



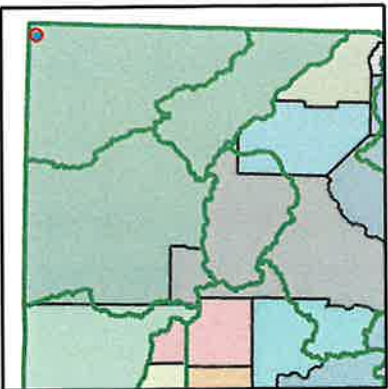
Idaho Department of Water Resources

Adjudication Claim:

55-13821

Legend

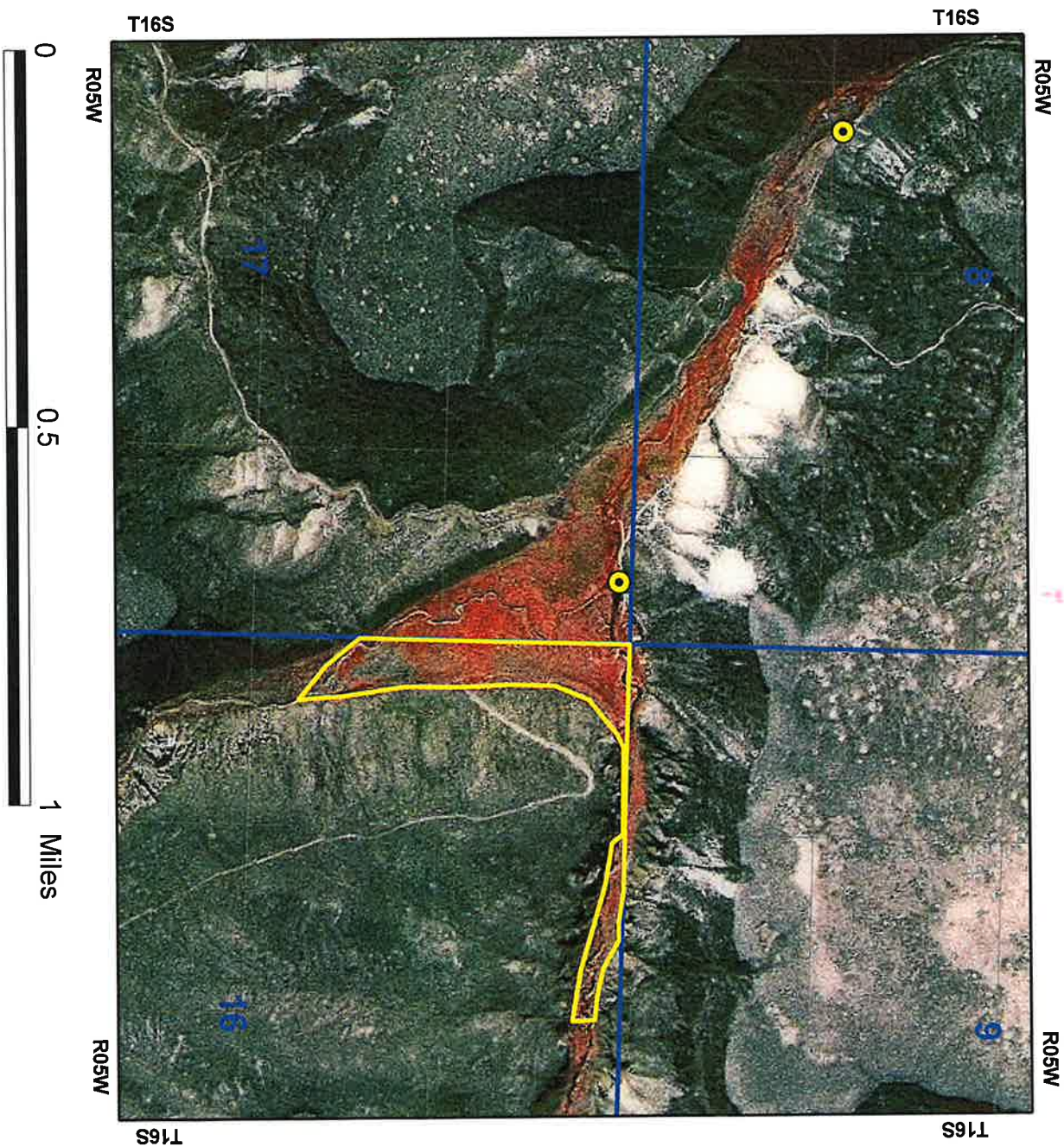
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Owyhee County
IDWR Basin 55



Prepared by K. Walker
On Monday, March 20, 2006
1987/88 Aerial Photography



03/22/2006

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

RIGHT NUMBER: 55-13821

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89421

SOURCE: TENT CREEK

TRIBUTARY: LITTLE OWYHEE RIVER

QUANTITY: 0.180 CFS

PRIORITY DATE: 04/06/1914

POINT OF DIVERSION:

T16S R05W S8 NESW Within OWYHEE County

T16S R05W S17 NENE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.180 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T16S R05W S16	NENW	4.30	T16S R05W S16	SWNW	4.70
---------------	------	------	---------------	------	------

9 ACRES TOTAL

STATE LAND LEASE

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

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

Idaho Department of Water Resources



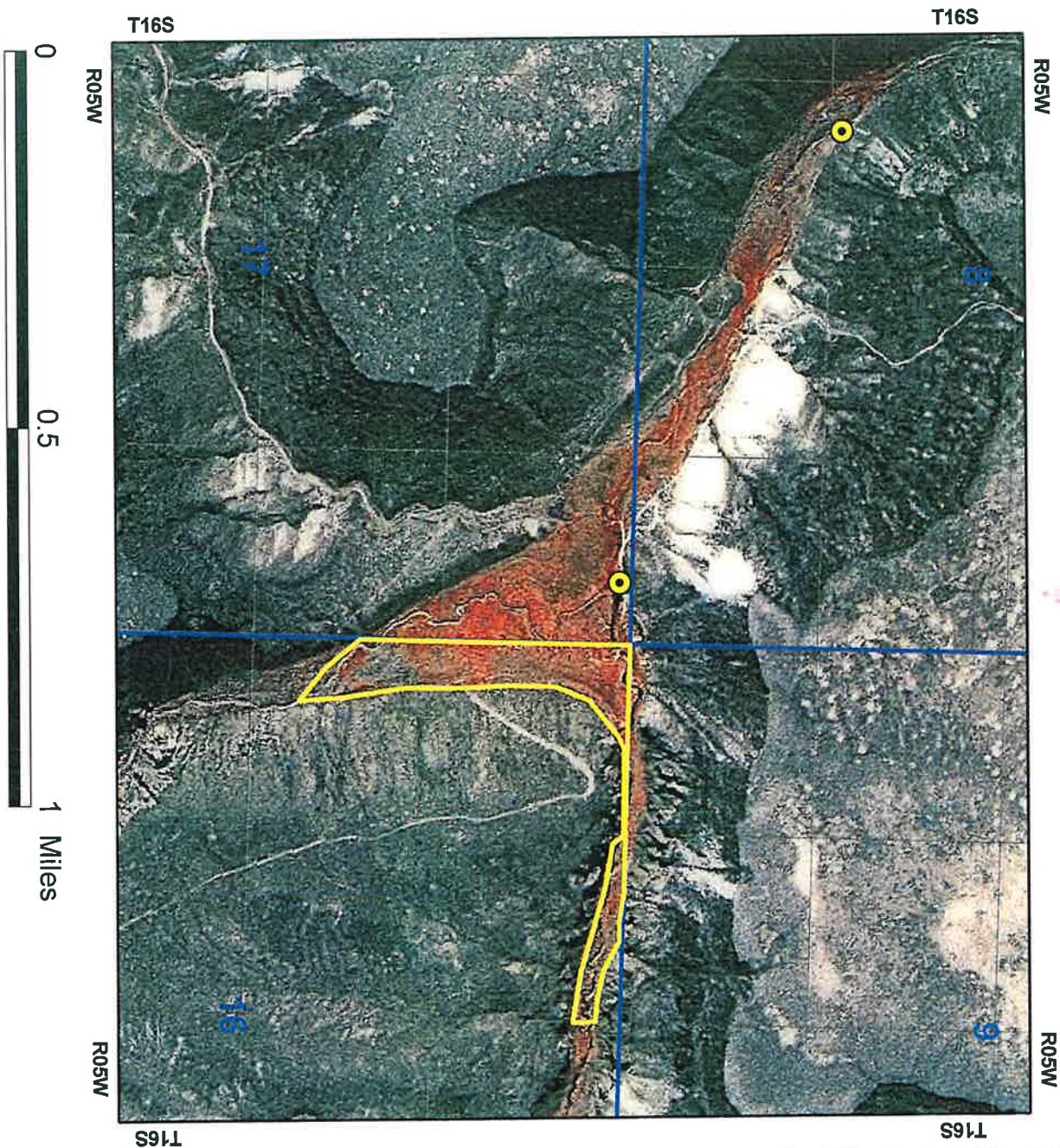
Adjudication Claim:

55-13821

Total Acres = 9

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

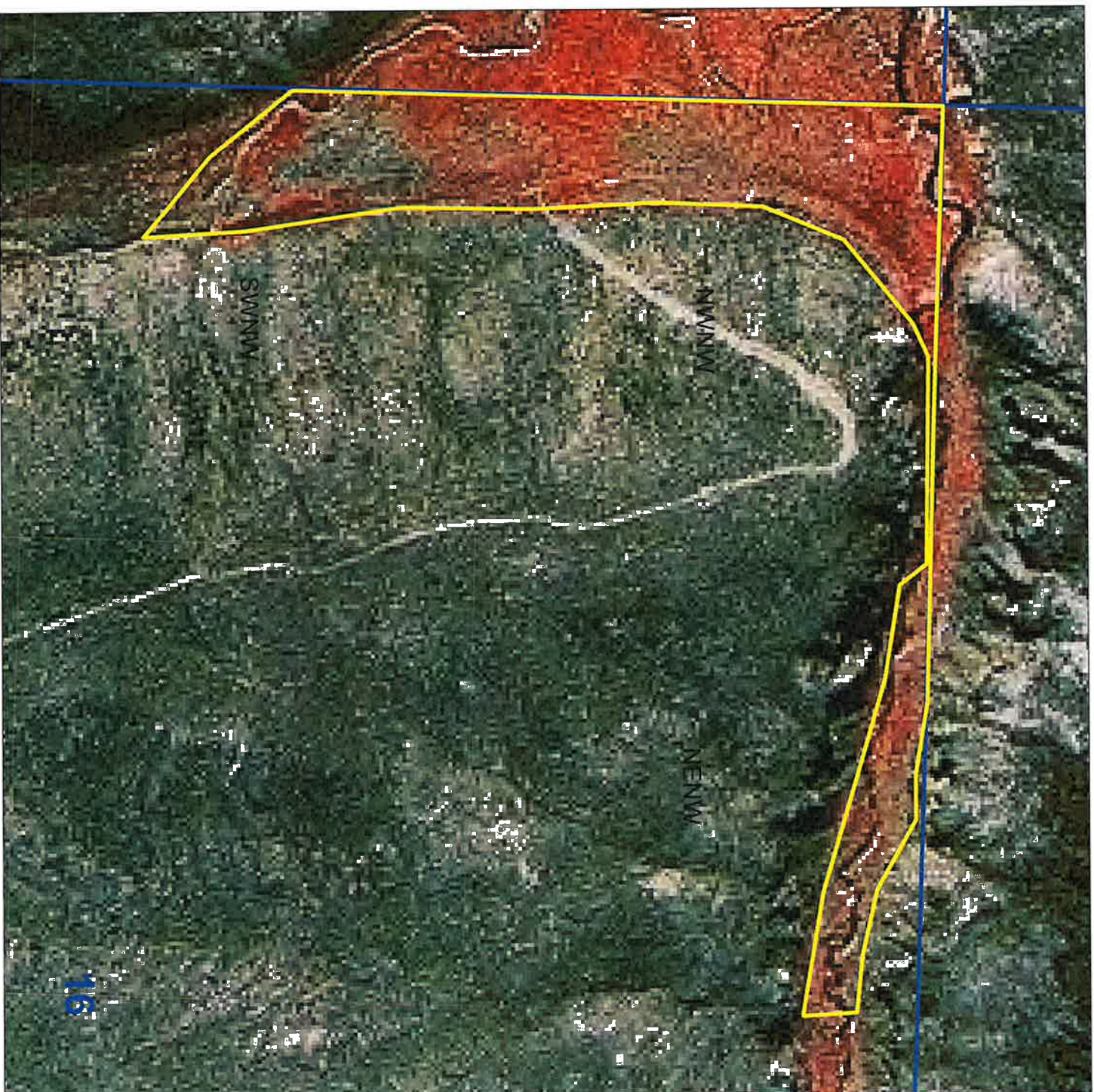


Prepared by K. Walker
On Monday, March 20, 2006
1987/88 Aerial Photography

55-13821



shape overlaid
w/ 55-2047 &
55-2209. Pt. 55-13821
included 4.3 ac
in NENW & 4.7 ac
in SWNW only.



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 55-13821 V1

WATER RIGHT NUMBER: 55-13821 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NOUQUE RANCH PARTNERSHIP PO BOX 415 MC DERMITT, NV 89421 (503)522-8713

Priority Date: 04/06/1914

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
TENT CREEK	LITTLE OWYHEE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.180 CFS	
	<u>Total Diversion:</u>	0.180 CFS	

Location of Point(s) of Diversion

TENT CREEK	NE1/4SW1/4	Sec. 8, Twp 16S, Rge 05W, B.M.
OWYHEE County		
TENT CREEK	NE1/4NE1/4	Sec. 17, Twp 16S, Rge 05W, B.M.
OWYHEE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
16S	05W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							4.3		4.7									9.0	

Total Acres: 9

Conditions of Approval:

1. 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.
2. STATE LAND LEASE

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 55-13821 V1

Comments:

1. kwalker 3/17/2006 Claim Review

Comment: I began reviewing this claim in 1999 but never created a recommendation. Today I began review again and found that some of the claimed acres had been added to Rts. 55-2047 and 55-2209 so not all of the claimed acres should be recommended. Lands in NWNW (11 acres) have been decreed under other rights so no need to include any land in that 40. The other rights cover that 11 acres at an inch to the acre and also have additional storage water allotted to them. Recommend this right cover lands not included under prior rights.

2. kwalker 3/17/2006 Priority Date

Comment: The lands under this recommendation were developed and irrigated at same time of prior licenses . The claimant did not include these lands in original claims because they are leased lands from the State of Idaho. The state did not file a claim on these lands. Claimant submitted late claim to SRBA court and it was accepted. No priority evidence requested since the field exam for 55-2047 generally provided evidence that irrigation of lands occurred. See CVR in file.

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: S

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:Water Supply Bank:

RECEIVED RECEIVED

JUN 04 1999 JUN - 1 1999

WATER RESOURCES
WESTERN REGION Department of Water Resources

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: A55-13821
Date Received: 10/29/1998
Receipt No: C045593
Received By: _____

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

1. Name: NOUQUE RANCH PARTNERSHIP 503-522-8713
Address: PO BOX 415
MC DERMITT NV 89425
2. Date of Priority: APR 6, 1914
3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	05W	8		NE	SW		OWYHEE
		17		NE	NE		OWYHEE

5. Description of diverting works:
DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05W	16	NE	NW		IRR	4.3
			NW	NW		IRR	4.0
			SW	NW		IRR	6.7

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
					Total Acres	15.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
55-02047, 55-02209

14. Remarks:
STATE LAND LEASE

15. Basis of Claim: BENEFICIAL USE

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: 3

For Organizations:

I do solemnly swear or affirm that I am OWNER of
Title

NOUQUE' RANCH, that I have signed the foregoing
Organization

document in the space below as OWNER of
Title

NOUQUE' RANCH and that the statements contained in the
Organization

foregoing document are true and correct.

John P. Norquist
Signature of Authorized Agent

OWNER / NOUQUE' RANCH
Title and Organization

5-26-99
Date

State of NEV.)
~~Idaho~~)
County of HUMBOLDT) SS.

Subscribed and sworn (or affirmed) before me this 26TH day
of MAY 19 99

Patricia Albisu
Notary Public

Seal



Residing at McDERMITT, NV

My Commission Expires OCT. 25, 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1999

NOQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89425

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A55-13821

Dear Claimant:

Your Notice of Claim to a Water Right was received from the SRBA Court recently. We have enclosed your receipt #C044640 for the fees paid. We noticed your address shows McDermitt, **Idaho** instead of McDermitt, **Nevada**. We have corrected that error and enclosed for your signature an Amended Notice of Claim. This is the only item changed on your claim. After you have signed the claim in front of a Notary Public, please return it to me with an additional \$65.00 in fees (\$50.00 late claim fee plus \$15.00 for the new acres not previously claimed).

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,

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

Donald V. Shaff, Manager
Adjudication Technical Section

DS:ss:region

Enclosure:

Receipt #C044640

Amended Notice of Claim #A55-13821

Cc: Charlie Honsinger

RECEIVED

FEB 18 1999

1999 FEB 16 11:59 Department of Water Resources

FILED
SRBA
IDAHO

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

Subcase No. 55-13821

ORDER GRANTING MOTION
TO FILE LATE NOTICE OF CLAIM

On November 9, 1998, a Motion to File Late Notice of Claim was filed by Nougue Ranch Partnership. All procedural requirements under *Administrative Order 1* were complied with in filing this *Late Notice of Claim*. No valid objections were made to this *Late Notice of Claim*. The Motion is GRANTED.

IT IS SO ORDERED.

DATED 2-16-99.



BARRY WOOD
Administrative District Judge
Interim Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on February 16, 1999, with sufficient, first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720

NOTICE OF CLAIM AND FILING FEE FORWARDED

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

United States Dept of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Charlie Honsinger
Ringert Clark Chtd
PO Box 2773
Boise, ID 83701


Deputy Clerk

RECEIVED

JUN 04 1999

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

RECEIVED

NOV 04 1998

Ident. Number: A55-13821

Date Received: 10/29/1998

Receipt No: 1044640

Received By: B.D.

RINGERT CLARK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOUQUE RANCH PARTNERSHIP 503-522-8713
Address: PO BOX 415
MC DERMITT ID 89425
2. Date of Priority: APR 6, 1914
3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	05W	8		NE	SW		OWYHEE
		17		NE	NE		OWYHEE

5. Description of diverting works:
DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05W	16	NE	NW		IRR	4.3
			NW	NW		IRR	4.0
			SW	NW		IRR	6.7

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

					Section Acres	15.0
--	--	--	--	--	---------------	------

					Total Acres	15.0
--	--	--	--	--	-------------	------

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
55-02047, 55-02209

14. Remarks:
STATE LAND LEASE

15. Basis of Claim: BENEFICIAL USE

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: _____

For Organizations:

I do solemnly swear or affirm that I am JOHN P. NOUQUÉ of _____ Title

NOUQUÉ RANCH Organization, that I have signed the foregoing

document in the space below as OWNER of _____ Title

NOUQUÉ RANCH Organization and that the statements contained in the

foregoing document are true and correct.

John P. Nouqué
Signature of Authorized Agent

OWNER
Title and Organization

11-2-98
Date

State of ~~Idaho~~ Nevada)
County of Humboldt) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of November 19 98

Deena Moddrell
Notary Public

Seal

Residing at McDermitt, NV

My Commission Expires 12-1-2000



REVISED CLAIMS 55-02047 & 55-02209 & ADDITIONAL CLAIM

T16S, R05W, S08,
S09, S16 & S17

Owner(s): NOUQUE

Prepared by: KAY WALKER
OCTOBER 29, 1998

DRAFT



Place of Use



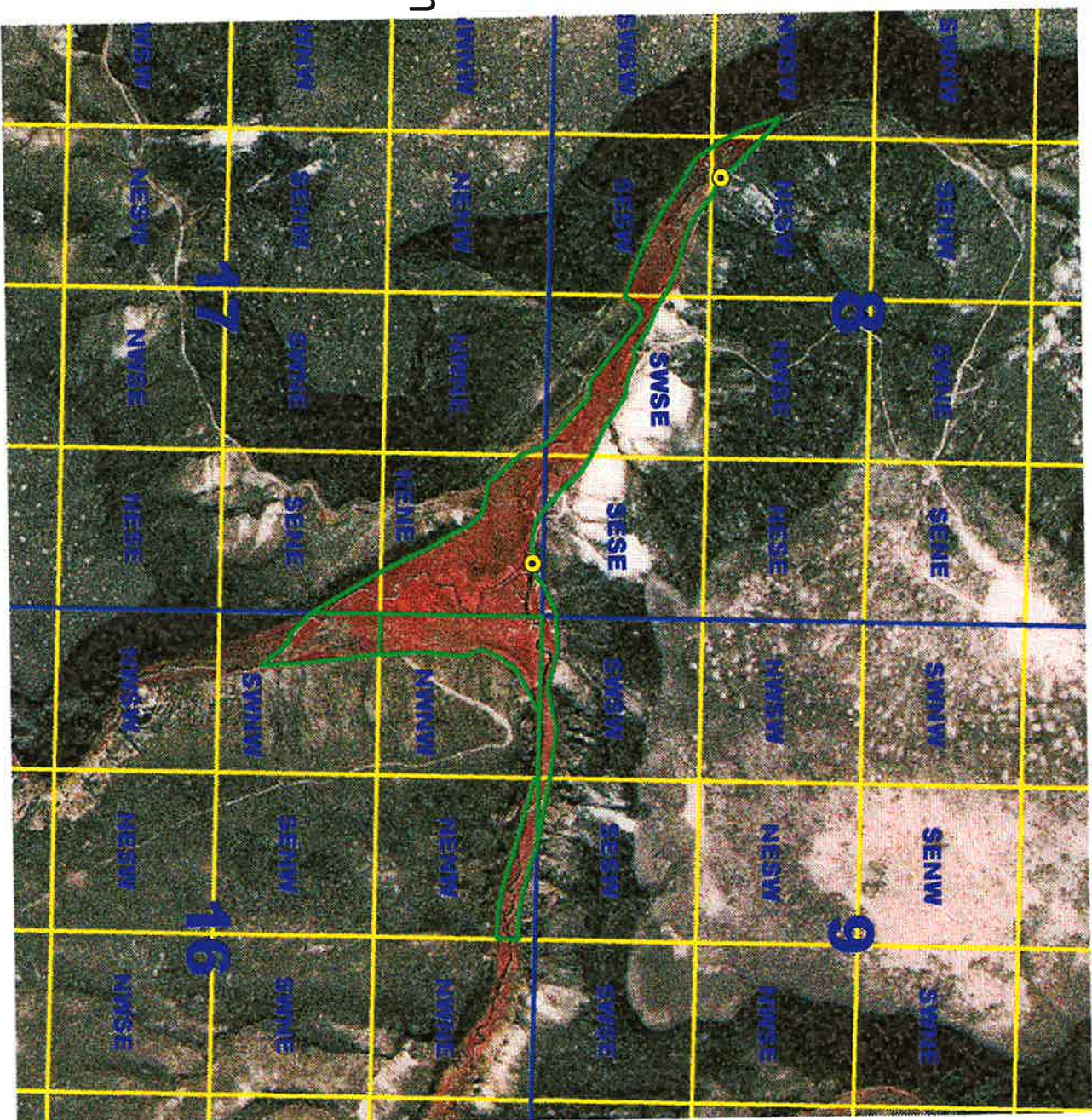
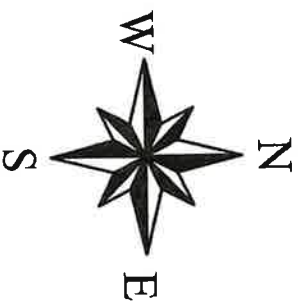
Point(s) of Diversion



Section Lines



1/4 1/4's



LAST: NOUQUE RANCH PARTNERSHIP
ADDRESS: PO BOX 415
CITY: MC DERMITT
PHONE NUMBER: 503-522-8713
STATE: NV ZIP: 89425
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN STATE LAND LEASE
DATABASE Y
FIELD EXAMINER Y() N()

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____
DATE OF FIELD EXAM: 6/7/99 APPOINTMENT MADE: Y() N()
ACCOMPANIED BY: _____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

in-office exam

A. AJ CLAIM: # A55-13821 PRIORITY DATE: 04-06-1914 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

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

Y() N(☒)

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

Y() N(☒)

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

Y() N(☒)

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y() N()

FIELD EXAM COMPLETED

N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y() N()

LICENSE ISSUED

N/A(☒) Y() N()

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

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

N/A() Y() N(☒)

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N()

NOTES:

Hand developed & investigated at same time as old license. Not claimed primarily because state record found. No finding from state. Claimant decided to claim following other claims submitted to SRBA Court. Found in NWN Dec 14 covered under license 55-02047 per 10 APRIL.

RECOMMENDED PRIORITY DATE:

4-6-1914

REVIEWED BY kw

DATE

6/7/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A55-13821	16S	05W		8	NE				OWYHEE		
A55-13821	16S	05W		17	NE				OWYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A55-02209
A55-11055
R PREFIX
55-02047
55-02209
R55-02047
R55-02209

WR RECORDS IN SAME 40 ACRE TRACT

55-02209

SOURCE: TENT CREEK

TRIB: LITTLE OWYHEE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

See exam of Rt. 55-02047 which is same system - included position of this land when licensed. Land is state owned - no claim from state.

See file 55-02047

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 55-13821

claim
withdrawn →

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	
55-11876	Claim	16S	05W	8	NE	NE		TENT CREEK LITTLE OWYHEE RIVER	
55-13821	Claim	16S	05W	8	NE	SW		TENT CREEK LITTLE OWYHEE RIVER	NOUQUE R
55-11055	Claim	16S	05W	17	NE	NE		LITTLE OWYHEE RIVER OWYHEE RIVER	UNITED STATI
55-13821	Claim	16S	05W	17	NE	NE		TENT CREEK LITTLE OWYHEE RIVER	NOUQUE R
55-2209	Claim	16S	05W	17	NE	NE		TENT CREEK LITTLE OWYHEE RIVER	NOUQUE R
55-2047	Water Right	16S	05W	17	NE	NE		TENT CREEK LITTLE OWYHEE RIVER	NOUQUE R
55-2209	Water Right	16S	05W	17	NE	NE		TENT CREEK LITTLE OWYHEE RIVER	NOUQUE R

stockwater
from Little
Owyhee River -
no OK

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
16S	05W	8	NE	SW	NE			OWYHIE		
16S	05W	17	NE	NE				OWYHIE		

_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: Tent Creek TRIB: Little Ouyhce River

REVIEWED BY: ku DATE: 4/17/99

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

See files A55-082047 & A55-08209.

A. ROOT WATER RIGHT NUMBERS: A55-13821

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S	05W	16	NE	NW		NOUQUE RANCH PARTNERSHIP	A55-13821 / 4.3	-	/		4.3
16S	05W	16	NW	NW		NOUQUE RANCH PARTNERSHIP	A55-13821 / 4.0	-	/		9.0
			NW	NW		NOUQUE RANCH PARTNERSHIP	R55-02047 / 11.0	55-02047 / 10.0			0
			NW	NW		NOUQUE RANCH PARTNERSHIP	R55-02209 / 11.0	-	/		
16S	05W	16	SW	NW		NOUQUE RANCH PARTNERSHIP	A55-13821 / 6.7	-	/		6.0
			SW	NW		NOUQUE RANCH PARTNERSHIP	R55-02047 / 2.0	-	/		
			SW	NW		NOUQUE RANCH PARTNERSHIP	R55-02209 / 2.0	-	/		4.7
ADDITIONAL POU FOUND											

ADDITIONAL POU FOUND

TOTAL ACRES A55-13821 15.00 15.00

POU COUNTY: OMYHEE

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

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

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
A55-13821	TENT CREEK	NOUQUE RANCH PARTNERSHIP	0.300	0.020		
R55-02047	TENT CREEK	NOUQUE RANCH PARTNERSHIP	1.200	0.020		
R55-02209	TENT CREEK	NOUQUE RANCH PARTNERSHIP			100.00	1.66

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: 55-02047, 55-02209

Y() N()

Y() N()

0 ← covered at 1" / ac
4.7 under
55-02047 (live flow)
55-02209 (storage)
FWD 3/20/06

Idaho Dept. of Water Resources
Place of Use Comparison Report

State Land lease
per claimant

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	55-13821	NOUQUE RANCH PARTNERSHIP	TENT CREEK	16S05W16					4.3	4	6.7										15
Right	55-2047	NOUQUE RANCH PARTNERSHIP	TENT CREEK	16S05W16					11	2											13
Right	55-2209	NOUQUE RANCH PARTNERSHIP	TENT CREEK	16S05W16					11	2											13

4.3 4.7

Original recommendation
for 55-2047
for not cover in
tip bank 16S15W
and 16S15W
Sec. 16, T3N17W

until objection
filed &
processed

$$55-2047 = 1.2 \text{ cfs/100 ac} = 0.02 \text{ cfs/ac}$$

$$100. \text{ AF/100 ac}$$

Recommend the 9 add in to
NE NW + S NW = 9 ac
(4.3) all state acre
land lease

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

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IDMR NO. _____; () TOPOGRAPHIC QUAD, IDMR NO. _____;

(☒) NAPP, IDMR NO. 1987; (☒) ASCS PHOTO; () OTHER _____

NOTES:

See files A55-030417 & A55-03309
for ASCS photo.
See GIS shape file attached

When rights 55-20417 & 55-2209 were in
objection process they had to remove all BLM
lands from rights. This reduced the
total acres found situated from 72.9
to 69 total acres. This claim covers land
under state land lease in sec. 16 (minus
the 11 ac. in NW1/4).

RECOMMENDATIONS:

TOTAL ACRES: 9 N/A ()

REVIEWED BY:

Kayamaker

DATE:

3/20/2004

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-13821 IRRIGATION	FROM 04-01 TO 10-31	0.300 CFS	
TOTAL DIVERSION RATE/VOLUME		0.300 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

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

Y() N()

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

N/A() Y() N()

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

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

Y() N()

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

Y() N()

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

Y() N()

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

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

N/A() Y() N()

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

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

N/A() Y() N()

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

N/A() Y() N()

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

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

N/A() Y() N()

9 ac x 0.02 = 0.18 cfs

surface water
no diversion
volume
reg'd.

exam of
license
55-20407
found plenty
of water
available
for this
additional
acreage.

fw
3/20/2006

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.300 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 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.

see notes on page 8

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

Y () N (✓)

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y () N (✓)

E. MEASUREMENT METHOD FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 9 x 0.02 CFS/ACRE = 0.18 CFS
(taken from pou review)

1b. CALCULATIONS

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

2. IRRIGATION DIVERSION VOLUME N/A - surface water
CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

N/A

NOTES:

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 10-31	DATABASE EXAMINER 0.300 218	DATABASE EXAMINER	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: kw

DATE: 3/20/2006

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

() () () ()

State Land Share

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-13821

DATABASE

EXAMINER

TOTAL DIVERSION RATE OF WR SPLITS

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-13821	0.300	0.18	0.02/ac	-	

TOTAL CFS

0.300

0.18

DIVERSION RATE REVIEW

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

DATABASE N FIELD EXAMINER Y() N()
N/A

NOTES:

AUTHENTICATION: _____
SIGNATURE: *Ray Walker* DATE: *3/20/2004*
NAME OF FIELD EXAMINER: *Ray Walker* TITLE: *Sr. Water Resource Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()	
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()	
☒ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()	
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()	
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()	
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()	
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()	
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()	
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()	
☐ OTHER _____	DATE _____	Y() N()	
☐ OTHER _____	DATE _____	Y() N()	
☐ OTHER _____	DATE _____	Y() N()	
=====			
LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ 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 <i>Exam & file of 55-304197</i>	DATE _____	<i>2</i>	
☐ OTHER _____	DATE _____		

See layout

County: Owyhee.
Stream: Tent Creek.
Amount: 1.2 sec. ft.
Use: Irrigation.
Priority: 4-6-14.

STATE OF IDAHO

Water License No. 10090.
Water District No. 55.

WHEREAS, On the 6th day of April, A. D. 1914, F. E. Gorham,

of Golconda, County of Nevada, State of Nevada, duly made application (No. 15017) to me for a permit to use 3.2 cubic feet per second of the waters of Tent Creek, in Water District No. 55,

County of Owyhee, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of April, A. D. 1914, Permit No. 10090 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 10th day of April, A. D. 1917, and for the application to beneficial use of said water on or before the 10th day of April, A. D. 1917, and,

WHEREAS, On the 19th day of March, A. D. 1917, F. E. Gorham,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 10090 dated April 2, 1917, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of said waters, with date of priority of April 6, 1914, and

WHEREAS, On the 1st day of June, A. D. 1917, F. E. Gorham,

the holder of said permit, duly made proof of the application to beneficial use of 1.2 cubic feet per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to F. E. Gorham,

of Golconda, County of Nevada, State of Nevada, the holder and owner of said Permit No. 10090, a perpetual right, dating from April 6, 1914, to the use of 1.2 cubic feet per second of the waters of Tent Creek,

in the County of Owyhee and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 8, T. 16 S., R. 5 W. B. M.,

and conducted to and upon 60 acres of land divided as follows: 8.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 6.85 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, .90 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; .55 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 23.40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17; .5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9; 10.10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; all in T. 16 S., R. 5 W. B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 21st day of September, A. D. nineteen hundred and seventeen.

J. H. Smith,

(Seal)

State Engineer.

55 2047

REVISION OF CLAIMS 55-02047 & 55-02209 & ADDITIONAL CLAIM

T16S, R05W, S08,
S09, S16 & S17

Owner(s): NOUQUE

Prepared by: KAY WALKER
OCTOBER 29, 1998



Place of Use



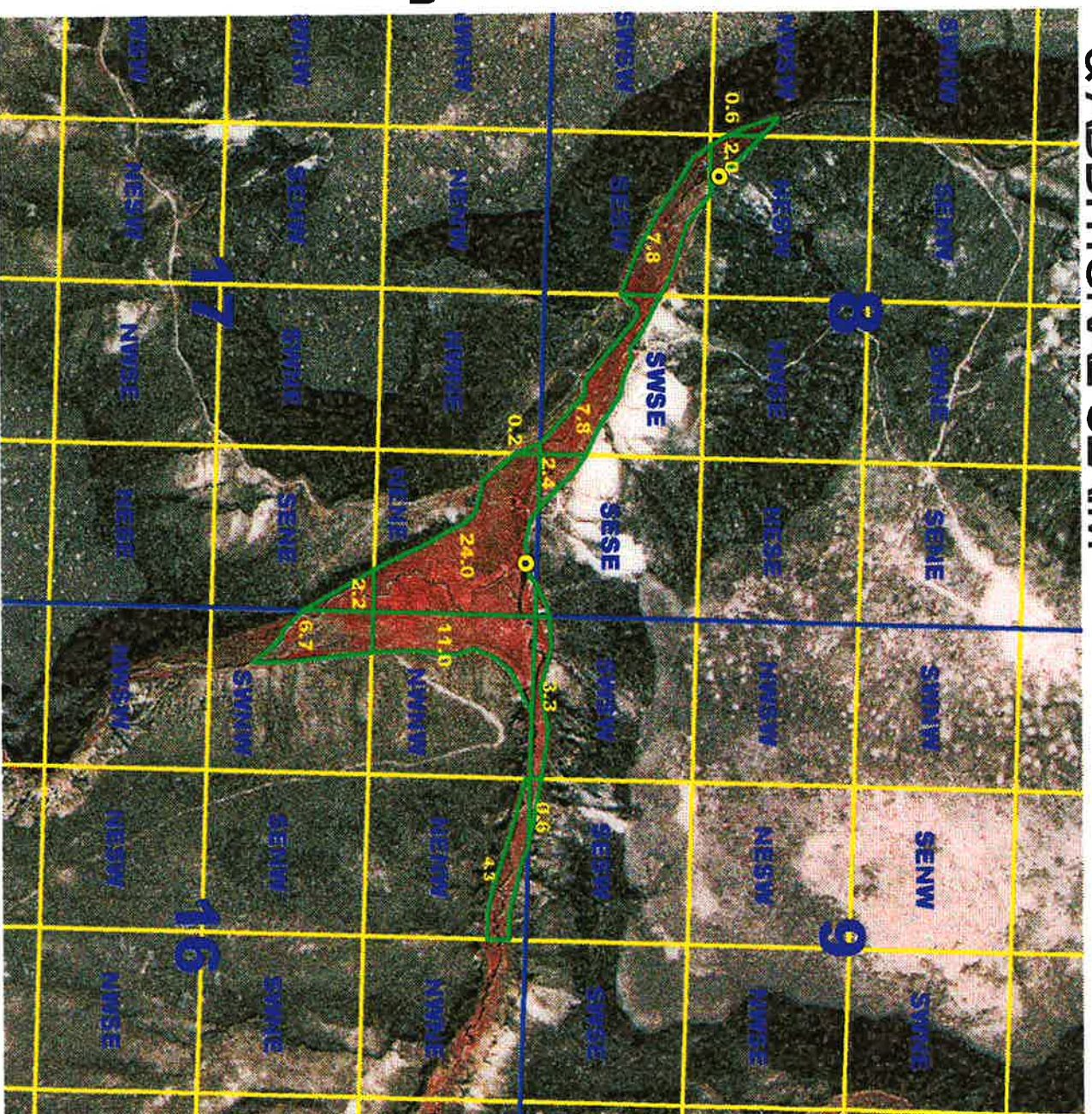
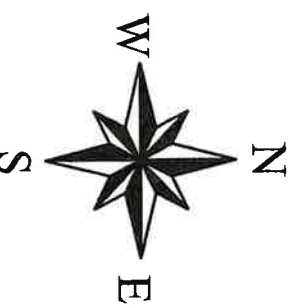
Point(s) of Diversion



Section Lines



1/4 1/4's



72.9
total ac

RECEIVED
JUL 29 1999
WATER RESOURCES
WESTERN REGION

RECEIVED
JUN 30 1999
Department of Water Resources

1999 JUN 28 PM 12: 02
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 55-02047

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-02047 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999.



BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 55-02047

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-02047 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

NOUQUE RANCH PARTNERSHIP
Represented by:
DANIEL V. STEENSON
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/28/99

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-02047

1999 JUN 28 PM 12: 02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT, NV 89421

SOURCE: TENT CREEK, TRIBUTARY: LITTLE OWYHEE RIVER

QUANTITY: 1.20 CFS

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

PRIORITY DATE: 04/06/1914

POINT OF DIVERSION: T16S R05W S08 NWSW Within Owyhee County
S17 NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.20 CFS
	Stockwater	01-01 TO 12-31	0.07 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T16S R05W S08	SESW 8.0	SWSE 8.0
		NWSW 1.0	SESE 3.0
	S09	SWSW 3.0	
	S16	NWNW 11.0	SWNW 2.0
	S17	NENE 24.0	
	60.0 Acres Total		

Stockwater Same as Other Use

PLACE OF USE FOR STOCKWATER IS SAME AS IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER
WATER RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 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 55 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

RECEIVED

FEB 08 1999

Department of Water Resources

**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

Subcase 55-02047

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Charles Z. Honsinger 02/04/99
Noque Ranch Partnership date

Roxanne Brown 2/4/99
Concurrence date
Roxanne Brown
Idaho Dept. of Water Resources

Larry A. Brown 2/4/99
Larry A. Brown date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Susan E. Hamlin 2/4/99
Concurrence date
Susan Hamlin
Deputy Attorney General, IDWR

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

DATE: FEB-04-1999

PAGE: A-1

RIGHTS FROM: SOURCE: TENT CREEK TRIBUTARY: LITTLE OWYHEE RIVER

RIGHT NUMBER: 55-02047

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT NV 89421

SOURCE: TENT CREEK TRIBUTARY: LITTLE OWYHEE RIVER

QUANTITY: 1.2 CFS
~~1.13~~ ~~0.73~~

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

PRIORITY DATE: 04/06/1914

POINT OF DIVERSION: T16S R05W S08 NWSW Within OWYHEE County
S17 NE3W
NENE

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	<u>1.2</u> CFS ~~1.06~~ ~~0.73~~
STOCKWATER	01-01 12-31	0.07 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T16S R05W S08	NWSW 1	SESW 8	SWSE 8	SESE 3
S09	SWSW 3			
<u>S16</u>	<u>NWNW 11</u>	<u>SWNW 2</u>		
S17	NENE 24			
~~S08~~	~~NE3W 2~~			
~~S09~~	~~SE3W 1~~			
~~S17~~	~~NWNE 1~~	~~SENE 2~~		
<u>60 ACRES TOTAL</u>				
~~33 ACRES TOTAL~~				

Place of use for STOCKWATER is same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL

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

DATE: FEB-04-1999

PAGE: A-2

55-02047 (CONT.)

USE.

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 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 55 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE
DURING THE PERIOD OF 1979 TO 1987.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

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

STOCKWATER, 266 RANGE CATTLE & HORSES.

RIGHT NO. 55-02209 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

RB

C.2.7.
JF

del

CERTIFICATE OF MAILING

I certify that on Feb 4th, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

United States Department of Justice
Adjudication Team
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

Charles L. Honsinger
Ringert-Clark, Chartered
455 S. Third St.
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

RECEIVED

JUN 30 1999

Department of Water Resources

RECEIVED

JUL 29 1999

WATER RESOURCES
WESTERN REGION

1999 JUN 28 PM 12: 03

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

) For Water Right 55-02209

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-02209 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD

Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 55-02209

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-02209 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

NOUQUE RANCH PARTNERSHIP
Represented by:
DANIEL V. STEENSON
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/28/99

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-02209

1999 JUN 28 PM 12: 03

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT, NV 89425

SOURCE: TENT CREEK TRIBUTARY: LITTLE OWYHEE RIVER

QUANTITY: 100.00 AFY

PRIORITY DATE: 08/18/1966

POINT OF DIVERSION: T15S R05W S31 SENE Within Owyhee County
T16S R05W S08 NWSW (Rediversion)
S17 NENE (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	100.00 AFY
	Irrigation from Storage	04-01 TO 11-01	100.00 AFY

PLACE OF USE:	Irrigation from Storage	Within Owyhee County
	T16S R05W S08	SESW 8.0 SWSE 8.0 NWSW 1.0
	S09	SWSW 3.0
	S16	SWNW 2.0 NWNW 11.0
	S17	NENE 24.0
	60.0 Acres Total	

Irrigation Storage Same as Other Use

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 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 55 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

**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 55-02209

(Insert water right number)

**DOMESTIC AND
STOCK WATER RIGHT
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:

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: Noque Ranch Partnership

Address: PO Box 415; Mc Dermitt, NV 89425

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: See attached _____

11. **I object because:**

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

E. REASONS SUPPORTING OBJECTION(S):

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

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Daryl Albiston, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

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



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 31, 1998

Jacqueline L. Ripley

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 4-7-1999



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 SEPT 4, 1998, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Noque Ranch Partnership

Address: PO Box 415; Mc Dermitt, NV 89425

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

SRBA DIRECTORS REPORT 55-02209

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 55-02209

-POD ON BLM

-POUs ON BLM

Name and Address: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT, NV 89425

- CLAIMANT IS NOT
AUTHORIZED TO FARM
PUBLIC LAND.

Source: TENT CREEK

Tributary: LITTLE OWYHEE RIVER

Quantity: 100.00 AFY

Priority Date: 08-18-1966

Diversion Point: T15S R05W S31
T16S R05W S08
S17

SENE BLM Within Owyhee County
NESW (Rediversion)
NENE (Rediversion)

Purpose and
Period of Use:

Purpose of Use	Period of Use	Quantity
Irrigation Storage	Irrigation Seaso	100.00 AFY
Irrigation from Storage	Irrigation Seaso	100.00 AFY

Place of Use:

Irrigation from Storage	Within Owyhee County
T16S R05W S08	SWSE 8
	<u>NESW 2</u> BLM
S09	<u>SESW 1</u> BLM-WSA
S17	<u>SENE 2</u> BLM
	<u>NWNE 1</u> BLM
	NENE 24
53 Acres Total	

Irrigation Storage

Same as Other Use

Other Provisions Necessary for Definition / Administration of this Water Right:

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE
DURING THE PERIOD OF 1979 TO 1987.

Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF
RE-DIVERSION DESCRIBED ABOVE.

[Return to SRBA Home Page](#)

Walker, Kay

From: Walker, Kay
Sent: Wednesday, June 23, 1999 8:49 AM
To: Brown, Roxanne
Cc: Walker, Kay
Subject: Nouque Ranch Partnership

Hi, Rox... We talked a couple weeks ago about Claims 55-02047 & 55-02209. I have a late claim for the same ranch and need to know how the other claims are recommended at this point. You were going to check up on those and send me copies of the recommendations that are pending in front of the court. If you would send me those recommendations, I could then know how to recommend the b/u claim that is on my desk. Thanks in advance. Kay

**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 55-02209

(Insert water right number)

**DOMESTIC AND
STOCK WATER RIGHT
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:

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: Noque Ranch Partnership

Address: PO Box 415; Mc Dermitt, NV 89425

Name:

Address:

Name:

Address:

Name:

Address:

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Daryl Albiston, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

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



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

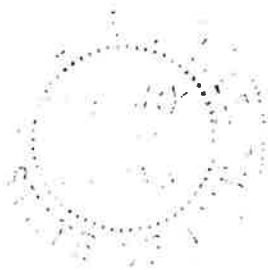
August 31, 1998

Jacqueline L. Ripley

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 4-7-1999



SRBA DIRECTORS REPORT 55-02209

Return to SRBA Home Page

IWT072

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

Right Number: 55-02209

-POD ON BLM

-POUS ON BLM

Name and Address: NOUQUE RANCH PARTNERSHIP
PO BOX 415
MC DERMITT, NV 89425

- CLAIMANT IS NOT
AUTHORIZED TO FARM
PUBLIC LAND.

Source: TENT CREEK

Tributary: LITTLE OWYHEE RIVER

Quantity: 100.00 AFY

Priority Date: 08-18-1966

Diversion Point: T15S R05W S31
T16S R05W S08
S17

SENE BLM Within Owyhee County
NESW (Rediversion)
NENE (Rediversion)

Purpose and
Period of Use:

Purpose of Use	Period of Use	Quantity
Irrigation Storage	Irrigation Seaso	100.00 AFY
Irrigation from Storage	Irrigation Seaso	100.00 AFY

Place of Use:

Place of Use	Within Owyhee County														
T16S R05W S08	<table border="1"> <tr> <td>SESW 8</td> <td>SWSE 8</td> </tr> <tr> <td>SESE 3</td> <td><u>NESW 2</u> BLM</td> </tr> <tr> <td>NWSW 1</td> <td></td> </tr> <tr> <td>S09</td> <td><u>SESW 1</u> BLM-WSA</td> </tr> <tr> <td>S17</td> <td><u>SENE 2</u> BLM</td> </tr> <tr> <td></td> <td><u>NWNE 1</u> BLM</td> </tr> <tr> <td></td> <td>NENE 24</td> </tr> </table>	SESW 8	SWSE 8	SESE 3	<u>NESW 2</u> BLM	NWSW 1		S09	<u>SESW 1</u> BLM-WSA	S17	<u>SENE 2</u> BLM		<u>NWNE 1</u> BLM		NENE 24
SESW 8	SWSE 8														
SESE 3	<u>NESW 2</u> BLM														
NWSW 1															
S09	<u>SESW 1</u> BLM-WSA														
S17	<u>SENE 2</u> BLM														
	<u>NWNE 1</u> BLM														
	NENE 24														
53 Acres Total															

Irrigation Storage
Same as Other Use

Other Provisions Necessary for Definition / Administration of this Water Right:

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE
DURING THE PERIOD OF 1979 TO 1987.

Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 55-02047 IS ALSO DIVERTED THROUGH POINTS OF
RE-DIVERSION DESCRIBED ABOVE.

Return to SRBA Home Page

Nouque

WEST REGION KAT
JS RECEIVED

NOV 09 1998

Department of Water Resources

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 55-13821

Case 38576)

STANDARD FORM 4

MOTION TO FILE LATE NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

I am an attorney representing the Nouque Ranch Partnership.

My address is: RINGERT CLARK, CHARTERED, P.O. Box 2773, Boise, Idaho 83701

My phone number is: 208/342-4591

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

The Nouque Ranch Partnership did not file a Notice of claim for the use of this water in the SRBA because:

State lands leased by the Nouque Ranch Partnership are located adjacent to those irrigated under recommended right numbers 55-02047 and 55-02209. These State leased lands historically have been and are currently irrigated from the same source using the same point of diversion as was recommended pursuant to those two water rights. The principals in the Nouque Ranch Partnership assumed that water rights on lands they were leasing from the State of Idaho were to be claimed by the State of Idaho. The State did not claim a water right for the irrigated State-leased lands. Thus, no water right was claimed for these irrigated lands. The Nouque Ranch Partnership wishes to ensure that it is irrigating their State leased lands under the authority of a water right.

I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

I have attached:

A fully completed Notice of Claim (available from IDWR).

A copy of a 1987 NAPP photograph produced by IDWR showing that the lands claimed under this SRBA claim are in fact irrigated.

A claim filing fee for an irrigation water right. IDWR may charge this fee pursuant to I. C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$50.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on February 16, 1999 at 1:30 p.m. at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION (Must be completed)

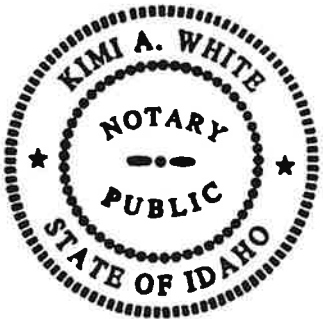
State of Idaho)
)
County of Ada)

Charles L. Honsinger, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I. C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Charles L. Honsinger
Attorney signing in representative capacity

Subscribed and sworn to before me on November 6, 1998
(Insert Date)



Kimi A. White
Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: 04/01/04

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on November 6, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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. 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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing form

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: A55-13821
Date Received: 10/29/1998
Receipt No: _____
Received By: _____

RECEIVED

NOV 04 1998

RINGERT CLARK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOUQUE RANCH PARTNERSHIP 503-522-8713
Address: PO BOX 415
MC DERMITT ID 89425
2. Date of Priority: APR 6, 1914
3. Source: TENT CREEK Trib. to: LITTLE OWYHEE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	05W	8		NE	SW		OWYHEE
		17		NE	NE		OWYHEE

5. Description of diverting works:
DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	05W	16	NE	NW		IRR	4.3
			NW	NW		IRR	4.0
			SW	NW		IRR	6.7

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
					Total Acres	15.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
55-02047, 55-02209

14. Remarks:
STATE LAND LEASE

15. Basis of Claim: BENEFICIAL USE

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: _____

For Organizations:

I do solemnly swear or affirm that I am JOHN P. NOUQUÉ of
Title
NOUQUÉ RANCH, that I have signed the foregoing
Organization
document in the space below as OWNER of
Title
NOUQUÉ RANCH and that the statements contained in the
Organization
foregoing document are true and correct.

John P. Nouqué
Signature of Authorized Agent
OWNER
Title and Organization
11-2-98
Date

State of ~~Idaho~~ Nevada)
County of Humboldt) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of November 19 98

Deena Moddrell
Notary Public

Seal

Residing at McDermitt, NV

My Commission Expires 12-1-2000

