

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85334**

This is to certify that: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
51-10252	WR/DECREED	2/15/1925	11.460 cfs	N/A	155.0	703.0	BRUNEAU RIVER
51-27B	WR/DECREED	4/1/1875	1.800 cfs	N/A	175.0	703.0	BRUNEAU RIVER
51-28B	WR/DECREED	4/1/1897	0.660 cfs	N/A	175.0	703.0	BRUNEAU RIVER
51-29B	WR/DECREED	4/1/1905	0.180 cfs	N/A	175.0	703.0	BRUNEAU RIVER
51-30	WR/DECREED	4/1/1905	0.760 cfs	N/A	51.9	703.0	BRUNEAU RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
51-10252	NO	NO	NO	YES	NO	NO
51-27B	NO	NO	NO	YES	NO	NO
51-28B	NO	NO	NO	YES	NO	NO
51-29B	NO	NO	NO	YES	NO	NO
51-30	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
51-10252	51-10252	11.460 cfs	N/A	155.0	703.0	N/A	N/A	N/A	N/A	N/A
51-27B	51-27B	1.800 cfs	N/A	175.0	703.0	N/A	N/A	N/A	N/A	N/A
51-28B	51-28B	0.660 cfs	N/A	175.0	703.0	N/A	N/A	N/A	N/A	N/A
51-29B	51-29B	0.180 cfs	N/A	175.0	703.0	N/A	N/A	N/A	N/A	N/A
51-30	51-30	0.760 cfs	N/A	51.9	703.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		14.860 cfs	N/A	264.0	703.0		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85334

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 20th day of April, 2022.



NICK MILLER, Western Regional Manager



WATER RIGHT NO. 51-27B**As Modified by Transfer No. 85334**

In accordance with the approval of Transfer No. 85334, Water Right No. 51-27B is now described as follows:

Right Holder: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Priority Date: 4/1/1875

Source: BRUNEAU RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/01	to 11/15	1.800 cfs
STOCKWATER	1/01	to 12/31	0.050 cfs
			1.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BRUNEAU RIVER	SESE	Sec 25 Twp 06S Rge 05E	OWYHEE County
BRUNEAU RIVER	L4 (SWSW)	Sec 30 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	NENW	Sec 31 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	SWSE	Sec 5 Twp 07S Rge 06E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25				1.0					40.0			40.0	40.0	40.0	40.0	40.0	241.0
06S	05E	36	40.0	40.0		10.0													90.0
06S	06E	30			5.0				19.0	35.0	40.0	40.0	40.0	40.0	11.0	31.0	40.0	38.0	339.0
06S	06E	31					26.0	7.0											33.0

Right Acre Limit: 175.0

POU Total Acres: 703.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25									X			X	X	X	X	X	
06S	05E	36	X	X		X													

WATER RIGHT NO. 51-27B
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 175 acres within the 703 acre place of use authorized by this right in a single irrigation season. The specific 175 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 175 acres to be irrigated within the 703 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 51-27B, 51-28B, and 51-29B when combined shall not exceed a total irrigation of 175 acres in a single irrigation season.
3. Rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 when combined shall not exceed a total irrigation of 264 acres in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Diversion of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E shall not exceed a maximum diversion rate of 2.0 cfs.
6. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with applicable stream channel alteration permitting requirements administered jointly by the US Army Corps of Engineers, Department of Lands, and Department of Water Resources.
7. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 51-27B
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 51-28B**As Modified by Transfer No. 85334**

In accordance with the approval of Transfer No. 85334, Water Right No. 51-28B is now described as follows:

Right Holder: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Priority Date: 4/1/1897

Source: BRUNEAU RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

3/01
1/01

To

to 11/15
to 12/31

Diversion Rate

0.660 cfs
0.050 cfs
0.660 cfs

LOCATION OF POINT(S) OF DIVERSION

BRUNEAU RIVER	SESE	Sec 25 Twp 06S Rge 05E	OWYHEE County
BRUNEAU RIVER	L4 (SWSW)	Sec 30 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	NENW	Sec 31 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	SWSE	Sec 5 Twp 07S Rge 06E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25				1.0					40.0			40.0	40.0	40.0	40.0	40.0	241.0
06S	05E	36	40.0	40.0		10.0													90.0
06S	06E	30			5.0				19.0	35.0	40.0	40.0	40.0	40.0	11.0	31.0	40.0	38.0	339.0
06S	06E	31					26.0	7.0											33.0

Right Acre Limit: 175.0

POU Total Acres: 703.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25									X			X	X	X	X	X	
06S	05E	36	X	X		X													

WATER RIGHT NO. 51-28B
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 175 acres within the 703 acre place of use authorized by this right in a single irrigation season. The specific 175 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 175 acres to be irrigated within the 703 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 51-27B, 51-28B, and 51-29B when combined shall not exceed a total irrigation of 175 acres in a single irrigation season.
3. Rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 when combined shall not exceed a total irrigation of 264 acres in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Diversion of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E shall not exceed a maximum diversion rate of 2.0 cfs.
6. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with applicable stream channel alteration permitting requirements administered jointly by the US Army Corps of Engineers, Department of Lands, and Department of Water Resources.
7. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 51-28B
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 51-29B**As Modified by Transfer No. 85334**

In accordance with the approval of Transfer No. 85334, Water Right No. 51-29B is now described as follows:

Right Holder: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Priority Date: 4/1/1905

Source: BRUNEAU RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

3/01
1/01

To

to 11/15
to 12/31

Diversion Rate

0.180 cfs
0.050 cfs
0.180 cfs

LOCATION OF POINT(S) OF DIVERSION

BRUNEAU RIVER	SESE	Sec 25 Twp 06S Rge 05E	OWYHEE County
BRUNEAU RIVER	L4 (SWSW)	Sec 30 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	NENW	Sec 31 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	SWSE	Sec 5 Twp 07S Rge 06E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25				1.0					40.0			40.0	40.0	40.0	40.0	40.0	241.0
06S	05E	36	40.0	40.0		10.0													90.0
06S	06E	30			5.0				19.0	35.0	40.0	40.0	40.0	40.0	11.0	31.0	40.0	38.0	339.0
06S	06E	31					26.0	7.0											33.0

Right Acre Limit: 175.0

POU Total Acres: 703.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25									X			X	X	X	X	X	
06S	05E	36	X	X		X													

WATER RIGHT NO. 51-29B
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 175 acres within the 703 acre place of use authorized by this right in a single irrigation season. The specific 175 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 175 acres to be irrigated within the 703 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 51-27B, 51-28B, and 51-29B when combined shall not exceed a total irrigation of 175 acres in a single irrigation season.
3. Rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 when combined shall not exceed a total irrigation of 264 acres in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Diversion of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E shall not exceed a maximum diversion rate of 2.0 cfs.
6. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with applicable stream channel alteration permitting requirements administered jointly by the US Army Corps of Engineers, Department of Lands, and Department of Water Resources.
7. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 51-29B
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 51-30**As Modified by Transfer No. 85334**

In accordance with the approval of Transfer No. 85334, Water Right No. 51-30 is now described as follows:

Right Holder: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Priority Date: 4/1/1905

Source: BRUNEAU RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

3/01
1/01

To

to 11/15
to 12/31

Diversion Rate

0.760 cfs
0.050 cfs
0.760 cfs

LOCATION OF POINT(S) OF DIVERSION

BRUNEAU RIVER	SESE	Sec 25 Twp 06S Rge 05E	OWYHEE County
BRUNEAU RIVER	L4 (SWSW)	Sec 30 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	NENW	Sec 31 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	SWSE	Sec 5 Twp 07S Rge 06E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25				1.0					40.0			40.0	40.0	40.0	40.0	40.0	241.0
06S	05E	36	40.0	40.0		10.0													90.0
06S	06E	30			5.0				19.0	35.0	40.0	40.0	40.0	40.0	11.0	31.0	40.0	38.0	339.0
06S	06E	31					26.0	7.0											33.0

Right Acre Limit: 51.9

POU Total Acres: 703.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25									X			X	X	X	X	X	
06S	05E	36	X	X		X													

WATER RIGHT NO. 51-30
As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 51.9 acres within the 703 acre place of use authorized by this right in a single irrigation season. The specific 51.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 51.9 acres to be irrigated within the 703 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 when combined shall not exceed a total irrigation of 264 acres in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. Diversion of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E shall not exceed a maximum diversion rate of 2.0 cfs.
5. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with applicable stream channel alteration permitting requirements administered jointly by the US Army Corps of Engineers, Department of Lands, and Department of Water Resources.
6. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 51-10252**As Modified by Transfer No. 85334**

In accordance with the approval of Transfer No. 85334, Water Right No. 51-10252 is now described as follows:

Right Holder: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Priority Date: 2/15/1925

Source: BRUNEAU RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/01	to 11/15	11.460 cfs
STOCKWATER	1/01	to 12/31	0.050 cfs
			11.460 cfs

LOCATION OF POINT(S) OF DIVERSION

BRUNEAU RIVER	SESE	Sec 25 Twp 06S Rge 05E	OWYHEE County
BRUNEAU RIVER	L4 (SWSW)	Sec 30 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	NENW	Sec 31 Twp 06S Rge 06E	OWYHEE County
BRUNEAU RIVER	SWSE	Sec 5 Twp 07S Rge 06E	OWYHEE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25				1.0					40.0			40.0	40.0	40.0	40.0	40.0	241.0
06S	05E	36	40.0	40.0		10.0													90.0
06S	06E	30			5.0				19.0	35.0	40.0	40.0	40.0	40.0	11.0	31.0	40.0	38.0	339.0
06S	06E	31					26.0	7.0											33.0

Right Acre Limit: 155.0

POU Total Acres: 703.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	05E	25									X				X				
06S	05E	36	X	X		X									X	X	X	X	

WATER RIGHT NO. 51-10252

As Modified by Transfer No. 85334

CONDITIONS OF APPROVAL

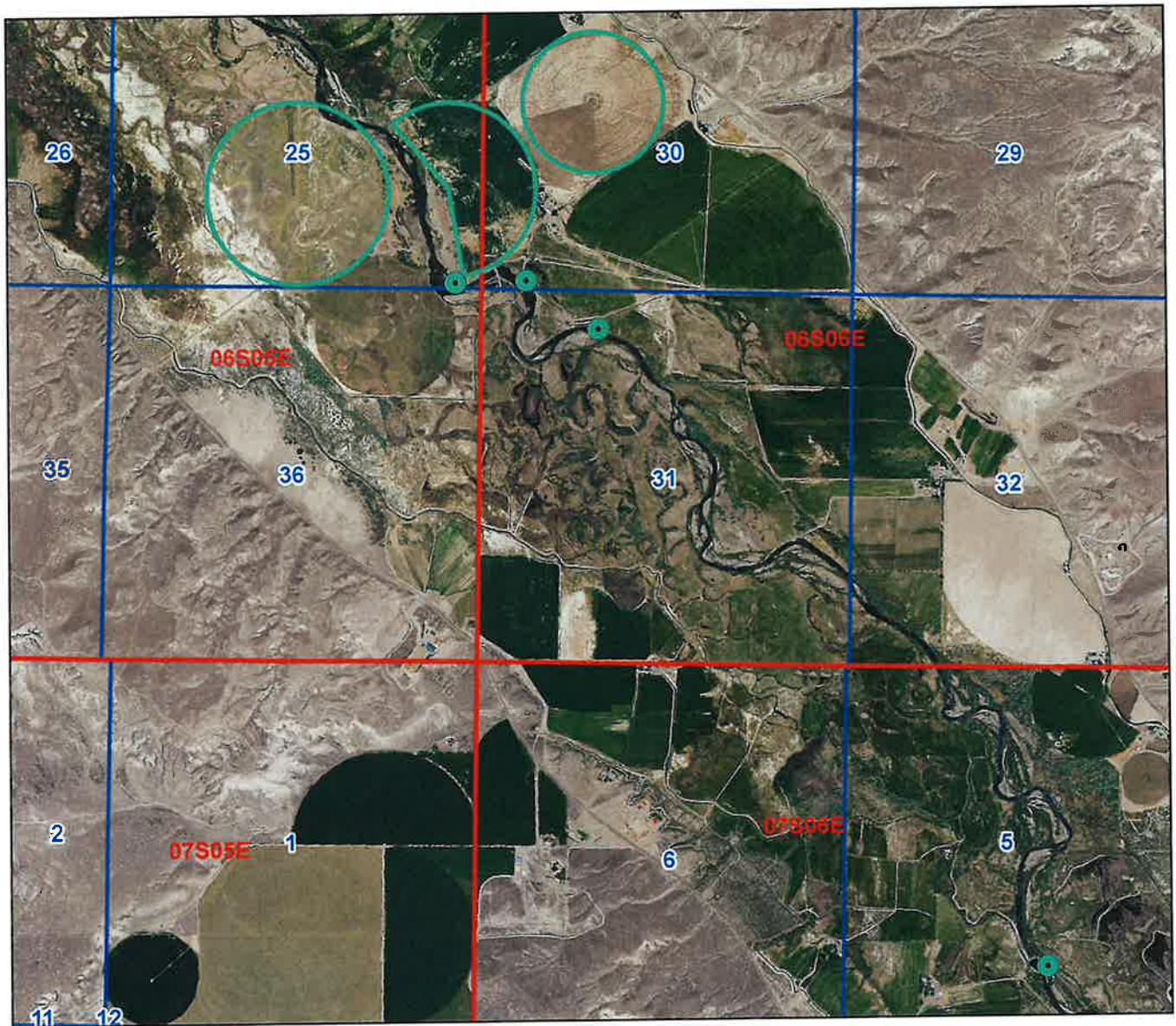
1. This right is limited to the irrigation of a specific 155 acres within the 703 acre place of use authorized by this right in a single irrigation season. The specific 155 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 155 acres to be irrigated within the 703 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 when combined shall not exceed a total irrigation of 264 acres in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. Diversion of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E shall not exceed a maximum diversion rate of 2.0 cfs.
5. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with applicable stream channel alteration permitting requirements administered jointly by the US Army Corps of Engineers, Department of Lands, and Department of Water Resources.
6. Prior to the diversion and use of water from the additional point of diversion authorized under Transfer 85334 located in Lot 4 (SWSW), Sec. 30, T06S, R06E, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

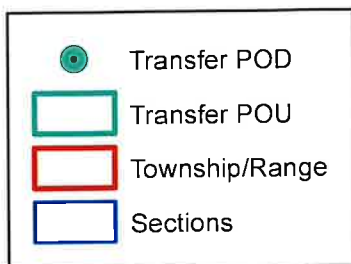
Attachment to Transfer No. 85334

Water Right(s): 51-27B, 51-28B, 51-29B, 51-30, 51-10252

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.3 0.6 1.2 Miles

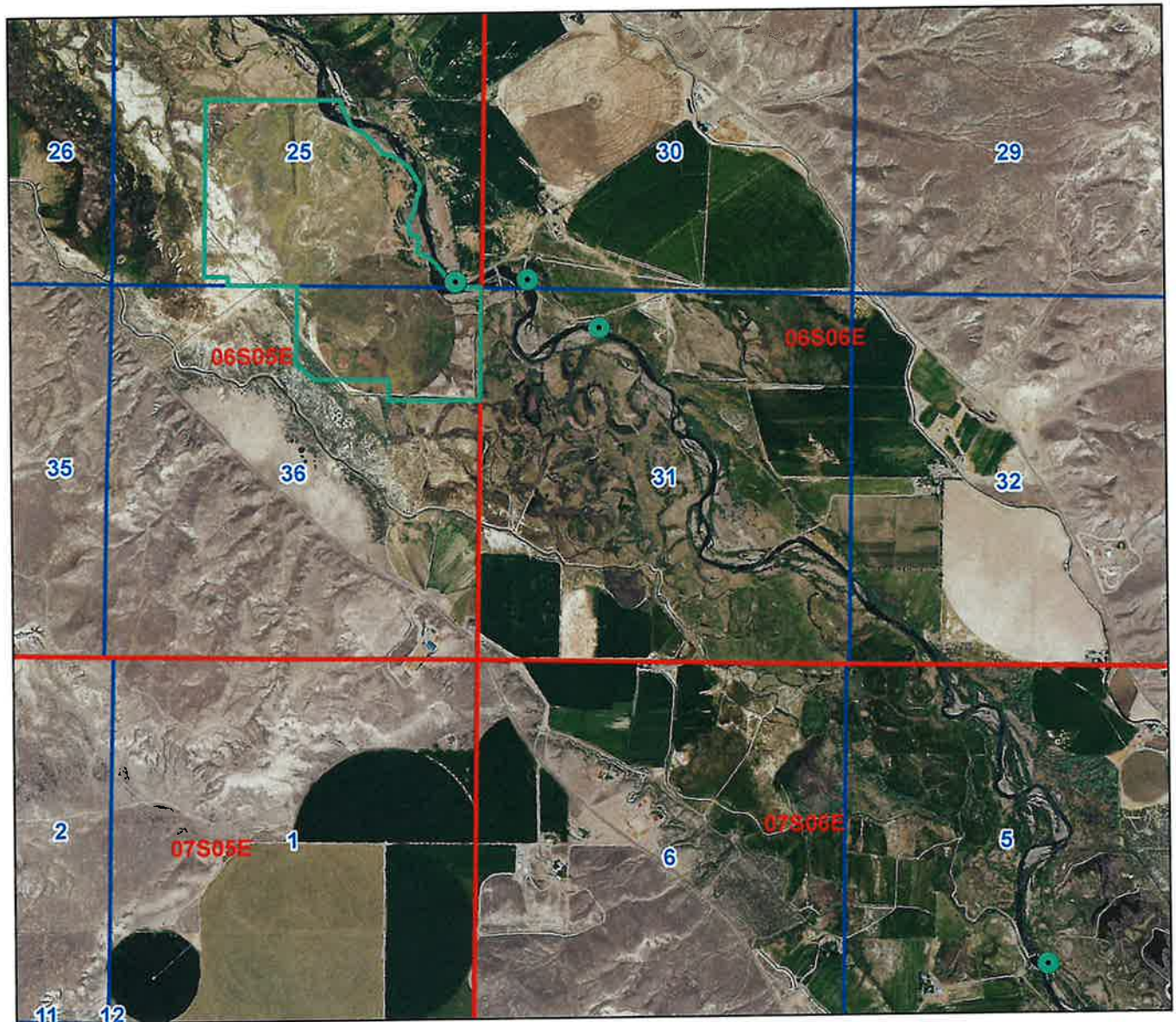


State of Idaho
Department of Water Resources

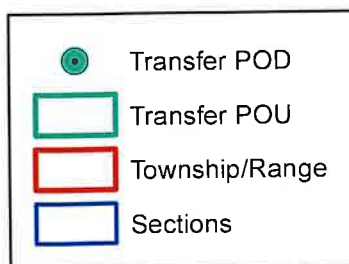
Attachment to Transfer No. 85334

Water Right(s): 51-27B, 51-28B, 51-29B, 51-30, 51-10252

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.3 0.6 1.2 Miles





IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 20, 2022

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU ID 83604-5007

Re: Transfer No: 85334
Water Right No(s): 51-27B , 51-28B , 51-29B , 51-30, 51-10252
Transfer Approval Notice

Dear Water Right Holder <and other Interested Persons>:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nick Miller', with a stylized flourish at the end.

Nick Miller
Regional Manager

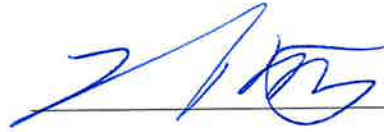
Enclosure
CC:

prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85334

Water Right No(s): 51-27B , 51-28B , 51-29B , 51-30, 51-10252

**ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU ID 83604-5007**



**Nick Miller
Regional Manager**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 85334
FROM: Aaron Olson
DATE: 3/22/2022
RE: Evaluation of Application

The transfer proposes to add a point of diversion to be used for all of the rights included, with a max diversion rate of 2.0 cfs. The new point of diversion is on the Bruneau River located in Govt. Lot 4 (SWSW) Section 30, T06S, R06E, approximately a mile south of Bruneau Idaho.

Contact person for the applicant is Terry Black of Ace Black Ranches at 208-845-2601.

Deviations from Transfer Policy Standards

During initial review of the application a description of the complete diversion system was not included on the form. After reaching out to the applicant the application was resubmitted with the information requested on the form completed.

Summary of Information Submitted

Authority to File:

IDWR records show the applicant as the current owner of the water rights. The Secretary of State annual report form filed December 16, 2020 lists Terry Black as an authorized signer on behalf of Ace Black Ranches.

Water Right Validity:

The partial decrees for water rights nos. 51-27B, 51-28B, 51-29B, and 51-30 were issued on 3/6/2000. The partial decree for water right no. 51-10252 was issued on 12/1/2000. These rights are presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file it is an IDWR product available to other staff.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed transfer. The quantity of water used for these rights will not change as a result. The proposed transfer was advertised and no protests were received. Letters seeking comment on the application were sent to several interested parties and none opposed approval.

Enlargement of Use:

Enlargement does not appear to be an issue. The proposed changes will not result in an increase of diversion rate or number of acres irrigated.

Local Public Interest:

This application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Letters seeking comment were sent out to several interested parties including Bruneau Buckaroo Coop Ditch Company, EPA, IDFG, and BLM. None of these parties opposed approval of this application, but IDFG and EPA provided comments on practices they wish to see met by the applicant. IDFG offered supplemental information regarding best management practices to be implemented during construction and maintenance of the pushup gravel dam so fish passage is maintained and impacts to other aquatic resources are reduced. IDFG has provided contact information and states they are available to help further develop the best management practices and provide technical assistance to the applicant for the project. EPA provided comment that during approval of this application conditions should be considered to require the applicant to comply with the regulations of the Clean Water Act when performing any activities related to the new point of diversion.

Discussion

If approved the following changes should be made to the conditions of the water rights:

- Add condition 186 to limit the maximum diversion rate at the new point of diversion to 2 cfs

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, IDAHO 83628

208 / 337-4681
EMAIL: OFFICE@OWYHEE.COM

RECEIVED
FEB 11 2022
WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a copy of said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper

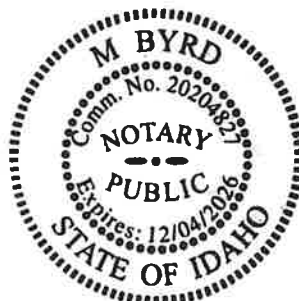
in TWO
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

February 2 & 9, 2022

SIGNED: _____

STATE OF IDAHO }
COUNTY OF OWYHEE }

On this 9th day of February in the year 2022, before me, a Notary Public, personally appeared JOE E. AMAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



M. Byrd
Notary Public of Idaho

Residing at Homedale ID
My commission expires:

12 / 04 / 2026

Sports

Melba boys blast two more foes

Joe Reiber continued to campaign to repeat as 2A Western Idaho Conference player of the year Saturday.

The Melba High School senior poured in 25 points and got support from his boys' basketball teammates in a 63-40 conference blowout of visiting New Plymouth.

Reiber averaged 22 points in two victories last week as the Mustangs (14-2 overall, 9-1 2A WIC) maintained a piece of the conference lead.

The Ambrose School (15-2, 9-1) owns the tiebreaker for the top seed into the 2A District III Tournament with two weeks

left. Melba played Compass Charter on Tuesday after deadline and has a showdown with the Archers inside Potter Gymnasium at 7:30 p.m., on Friday.

Cache Beus notched another double-double against the Pilgrims, snagging 10 rebounds to go with 11 points. He also blocked three shots.

Tucker Lowber tossed in 13 points for the Mustangs.

New Plymouth (11-7, 5-5) received 10 points apiece from Heath Schescke and Casey Arritola.

Thursday: Melba 67, Compass Charter 35 —

Everyone got involved for the Mustangs with Joe Reiber leading the way with 19 points and grabbed five rebounds.

Braden Volkers chipped in 11 points and dished four assists for the Mustangs, while Tucker Lowber, Dillon Stosich and Alfredo Orozco tossed in eight points apiece.

The Mustangs ended the week as the No. 3-ranked team in the state according to both MaxPreps.com and the IdahoSports.com coaches' poll.

Heyden Pinkston led Vision Charter (0-10, 4-12) with 10 points, while teammate Hayden Soule notched eight points.

Adrian girl wins title

Virginia Tolman beat a hometown wrestler to win a championship at the Grant Union Girls' Tournament.

The Adrian High School junior wrapped up the 107-pound title on Jan. 25 after a hard-fought 4-2 decision

against Macy Carter in John Day, Ore.

Tolman (9-2) had her first match in the round robin bracket against Irrigon's Rosita Orozco, winning the second-round bout with a 10-0 major decision.

✓Trojans: Swallow shines during Senior Night contest

From Page 1B

Friday: Fruitland 64, Homedale 50 — With upperclassman Laney Swallow scoring seven of her nine points in the first quarter, the Trojans were stride for stride with the Grizzlies to start Senior Night.

Then the 3A SRV champs turned up the defensive pressure.

Still, Homedale joined No. 2 district seed Parma as the only team score at least 50 points against Fruitland (15-5, 9-1) in conference play this season.

Junior Jacy Parker nailed three three-pointers and was 4-for-6 from the foul line to lead the Trojans with 19 points.

Homedale held the lead three times in the seesaw first quarter. After Fruitland battled back from a 7-3 deficit to tie the game, Swallow got the lead back for the hometown team with a layup.

The forward broke another tie with a three-point play with 4 minutes, 16 seconds left in the opening frame. She put back her own rebound and hit the ensuing free throw after getting fouled by Payton Fritts.

The Grizzlies used tenacious offensive rebounding and a turnover-triggering full-court press to take control later in the quarter.

Fruitland cashed in on three turnovers, scoring 10 consecutive points to grab a 19-12 lead on junior Abigail Roubidoux's layup with about three minutes left in the quarter. Roubidoux led all players with 24 points.

Fritts hit the first of her two three-point goals during the frenzy en route to 18 points.

Homedale didn't fold, though.

Junior Sydney Davis drained a three-pointer, and sophomore Zayne Hall hit a pair of buckets down the stretch in the first quarter.

The scoring was part of an 8-2 run that got Homedale to within two points, 25-23, when Parker hit a running jump shot

with 2 minutes, 50 seconds into the second period.

Fritts hit her second trey to ignite a 13-2 run as Fruitland pushed its lead back to 38-25 46.4 seconds before halftime.

Parker went coast-to-coast for a layup at the first-half buzzer to show the Trojans still had fire.

Homedale and Fruitland played back-and-forth ball again in the second half. Aberasturi hit a trey and scored six of her eight points in the fourth quarter.

Jan. 25: Homedale 40, McCall-Donnelly 27 — An 18-point final period erased a mid-game lull for the Trojans in Valley County.

Aberasturi nailed a three-point goal, and Homedale connected on five of six free-throw attempts in the fourth quarter to erase a five-point deficit in a crucial conference game.

Parker and Olivia Asumendi both went 2-for-2 from the foul line over the final eight minutes as Homedale avenged a 50-32 setback at home against Vandals on Jan. 8.

Homedale burst out to a 12-2 lead after the first quarter, but trailed by a point (18-17) when the offense went into a prolonged funk.

Parker and Asumendi both scored four points in the final period to get the Trojans back on track.

Zayne Hall scored half of her six points in the 18-point outburst.

Parker led all players with nine points, and Aberasturi scored eight.

The Vandals were successful in just one of six trips to the free-throw line.

Senior guard Matti Burtenshaw knocked down three field goals, including a pair from beyond the three-point line, to amass her team-high eight points in the second quarter.

Junior forward Delaney Ott added six points for the Vandals.

Public notices

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85334
ACE BLACK RANCHES, 28892 HOT SPRINGS RD, BRUNEAU, ID 83604-5007 has filed Application No. 85334 for changes to the following water rights within Owyhee County(s): Right No(s): 51-10252, 51-27B, 51-28B, 51-29B, 51-30; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to add a point of diversion to be used for all of the rights included, with a max diversion rate of 2.0 cfs. The new point of diversion is on the Bruneau River located in Govt. Lot 4 (SWSW) Section 30, T06S, R06E, approximately a mile south of Bruneau, Idaho.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 2/22/2022. The protest must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
02/02/09/2022

NOTICE TO CREDITORS IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE MAGISTRATE DIVISION CASE NO. CV37-22-00008

IN THE MATTER OF THE ESTATE OF GEORGE OTTO BECK, Deceased Person

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named decedent. All persons having claims against the said decedent are required to present their claims within four months after the date of the first publication of this notice or said claims will be forever barred. Claims must be both filed with the Court and presented to the Personal Representative of the estate at the law office of JULIE ADAMS DEFORD, 317 12th Avenue South, Nampa, Idaho 83651.

DATED this 13th day of January, 2022.

/s/Susan L. Beck
Personal Representative
01/19/26/02/02/09/2022

NOTICE OF LETTING

Idaho Federal Aid Project No. A022(593), A022(594), A022(595) & A022(596) in Canyon, Owyhee, Lincoln & Twin Falls County, Key No. 22593, 22594, 22595 & 22596; for the work of replace four local bridges which include: 1) S 4th Avenue, Indian Creek Bridge, Caldwell; 2) North Fork Boulder Creek Bridge, Owyhee County; 3) Little Wood River Bridge, Shoshone Highway District and 4) 4200 N Road, Deep Creek Bridge, Buhl HD.

Sealed proposals will be received only at the office of the IDAHO TRANSPORTATION DEPARTMENT, 3311 WEST STATE STREET, BOISE, IDAHO 83703, ATTN: ADVERTISEMENT AND AWARD. Bids may also be submitted electronically through Bid Express (www.bidx.com). All bids must be received by two o'clock p.m., on March 1, 2022.

A D D I T I O N A L INFORMATION CONTACT:

RESIDENT ENGINEER T. MATT KOSTER (LHTAC) at (208) 344-0565 for any design related questions.

Digital copies of the Plans, Proposals, and Specifications must be downloaded for a fee of \$15.00. Bidders must appear on the plan holders list for their proposal to be accepted by the Department. Please contact QuestCDN.com at 952-233-1632 or info@questcdninfo.com for assistance in downloading and working with this digital project information.

General Bidding information and Specifications may be obtained from the Idaho Transportation Department website at <http://id.idaho.gov/business/>

In an effort to achieve ITD's DBE Annual Participation Goal (APG) of 10.0% utilization, ITD requires responder to utilize certified subcontractors and suppliers listed on its DBE Directory located at: <https://itd.dbsystem.com/>. For this project, it has been determined that there is a DBE availability of 5.0% or more. For more information regarding ITD's DBE Program please go to <https://itd.idaho.gov/civilrights/>

This contract requires full compliance with Title VI of the Civil Rights Act of 1964, which protects persons from being denied the benefits of or excluded from participation in programs or activities; or subjected to discrimination based on race, color, national origin, sex, age, disability, Limited English Proficiency or economic status. The Contractor is encouraged to utilize the goods and services of disadvantaged firms in accomplishing the tasks or providing the services of this agreement, and to provide equal opportunity to all sub-bidders and suppliers.

01/26/02/02/02/2022

Owyhee County news online - when you need it
www.owyheeavalanche.com

Public notices

OWYHEE COUNTY 2022 AGGREGATE CRUSHING PROJECT FOR CHIP SEALS ADVERTISEMENT FOR BIDS

Separate sealed BIDS for the Owyhee County—2022 AGGREGATE CRUSHING PROJECT FOR CHIP SEALS will be received by Paragon Consulting, Inc., at their office located at 157 W. 4th Street, Kuna, Idaho 83634 until 2:00 p.m. local time on **FEBRUARY 17, 2022**, and then publicly opened and read aloud.

This project involves crushing and stockpiling approximately 12,000 tons of Class 3 Cover Coat Material, at the Owyhee County Cov Rec Pit located 9 miles southeast of Grandview near the State Highway 78 and Anderson Loop Intersection.

It is the intent of the Project Documents to describe the work required to complete this project in sufficient detail to secure comparable bids. All parts or work not specifically mentioned which are necessary in order to provide a complete project shall be included in the bid and shall conform to all Local, State and Federal requirements. Minority and women owned businesses are encouraged to bid. Owyhee County is an Equal Employment Opportunity (EEO) employer.

The Work under this contract shall be completed before **JUNE 30, 2022**. A Notice To Proceed date will be agreed upon between the Contractor and Owyhee County within 14 Calendar days of the issuance of the Notice of Award. The Contractor shall achieve substantial completion prior to **JUNE 30, 2022**. Once the work has started, the Contractor shall work continuously to substantially complete the work. All items will be ready for final payment within 14 calendar days of the substantial completion and no later than **JULY 14, 2022**.

A pre-bid conference will not be held for this project. There are no Federal funds utilized in this project.

The Project Documents and Drawings may be examined at the following locations:

- 1) Owyhee County - 20381 State Hwy. 78, Murphy, ID 83650
- 2) PARAGON CONSULTING, INC. - 157 W. 4th Street, Kuna, ID 83634 (Issuing Office)

In determining the lowest responsive bid, the OWNER will consider all acceptable bids on a basis consistent with the bid package. The OWNER will also consider whether the bidder is a responsible bidder.

Before a contract will be awarded for work contemplated herein, the OWNER will conduct such investigation as is necessary to determine the performance record and ability of the apparent low bidder to perform the size and type of work specified under this Contract. Upon request, the bidder shall submit such information as deemed necessary by the OWNER to evaluate the bidder's qualifications.

All bids must be signed and accompanied by evidence of authority to sign.

Bids must be accompanied by Bid Security in the form of a bid bond, certified check, cashier's check, or cash in the amount of 5% of the amount of the bid proposal. Said bid security shall be forfeited to Owyhee County as liquidated damages should the successful bidder fail to enter into contract in accordance with

NOTICE OF PENDING ISSUANCE OF TAX DEED GEM IRRIGATION DISTRICT

P.O. Box 67
Homedale, ID 83628
Owyhee County, Idaho

NOTICE IS HEREBY GIVEN that in accordance with Title 43, Chapter 7, of the Idaho State Code, on December 31, 2021, the period of redemption for delinquent entries made January 1, 2019, shall expire and the Gem Irrigation District, or its assign, shall be issued a tax deed or lien for the property described below, upon which such delinquent entries were made. The property described below may be redeemed on or before June 30, 2022, by paying to the Gem Irrigation District at its office in the City of Homedale, County of Owyhee, the delinquent assessments for which the delinquent entries were made, plus a penalty of two percent (2%) thereon, interest on the total at the rate of one percent (1%) per month from the day said delinquent entries were made until the day of redemption, and recording and publication costs. Any inquiries direct to Gem Irrigation at the above-named address.

Person Assessed	Property Description	Delinquent Year Assessed	Assessment & Penalty	Interest to 12/31/21	Misc Costs
Forest & Sharon Abbott	Sec 07 T3N R5W PT. NESE	2019	122.58		\$1.11
Danny & Wendy Aberasturi	Sec 01 T3N R6W PT. SENW	2019	158.41	63.43	\$1.11
Harold Or Judy Hyatt	Sec 33 T3N R4W Pt. NENE	2017-2019	557.94	302.32	\$1.11
Terry & Nathan Mahler & Darcy & Norine Geary	Sec 14 T3N R5W Lot 6	2018-2019	470.00	178.26	\$1.11
Ralph & Marlena Robinson	Sec 03 T2N R4W PT. SENW	2016-2019	1346.52	928.14	\$1.11
Carol Rudd	Sec. 26 T3N R6W PT. NE & SE1/4	2019	4063.60	478.07	\$1.11
Jeff & Rebecca Wasson	Sec 21 T3N R4W Pt SW 1/4	2019	113.70		\$1.11
Richard & Nikki Wheyland	Sec 28 T3N R4W PT NWNW	2019	191.27	66.23	\$1.11

Dated this 26th day of January, 2022
GEM IRRIGATION DISTRICT
Sherry Maxwell, Treasurer
02/02/09, 16, 23/2022

their proposal as specified in the Instructions to Bidders.

Owyhee County reserves the right to reject any or all proposals, waive any nonmaterial irregularities in the bids received, and to accept the proposal deemed most advantageous to the best interest of the County.

Date: Jan. 18, 2022

/s/ Joe Merrick
Joe Merrick, Chairman
02/02, 09/2022

NOTICE

The annual meeting of the Hot Springs Ditch Company will be held at the Emergency Center Building "EMT" Office in Bruneau on Friday, February 18, 2022 at 1:00 pm.
02/09/2022

NOTICE

The annual meeting of the South Side Bruneau Canal Company will be held at the Emergency Center Building "EMT" Office in Bruneau on Friday, February 18, 2022 at 2:00 pm.
02/09/2022

NOTICE OF HEARING IN THE DISTRICT COURT FOR THE THIRD JUDICIAL DISTRICT FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE IN RE: DAWN CHRISTINE SCHLEGEL

CASE NO. CV 37-22-28
A Petition to change the name of Dawn Christine Schlegel now residing in the City of Homedale, State of Idaho, has been filed in the District Court in Owyhee County, Idaho. The name will change to Christy Dawn Schlegel.

The reason for the change in name is: to change birth given name to name known by/as.

A hearing on the petition is scheduled for 10:00 o'clock a.m. on March 2, 2022 at the Owyhee County Courthouse. Objections may be filed by any person who can show the court a good reason against the name change.

Date: January 19, 2022

/s/ Catie Canaday, Deputy Clerk

Angela Barkell, Clerk of the District Court
01/26/02/02, 09, 16/2022

NOTICE TO CREDITORS IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

MAGISTRATE DIVISION CASE NO. CV37-22-00008 IN THE MATTER OF THE ESTATE OF GEORGE OTTO BECK, Deceased Person

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named decedent. All persons having claims against the said decedent are required to present their claims within four months after the date of the first publication of this notice or said claims will be forever barred. Claims must be both filed with the Court and presented to the Personal Representative of the estate at the law office of JULIE ADAMS DEFORD, 317 12th Avenue South, Nampa, Idaho 83651.

DATED this 13th day of January, 2022.

/s/ Susan L. Beck
Personal Representative
01/19, 26, 02/02, 09/2022

NOTICE OF TRUSTEE'S SALE

On the 12th day of May, 2022, at the hour of 10:00 a.m. of this day (recognized local time), in the office of The Owyhee County Court House, 20381 State Hwy 78, Murphy, ID 83650, in the County of Owyhee, State of Idaho, Secured Land Transfers LLC, a Delaware limited liability company dba TitleOne, as Successor Trustee, will sell at public auction to the highest bidder, for cash or cashier's check (cash equivalent), in lawful money of the United States, all payable at the time of sale in compliance with Section 45-1506(9) Idaho Code, the following described real property, situated in Owyhee County, State of Idaho, and described as follows to wit:

Lots 34 and 35, Block 1, Amended Plat of the Townsite of Bruneau, Owyhee County, Idaho, according to the official plat thereof on file and of record in the office of the Owyhee County Recorder.

The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Section 60-113, Idaho Code, the Trustee has been informed that according to the County Assessor's office, the address of 32473 Belle Avenue, Bruneau, ID 83604, is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession, or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by Dennis D. Elledge and Karen L. Elledge, husband and wife, as Grantor(s), Secured Land Transfers LLC, a Delaware limited liability company dba TitleOne, as Successor Trustee, and Harold A. Black and Araxy Black, husband and wife as Beneficiary, recorded June 18, 2003, as Instrument No. 243932, and assigned to DBL Company, Inc., an Idaho corporation, by assignment recorded May 13, 2005, as Instrument No. 251876, the records of Owyhee County, Idaho

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION (45-1506)(4)(A), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The beneficiary hereby gives notice that a breach of obligation for which said transfer in security has occurred, the nature of the breach being:

a) The default for which this sale is to be made is the failure to pay when due, under Deed of Trust Note, the monthly payments of \$193.00, due per month for the month of July 12, 2021 and all subsequent monthly payments of principal, interest, late charges and any miscellaneous fees thereafter. The Principal balance is \$14,474.87, the current interest rate is 7.000000% per annum, as of January 3, 2022.

b) The default for which this sale is to be made is the failure to pay past due real property taxes in Owyhee County for the 2nd half of 2018, 2019, 2020 and the 1st half of 2021, and failure to bring said real property taxes current.

All amounts are now due, together with unpaid and accruing taxes, assessments, late fees, trustee's fees, attorney's fees,

costs and advances made to protect the security associated with this foreclosure and all are accruing until the date of sale, full satisfaction, or reinstatement of the obligation.

Therefore, the Beneficiary elects to sell or cause the trust property to be sold to satisfy said obligation.

Dated: 01/12/2022

Secured Land Transfers LLC
dba TitleOne
Successor Trustee
/s/ Sheri Coleman
By: Sheri Coleman
Trust Officer
01/19, 26, 02/02, 09/2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85334
ACE BLACK RANCHES,
28892 HOT SPRINGS RD,
BRUNEAU, ID 83604-5007
has filed Application No. 85334 for changes to the following water rights within OWYHEE County(s): Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to add a point of diversion to be used for all of the rights included, with a max diversion rate of 2.0 cfs. The new point of diversion is on the Bruneau River located in Govt. Lot 4 (SWSW) Section 30, T06S, R06E, approximately a mile south of Bruneau, Idaho.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 2/22/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
02/02, 09/2022

2-24-22



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

RECEIVED

FEB

WATER
WEST

ENFORCEMENT &
COMPLIANCE ASSURANCE
DIVISION

Reply To: 20-C04

RETURN RECEIPT REQUESTED

Mr. Nick Miller
Western Region Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

FEB 16 2022

WATER RESOURCES
WESTERN REGION

Re: Comments Regarding Water Rights Transfer Application No. 85334 – Ace Black Ranches, LLP

Dear Mr. Miller:

The U.S. Environmental Protection Agency (EPA), Region 10, received the Idaho Department of Water Resources' (IDWR) January 27, 2022, notice seeking written comment and/or recommendations from EPA regarding Water Rights Transfer Application Number 85334 filed by Ace Black Ranches, LLP ("ABR") involving Water Rights Numbers 51-10252, 51-27B, 51-28B, 51-29B, and 51-30 ("Transfer Application"). EPA appreciates the opportunity to share its perspective with IDWR.

It is EPA's understanding that the Transfer Application involves ABR's property located in Bruneau, Idaho. As IDWR is aware, EPA is investigating potential Clean Water Act (CWA) violations by ABR at this property. Based on a review of the record, it appears that the Transfer Application proposes a new point of diversion within the Bruneau River. According to the Transfer Application materials, this new point of diversion may involve the construction of a "pushup gravel dam." If this "pushup gravel dam" is constructed within waters of the United States, it may implicate the CWA.

Pursuant to CWA Section 301, 33 U.S.C. § 1311, discharges of pollutants from a point source into waters of the United States without authorization is a violation of the CWA. Certain discharges of pollutants require authorization by a CWA permit. If IDWR approves the Transfer Application, EPA suggests that IDWR consider including a condition in its approval requiring ABR to comply with the CWA and its implementing regulations when performing any activities related to the new point of diversion.

Should you have any questions regarding EPA's comments, please do not hesitate to contact Charissa Bujak, of my staff, at (208) 789-1108 or bujak.charissa@epa.gov or contact Patrick Johnson, Assistant Regional Counsel, at (907) 271-3914 or johnson.patrick@epa.gov.

Sincerely,

JEFFERY
KENKNIGHT

Digitally signed by
JEFFERY KENKNIGHT
Date: 2022.02.16
14:53:05 -08'00'

Jeff KenKnight, Chief
Water Enforcement and Field Branch

cc: Mr. Aaron Olson
Water Resource Agent, Idaho Department of Water Resources



IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION

15950 N. Gate Blvd.

Nampa, Idaho 83687

Brad Little / Governor

Ed Schriever / Director

February 22, 2022

IDWR-Western Region

2735 W Airport Way

Boise ID 83705

RE: Water Transfer Application Supplemental

To whom it may concern,

The Idaho Department of Fish and Game (IDFG) has reviewed the Water Right Transfer Application No. 85334 submitted by Ace Black Ranches. The application seeks to establish a new point of diversion for an existing water right. In fulfillment of our statutory charge (Idaho Code § 36-103(a)) to preserve, protect, perpetuate, and manage all fish and wildlife in Idaho, we offer the following supplemental information to the attached recommendation form.

The construction of an in-stream diversion structure, such as the gravel pushup dam proposed in this transfer application, has potential to be a barrier to fish movement if improperly installed and maintained. IDFG recommends utilizing Best Management Practices (BMPs) when working on such structures to maintain fish passage (as required by Idaho Code § 36-906(a)) and reduce impacts to other aquatic resources (i.e. aquatic vegetation, macro invertebrates). Installing and performing maintenance on gravel pushup dams should be done during periods of low flow, and to the extent possible, project activities should be coordinated in such a way to minimize the amount of time heavy machinery is used within the stream channel. In addition, points of ingress and egress along the stream should be strategically placed and kept to a minimum to mitigate impacts to riparian vegetation. Disturbed vegetation should be rehabilitated where appropriate.

IDFG is available to help further develop these BMPs and provide additional technical assistance specific to this project as needed. We appreciate the opportunity to provide information pertinent to the proposed projects. Please contact Casey Pozzanghera in the Southwest Region office at (208)465-8465 if you have any additional questions concerning this letter.

Keeping Idaho's Wildlife Heritage

Sincerely,

A handwritten signature in blue ink, appearing to read "Josh Royse", with a long horizontal line extending to the right.

Josh Royse
Southwest Regional Supervisor

JR/CBP

ecc: Art Butts, IDFG R3
Brad Lowe, IDFG R3

Jones, Chad

From: Pozzanghera, Casey <casey.pozzanghera@idfg.idaho.gov>
Sent: Tuesday, February 22, 2022 4:38 PM
To: Western Info
Cc: Royse, Josh; Art Butts; Lowe, Brad
Subject: FW: Application for Transfer No. Transfer No. 85334; Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30
Attachments: Recommendation Form IDFG 85334.docx; Water Right Transfer No 85334 Recommendation Form_IDFG 20220222.pdf

IDWR Western Regional Office,

Attached please find IDFGs recommendations for Application for Transfer No. 85334. Thank you for the opportunity to review. Please feel free to contact me with any questions.

Best,

Casey Pozzanghera
Staff Biologist, Southwest Region
Idaho Department of Fish and Game
15950 N Gate Blvd
Nampa, ID 83687
(208) 854-8947



<https://idfg.idaho.gov>

From: Lauerman, Denise <Denise.Lauerman@idwr.idaho.gov>
Sent: Thursday, January 27, 2022 11:45 AM
To: Pozzanghera, Casey <casey.pozzanghera@idfg.idaho.gov>
Cc: Hickey, Clay <clay.hickey@idfg.idaho.gov>
Subject: Application for Transfer No. Transfer No. 85334; Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30

IDFG:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the applications at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the applications, then complete the enclosed recommendation form and return it to this office by **02/22/2022**.

If the applications are approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unopposed application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by **02/22/2022**, IDWR will presume that you do not oppose approval of the applications and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Thanks!

Denise

Denise Lauerman

Administrative Assistant | IDWR - Western Region

(208) 334.2190 | <http://idwr.idaho.gov/>



IDAHO DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources

RECOMMENDATION FORM

RECEIVED
FEB 22 2022
WATER RESOURCES
WESTERN REGION

RE: Transfer No. 85334
Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30

New Appropriation Applicant's
Name:

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☒ Additional comments: See Attached

Dated this 22 day of February, 2022



Josh Royse, IDFG Regional Supervisor

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RECEIVED
FEB 14 2022
WATER RESOURCES
WESTERN REGION

RE: Transfer No. 85334
Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30

Transfer Applicant's Name: ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007

Recommendation:

- a) X I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this 10 day of February 2022

Frank L. Bach
Signature

President
Brunway-Buckaroo Ditch Co.



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 27, 2022

BRUNEAU BUCKAROO COOPERATIVE DITCH CO
PO BOX 235
MOUNTAIN HOME, ID 83647

9 Feb 17
21 days

RE: Transfer No. 85334
Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx> Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Lauerman".

Denise Lauerman
Administrative Assistant

Enclosures