ** 9. Diversion from Warm Springs Creek is limited to those times water is available for diversion under this right and priority from the original source, Hamilton Springs, 1/4 T8N R22E S29. NENE. R34-00269D
10. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water under this water right for stockwater use is not a determination of historical beneficial use.

Dated this 14th day of July, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 34-00398 & 34-00399

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5131

W J

DATE: July 13, 1998

Transfer 5131 changes the point of diversion[✓] and source[✓] under Rights 34-00398 and 34-00399. The point of diversion is proposed to be moved from Hamilton Springs to the tributary Warm Springs Creek to consolidate pumping locations and increase efficiency in delivery to the adjacent place of use. These rights are used in conjunction with Right 34-07010 (See Transfer 5130) to irrigate the 168.9 acres identified under this transfer.

Diversion volume was adjusted to current standards to represent the uses as recommended[✓] in the SRBA. Recommended conditions include watermaster control, measuring device & lockable controlling works, permissible place of use, combined right limits, diversion limited to availability from original source, stockwater limits, irrigation overlap and standard transfer conditions.

September 2, 1997

BROKEN RIVER RANCH LTD
C/O BUTCH SHIELD
5660 W 4920 N
MACKAY ID 83251

RE: Application for Transfer #5131 (water rights 34-00398, 34-00399) and Notice of Administrative Proceeding (NAP)

Dear Mr. Shield:

On July 22, 1997, the Idaho Department of Water Resources (IDWR) received an Application for Transfer for the above referenced water right(s).

In response to the Application, this office is sending the enclosed NAP to the SRBA Court and other parties listed on page 2 of the form. The intent of this mailing is to notify those parties of the requested change.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,



Jennifer Hoagland
Technical Records Specialist

Enclosure

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	)	Water Rights: 34-00398, 34-00399
	)	
Case No. 39576	)	NOTICE OF ADMINISTRATIVE
	)	PROCEEDING
_____	)	

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☒ other-change source

IDWR projects the Administrative Proceeding shall be completed no later than:

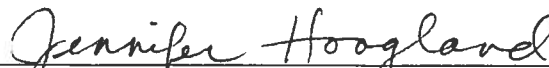
AUGUST 18, 1998

DATED: Aug 28, 1997

Ernest Carlson
Signature of IDWR Representative

I certify that on Sept 3, 1997, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
BROKEN RIVER RANCH LTD
5660 W 4920 N
MACKAY ID 83251
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

PART 1

Post Office address 5660 W 4920 N, Moschay ID 83251

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change Source

2. Describe the reason for the proposed changes CONSOLIDATE PUMPING LOCATIONS. INCREASE EFFICIENCY BY MOVING CLOSER TO PLACE OF USE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>34-00398</u>	<u>8-30-1909</u>	<u>2.00</u>	<u>IRRIGATION</u>	<u>5-1</u>	to <u>10-15</u>
		<u>0.02</u>	<u>STOCKWATER</u>	<u>10-16</u>	to <u>4-30</u>
<u>34-00399</u>	<u>5-1-1905</u>	<u>1.20</u>	<u>IRRIGATION</u>	<u>5-1</u>	to <u>10-15</u>
		<u>0.02</u>	<u>STOCKWATER</u>	<u>10-16</u>	to <u>4-30</u>

3. Source of water Warm Springs Creek tributary to Big Lost River

[illegible][illegible]

6. General Information:

- a. Description of diversion system 40 HORSEPOWER PUMP WITH 12" MAINLINE TO PLACE
OF USE FOR SPRINKLER IRRIGATION
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO CHANGE
- d. Remarks:
TRANSFER BASED ON SRBA NOTICES OF CLAIM AS PRESENTED TO SRBA
DISTRICT COURT IN IDWR DIRECTOR'S REPORT, BASIN 34.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

*** C - CURRENT OWNER ***

BROKEN RIVER RANCH

1 - C/O ROBERT C HADLEY
2 - STAR ROUTE
3 -
City- MACKAY State- ID Zip- 83251
Phone - 208-588-2880

*** O - ORIGINAL OWNER ***

SAN FELIPE RANCHES

1 - PO BOX 388
2 -
3 -
City- MACKAY State- ID Zip- 83251
Phone - 208-588-2805

JOHNSON OTTO A

1 -
2 -
3 -
City- X State- ID Zip- 00000
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/01/1905 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
HAMILTON SPRINGS WARM SPRINGS CREEK

+ - - - - Point of Diversion - - - - - +							Diversion Name
TwN	Rng	Sec	Tract	Lot	RFlg	County	
08N	22E	27	SW NW			(37) CUSTER	
		29	SE NE NE			(37) CUSTER	

+ - - - - Water Use - - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	10/15	1.200	
04 - STOCKWATER		10/16	04/30	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.200 0.0

+ - - - - Place of Use - - - - - +								
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	22E	27	NW SW		19.5	01	IRRIGATION	(37) CUSTER
08N	22E	27	SW SW		29.5	01	IRRIGATION	(37) CUSTER
08N	22E	27	SE SW		7.1	01	IRRIGATION	(37) CUSTER
08N	22E	28	NE SE		27.3	01	IRRIGATION	(37) CUSTER
08N	22E	28	NW SE		35.0	01	IRRIGATION	(37) CUSTER
08N	22E	34	NE NW		30.0	01	IRRIGATION	(37) CUSTER

Court Report Filing	- 06/18/1992	Field Inspection Made	- 09/26/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-

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

*** C - CURRENT OWNER ***

BROKEN RIVER RANCH

1 - C/O ROBERT C HADLEY
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3 -
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Phone - 208-588-2880

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1 - PO BOX 388
2 -
3 -
City- MACKAY State- ID Zip- 83251
Phone - 208-588-2805

JOHNSON OTTO A

1 -
2 -
3 -
City- State- ID Zip- 00000
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
08/30/1909 15 EASTERN D - DECREED

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
HAMILTON SPRINGS WARM SPRINGS CREEK

+ - - - - - Point of Diversion - - - - - +							Diversion Name
TwN	Rng	Sec	Tract	Lot	RFlg	County	
08N	22E	27	SW NW			(37) CUSTER	
		29	SE NE NE			(37) CUSTER	

+ - - - - - Water Use - - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	10/15	2.000	
04 - STOCKWATER		10/16	04/30	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.0

+ - - - - - Place of Use - - - - - +								
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	22E	27	NW SW		19.5	01	IRRIGATION	(37) CUSTER
08N	22E	27	SW SW		29.5	01	IRRIGATION	(37) CUSTER
08N	22E	27	SE SW		7.1	01	IRRIGATION	(37) CUSTER
08N	22E	28	NE SE		27.3	01	IRRIGATION	(37) CUSTER
08N	22E	28	NW SE		35.0	01	IRRIGATION	(37) CUSTER
08N	22E	34	NE NW		30.0	01	IRRIGATION	(37) CUSTER

+ - - Diversion Means - HAMILTON SPRINGS/DITCH

+ - - Non-Irrigation Use - STOCKWATER, 300 RANGE

+ - - Other Rights for Same Use - A34-00399/07010.

+ - - - - - Remarks - - - - - +

GEN THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 34-00398A AND 34-00398B.
USE OF THIS RIGHT WITH RIGHT NO. 34-00399 AND 34-07010 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.34 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 422.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 168.9 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 34-00399 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
POINT OF DIVERSION IN T08N R22E S27 SWNW IS USED FOR DELIVERY OF STOCKWATER.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO - SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
UTAH CONSTRUCTION	JOHN F. ABBOTT, ET AL	00/00/0000

+ - - Audit Fields - 08/01/91 CARLSEN 09/27/91 CARLSEN 09/30/91 CARLSEN 01/10/92 SHAW 01/26/92 PR-PRODM
03/05/92 SCHULTZ 04/15/92 CARLSEN 05/10/92 THORNTON 05/22/92 KEEN 07/01/92 CPSHAW
12/02/92 ADT-SHAW 03/29/95 POST-STD

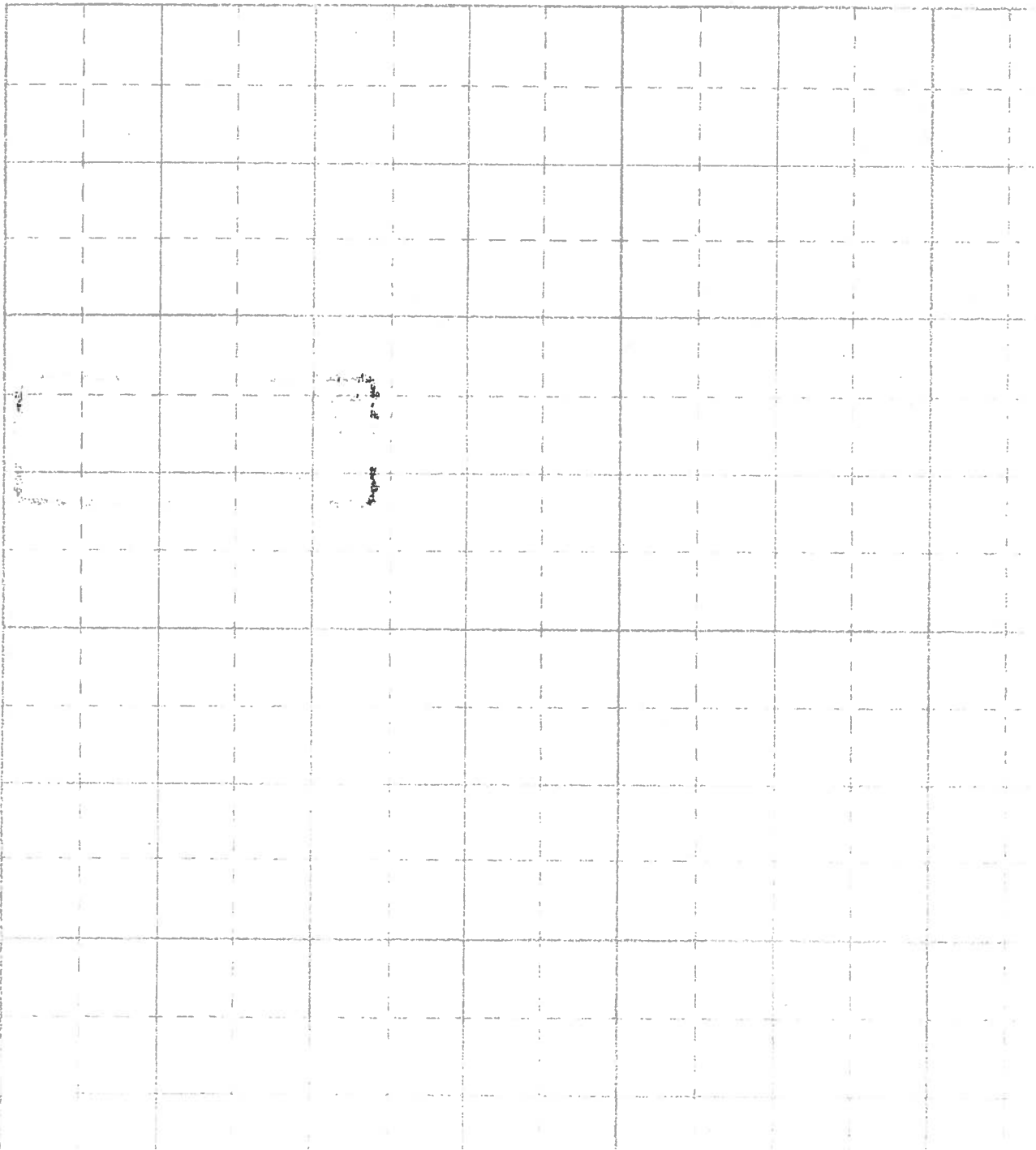
+ - - Certified Numbers & Date Mailed - 254972 01/21/92

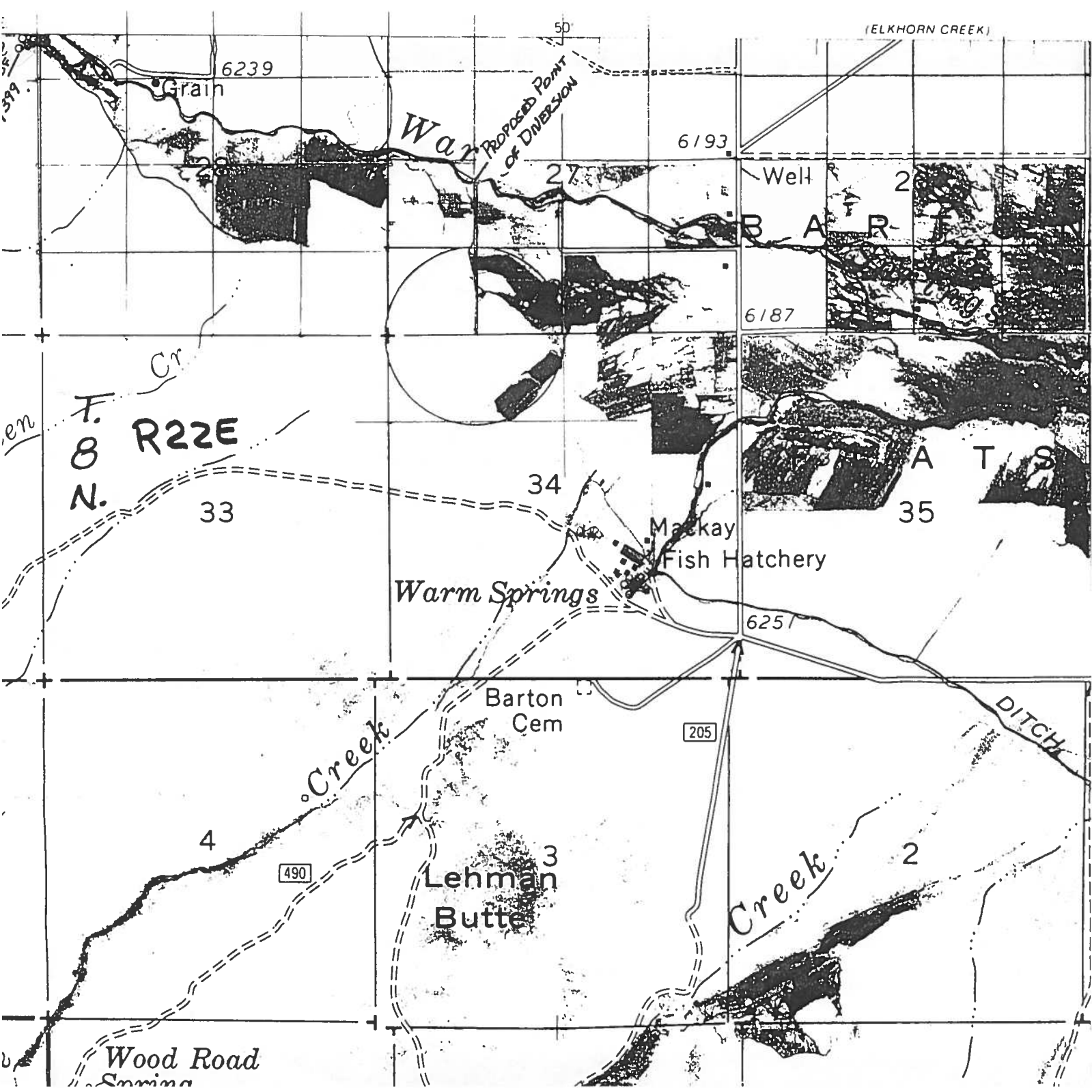
+ - - - - - -Comments- - - - - +
Date: 08/01/1991 User Id: CARLSEN Subject: COPIED FROM REMARKS
THIS CLAIM RECOMBINES RIGHTS 34-00398A & B. OWNERSHIP CHANGE 9/18/90/EC
Date: 04/15/1992 User Id: CARLSEN Subject: NOTICE OF ERROR
APPLICANT PROVIDED AFFIDAVIT FROM PREVIOUS OWNER CONFIRMING HISTORICAL IRRIGATION. ALSO ADDED STOCKWATER AS A USE DURING THE NON-IRRIGATION SEASON.
Date: 05/10/1992 User Id: THORNTON Subject: CHANGE IN RECOMMENDATION
CHANGE MADE TO REMARKS PER LYNN KROGH-HAMPE.
Date: 05/22/1992 User Id: KEEN Subject: COMBINED DIVERSIONL VOLUME LIMITATION REMOVED FROM REMARKS

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

PART 3

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





1995
Department of Water Resources
Eastern District Office

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Movant: OFFICE OF THE ATTORNEY GENERAL San Felipe Ranches
G. David Nelson
Attorney Name and Address: HEPWORTH, LEZAMIZ & HOHNHORST,
CHARTERED
133 Shoshone St. North
P.O. Box 389
Twin Falls, ID 83303-0389
Telephone: (208)734-7510

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

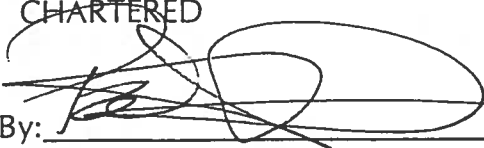
* * * * *

In Re SRBA) Subcase No. See Exhibit "A"
)
) NOTICE OF APPEARANCE
Case No. 39576)
)

* * * * *

COMES NOW the firm of Hepworth, Lezamiz & Hohnhorst, Chartered, and
appears on behalf of San Felipe Ranches and on behalf of G. David Nelson, for the water
right numbers listed in Exhibit "A" attached.

Dated this 12 day of January, 1995.

HEPWORTH, NUNGESTER & LEZAMIZ,
CHARTERED
By: 
Patrick D. Brown

Contact Date: 5-11-12

IDWR Contact Person: (print and sign) Ernie Carlson, Ernest Carlson

Claimant Contact Person Bob Halley

Others Present _____

Contact By: (Give Date) _____ Meeting (location): etcho Lake Agreement

Phone Call _____ Letter (attach letter) _____

Verified _____

I. Changes to be made to proposed recommendation: _____
Re-evaluate acreage to include lands not originally recommended
- include stockwater during non-irrigation for 300 range.

II. Explanation of reasons for recommendation: Applicant provided affidavit from previous owner confirming historical irrigation took place below Hamilton Spring Ditch S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 27, N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 34

-Based on affidavit, aerial photo and on site inspection sufficient evidence was presented to allow for irrigation of 171.7 acres. Changing the consumptive use volume to 429.25 AFA.

stockwater 10/10 to 4/30 0.02 cfs.

P.O.D- SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27 T08N R22E. (for stock only).

III. Other:

Re: Notice of Error

1. Water Right Number:

✓ 34-00399

2. Name and address:

Broken River Ranch
c/o Robert C. Hadley
Star Route
Mackay, Idaho 83251

Weekday telephone number:

(208) 588-2880 (phone number for Robert C. Hadley,
General Partner) or

(415) 442-1155 (phone number for Roy E. Crawford,
General Partner).

3. Portion of proposed recommendation with which we disagree:

Place of use.

4. Changes required in the proposed recommendation:

The place of use is accurately described in the amended
Notice of Claim filed 1-09-1990.

5. Why we disagree with the proposed recommendation:

The original water rights were for use in the place claimed.
That land had historically been irrigated, and it is
currently being irrigated. We have affidavit and photo
proof of prior use.

6. Date: February 28, 1992.



Roy E. Crawford, Managing General Partner

A. 290
G.D. NELSON
290A

5.9

10.5

13.8

90

11.0

DITCH

out

out

out

out

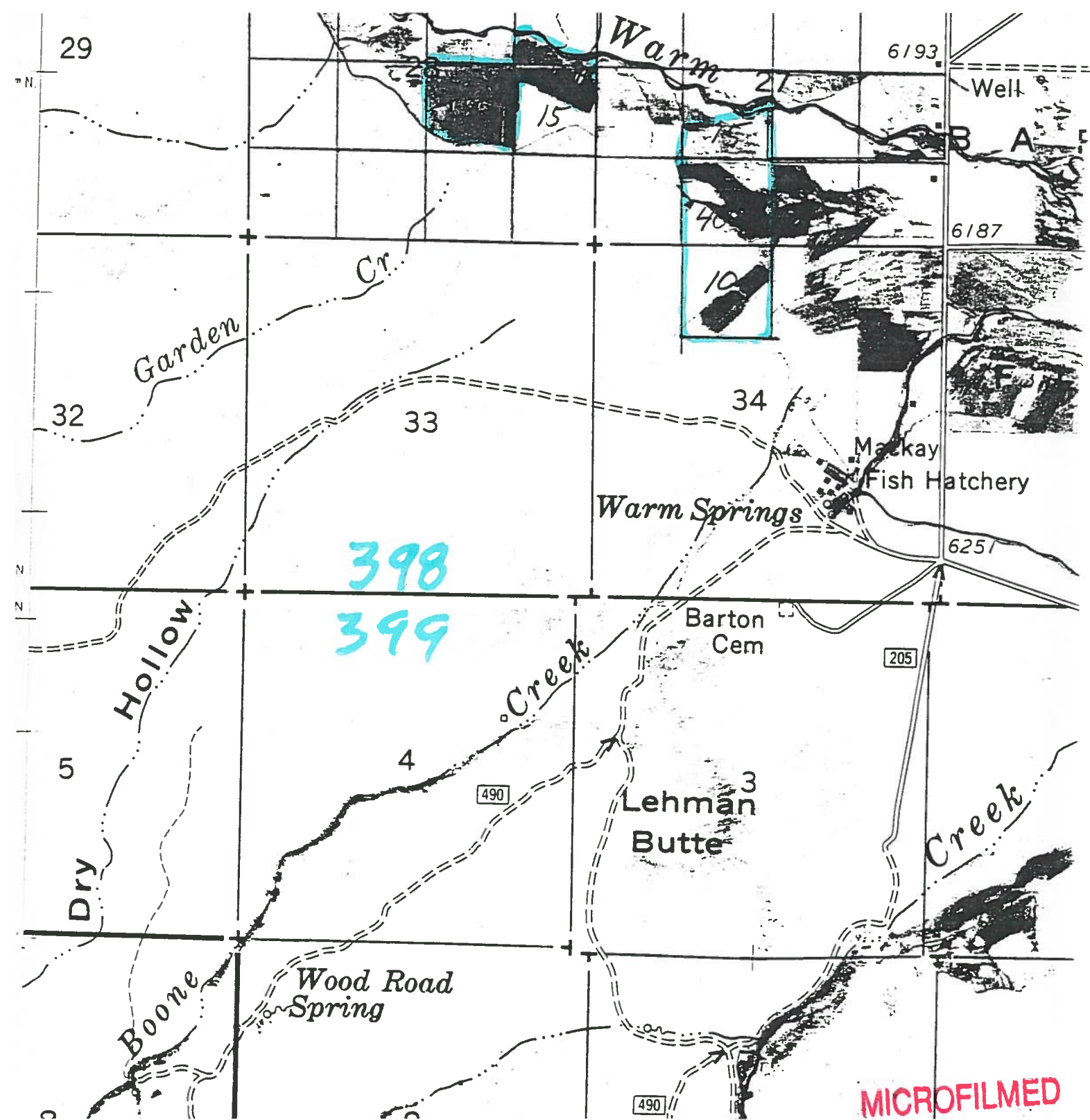
19.0

Phos

34-00399
34-00398.

28 27
33 34

MICROFILMED



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