

03/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14814

NAME AND ADDRESS: BAR MB RANCHES INC
3336 FARM TO MARKET RD
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: HOG CREEK

QUANTITY: 0.120 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/15/1955

POINT OF DIVERSION:

T13N R02W S33 NENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.120 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T13N R02W S33 NWNE

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

The quantity of water decreed for this water right 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 500 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14814 V1

WATER RIGHT NUMBER: 67-14814 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BAR MB RANCHES INC 3336 FARM TO MARKET RD MIDVALE, ID 83645 (208)355-2452

Priority Date: 06/15/1955

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	HOG CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4NW1/4	Sec. 33, Twp 13N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	02W	33		X															

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. C18 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.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. X02 Stockwater use is for 500 range cattle.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14814 V1

Comments:

1. mvanbussum 3/22/2007 Copied from remarks
 Comment: Used for livestock water at various times during the year.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/22/2007 10:49:22 AM	mvanbussum			Active
Priority Date	3/22/2007 10:51:26 AM	mvanbussum			Active
POD	3/22/2007 10:51:39 AM	mvanbussum			Active
Source	3/22/2007 10:55:50 AM	mvanbussum			Active
POU	3/22/2007 10:56:03 AM	mvanbussum			Active
Use	3/22/2007 10:57:46 AM	mvanbussum			Active
Season	3/22/2007 10:59:21 AM	mvanbussum			Active
Quantity	3/22/2007 10:59:54 AM	mvanbussum			Active
Summary			03/22/2007	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/22/2007 10:55:17 AM	mvanbussum	Updated shape
POU	3/22/2007 10:57:16 AM	mvanbussum	Updated shape for Active POU

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Adjudication Recommendation Report 67-14814 V1

General	3/22/2007 10:51:25 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommended as de minimus stock with usual conditions.
POD	3/22/2007 10:51:38 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Contacts	3/22/2007 10:49:21 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
Source	3/22/2007 10:55:49 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	3/22/2007 10:56:02 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14814 V1

Use	3/22/2007 10:57:44 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	3/22/2007 10:59:20 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Recommended as claimed.
Quantity	3/22/2007 10:59:53 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Recommended as de minimus stock with usual conditions.
Summary	3/22/2007 11:01:33 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

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

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Ident. Number 67-14814
Date Received: 12/18/2006
Receipt No: W034967
Received By:

1. Name of Claimant(s)

BAR MB RANCHES INC Phone: (208)355-2452
3336 FARM TO MARKET RD
MIDVALE ID USA 83645

2. Date of Priority: 06/15/1955

3. Source: UNNAMED STREAM Trib. to: HOG CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	02W	33	NE NW	WASHINGTON	

5. Description of diverting works:

Reservoir approx. 1.5 acre feet storage

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.12	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 500 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	02W	33	NW	NE	STOCKWATER	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Used for livestock water at various times during the year.

15. Basis of Claim: Beneficial Use

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

A67-14814

Date Received

12-18-06

Receipt Number

W034967

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

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DEC 18 2006

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) Bar MB Ranches, Inc. Phone (208) 355-2452Mailing Address 3336 Farm to Market Rd. Midvale, ID. Zip 836452. Date of Priority (Only one (1) per claim) June 15, 19553. Source of water supply (a) Un named stream
which is tributary to (b) Hog Creek4. Location of point of diversion is: Township 13 N Range 2 WSection 33, NE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,County of Washington

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Sec. 33 Reservoir Approx
1 1/2 acre ft storage

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For stockwater purposes from 1-1 (Both dates are inclusive) to 12-31 amount 0.12 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.12 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) Stockwater - Cattle up to 500 headStorage for stockwater, Stockwater from storage.

Copies: White-State, Yellow-Claimant

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DEC 21 2006

10. Place a "D" for domestic and "C" for stockwater use in the corresponding place of use below.

[illegible]

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

12. Do you own the property listed above as place of use? Yes ~~X~~ 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.
_____ or None (X)

14. Remarks: Used for livestock water at various times during the year.

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant

16. Signature (s) Will (info to section 2.10) printed name to bottom left of grid; see way it

(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 _____

Date _____

For Organizations: I do solemnly swear or affirm that I am treas.

of Bar MB Ranches, Inc., that I have signed the foregoing

document in the space below as treas. of Bar M B Ranches, Inc.

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

Signature of Authorized Agent 

Title and Organization Treas. Bar MB Ranches, Inc. Date 12-15-06

State of Idaho/or _____)
 _____) SS.

County of Washington

Subscribed and sworn (or affirmed) before me this 15th day of December 2006

Notary Public *Daniel R. Luchman*

Residing at Cambridge, Idaho

My Commission Expires 7-3-07

Last Name _____ Ident No. _____ Copies White-State, Yellow-Claimant

Copies White-State, Yellow-Claimant

SCANNED

DEC 21 2006