

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

RECEIVED
AUG 12 2021

☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership changed ☐ Ownership split

☐ Transfer is for changes pursuant to Idaho Code § 42-221.0.8. Attach an explanation and any supporting documentation.

6. GENERAL INFORMATION Location of Dam is drawn on the map.

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

A pushup Gravel Dam — water will be pumped by a 10 horse powered pump — The pump has a meter and lockable valve.

- b. Who owns the property at the point(s) of diversion? Ace Black Ranches
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** — ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** — The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Terry Black
Signature of applicant or authorized agent

Terry Black
Print name and title if applicable

7/29/21
Date

Terry Black
Signature of applicant or authorized agent

Terry Black
Print name and title if applicable

7/29/21
Date

9. **FEE** — ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by LE

Date 07/29/2021

Fee paid \$580⁰⁰ Date 08/12/2021

Receipted by CS

Receipt # W049695

Preliminary review by AO

Date 9/21/2021

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 — confidential information is held by fiscal only)

State of Idaho
Department of Water Resources
Attachment to TR Application
51-27B, 51-28B, 51-29B, 51-30, 51-10252

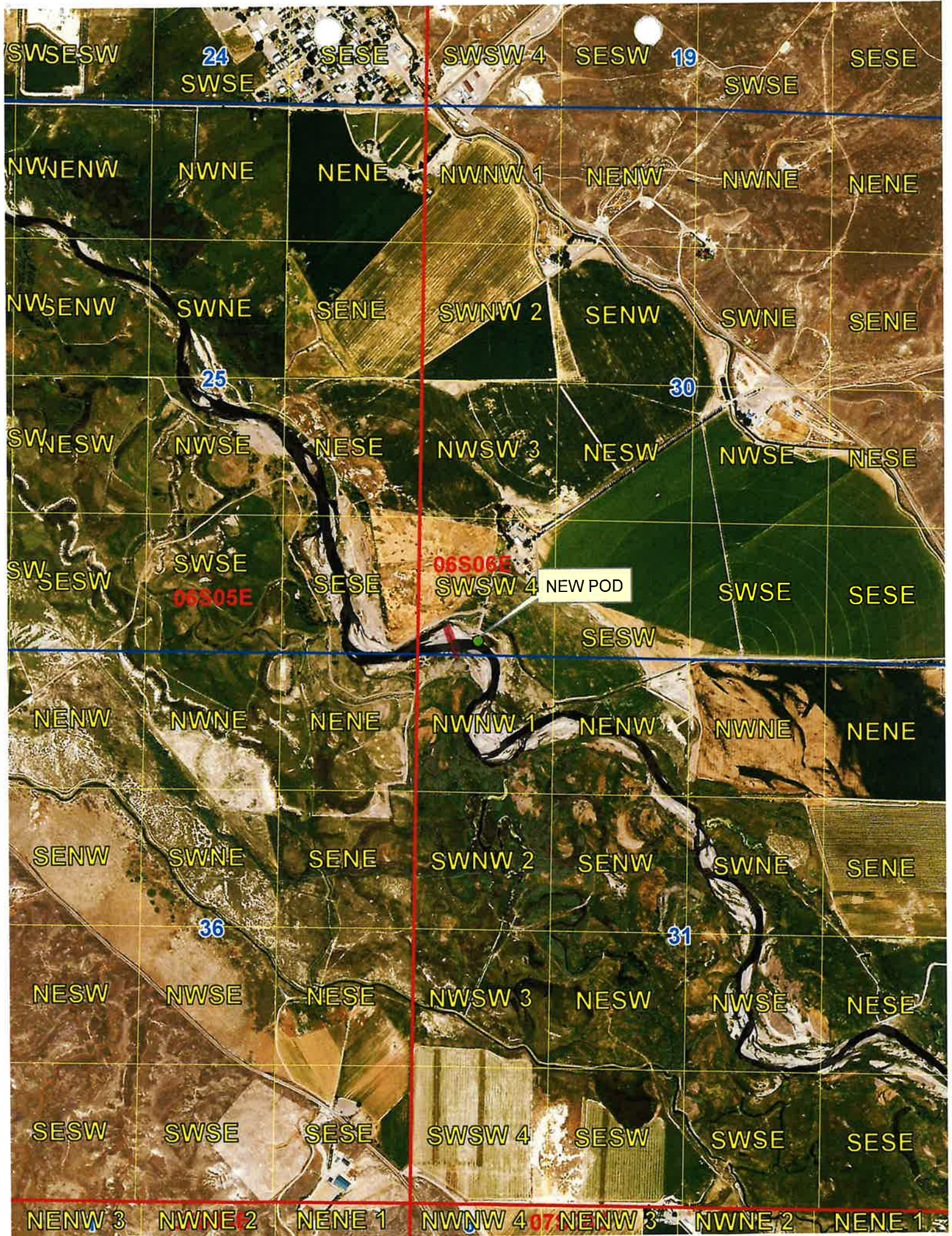
This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  New PoD

0 0.45 0.9 1.8 Miles





7/29/2021

Owner Type
Current Owner

Name and Address
ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Priority Date: 4/3/1875

Basis: Decreed

Status: Active

Source
BRUNEAU RIVER

Tributary
SNAKE RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From

To

3/01

11/15

Diversion Rate

1.800 CFS

0.050 CFS

Volume

1.800 CFS

Source and Point(s) of Diversion

BRUNEAU RIVER

BRUNEAU RIVER

BRUNEAU RIVER

SESE

NENW

SWSE

Sec. 25, Twp 06S, Rge 05E, OWYHEE County

Sec. 31, Twp 06S, Rge 06E, OWYHEE County

Sec. 5, Twp 07S, Rge 06E, OWYHEE County

Place Of Use

STOCKWATER within OWYHEE County

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

IRRIGATION within OWYHEE County

[illegible]

Right Acre Limit: 175.0

POU Total Acres: 703.0

Conditions of Approval:

1. 206 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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- 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. X35 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. X35 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. R64 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. 01M 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.
 6. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
 7. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 11. T19 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.

Comments:

1. SBOCK 7/6/1998 COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL.
DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4
AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4
AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE
BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMMITED THIS 1/4 1/4 HAS BEEN FILED
BY THE CLAIMANT AND CAN BE FOUND IN FILE # A65-00027B. THIS CLAIM
REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS
IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE
DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN
DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS.
ELR. ***** 7/6/1998 EVEN IF THE LAND LISTED ABOVE SHOULD HAVE BEEN
INCLUDED IN THE DECREE, IT WAS NOT; THEREFORE, I CAN NOT ENTER IT. ALSO ALL
LANDS LOCATED EAST OF THE RIVER SHOULD BE COVERED UNDER BRUNEAU
BUCKAROO AS NO WATER FROM S. SIDE IS APPLIED ON THE EAST SIDE.

2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

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3. KWALKER 5/14/1999 REVISION TO RECOMMENDATION
REVISED RECOMMENDATION PER STIPULATION WITH SOUTH SIDE CANAL AND
WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERIONS SINCE THE
CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS
PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER
USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS
THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. ADDED REMARK LIMITING
THIS RIGHT TO 175 ACRES WHEN COMBINED WITH 51-00028B AND 51-00029B
BECAUSE THE THREE RIGHTS TOGETHER HAVE HISTORICALLY IRRIGATED ONLY 175
ACRES.

4. AKaiser Updated POU Shape	3/6/2020	Updated Shape
5. AKaiser Updated POD Shape	7/21/2020	Updated Shape
6. AKaiser Updated POU Shape	7/22/2020	Updated Shape
7. pkelly Updated Pls	1/5/2021	POU
8. pkelly Updated Shape	1/5/2021	POU
9. pkelly Updated Shape	1/22/2021	POU
10. dlauerman This is now an approved transfer. Transfer Number = 83899	1/27/2021	Transferred Right

Dates and Other Information

Decreed Date: 3/6/2000
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		175.0
51-27B ,51-28B ,51-29B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		263.7
51-27B ,51-28B ,51-29B ,51-30 ,51-10252		

SubCase:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

SubCaseNumber: 51-27B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 5/28/1999
Objection Status: Active

Water Supply Bank:

N/A

7/29/2021

Owner Type
Current Owner

Priority Date: 4/2/1897

Basis: Decreed

Source
BRUNEAU RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From

3/01

1/01

Total Diversion

To

11/15

12/31

Diversion Rate

0.660 CFS

0.050 CFS

0.660 CFS

Volume

BRUNEAU RIVER

SWSE

SESE

NENW

Sec. 5, Twp 07S, Rge 06E, OWYHEE County

Sec. 25, Twp 06S, Rge 05E, OWYHEE County

Sec. 31, Twp 06S, Rge 06E, OWYHEE County

STOCKWATER within OWYHEE County

IRRIGATION within OWYHEE County

Right Acre Limit: 175.0

Conditions of Approval:

- Page 5 of 17

IDAHO DEPARTMENT OF WATER RESOURCES
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7/29/2021

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Comments:

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Updated POU Shape

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Updated POD Shape

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Updated POD Shape

7. AKaiser 7/22/2020 Updated Shape
Updated POU Shape

8. dlauerman 1/27/2021 Transferred Right
This is now an approved transfer. Transfer Number = 83899

Dates and Other Information

Decreed Date: 3/6/2000

State or Federal: S

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		175.0

51-27B ,51-28B ,51-29B

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		263.7

51-27B ,51-28B ,51-29B ,51-30 ,51-10252

SubCase:

SubCaseNumber: 51-28B

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 5/28/1999

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

Objection Status: Active

Water Supply Bank:
N/A

7/29/2021

Owner Type
Current Owner

Name and Address
ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Basis: Decreed

Status: Active

Source
BRUNEAU RIVER

Tributary
SNAKE RIVER

Beneficial Use

From

To

Diversion Rate

Volume

IRRIGATION

3/01

11/15

0.180 CFS

STOCKWATER

1/01

12/31

0.050 CFS

Total Diversion

0.180 CFS

Source and Point(s) of Diversion

BRUNEAU RIVER

SESE

Sec. 25, Twp 06S, Rge 05E, 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

STOCKWATER within OWYHEE County

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

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | 206 | 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 |
|----|-----|---|

Proof Report

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Comments:

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THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL. DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4 AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4 AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMITED THIS 1/4 1/4 HAS BEEN FILED BY THE CLAIMANT AND CAN BE FOUND IN FILE # A51-00027B. THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR ***** 07/06/1998 - COULD NOT INCLUDE THIS LAND IF NOT INCLUDED IN DECREE AND ALL LANDS EAST OF RIVER IRR. BY BRUNEAU BUCKAROO.
2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. KWALKER 5/14/1999 REVISED RECOMMENDATIONS
REVISED RECOMMENATIONS PER STIPULATION WITH SOUTH SIDE CANAL AND

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERIONS SINCE THE CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. ADDED REMARK LIMITING THIS RIGHT TO 175 ACRES WHEN COMBINED WITH 51-00027B & 51-00028B BECAUSE THE THREE RIGHTS TOGETHER HAVE HISTORICALLY IRRIGATED ONLY 175 ACRES.

4.	AKaiser Updated POU Shape	3/6/2020	Updated Shape
5.	AKaiser Updated POD Shape	7/22/2020	Updated Shape
6.	AKaiser Updated POU Shape	7/22/2020	Updated Shape
7.	dlauerman This is now an approved transfer.	1/27/2021	Transferred Right Transfer Number = 83899

Dates and Other Information

Decreed Date: 3/6/2000
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B		175.0
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B ,51-30 ,51-10252		263.7

SubCase:

SubCaseNumber: 51-29B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 5/28/1999
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

Water Right 51-30

Owner Type **Name and Address**
Current Owner ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Priority Date: 4/2/1905

Basis: Decreed

Status: Active

Source
BRUNEAU RIVER

Tributary
SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	0.760 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	Total Diversion		0.760 CFS	

Source and Point(s) of Diversion

BRUNEAU RIVER	SESE	Sec. 25, Twp 06S, Rge 05E, 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

STOCKWATER within OWYHEE County

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													

IRRIGATION within OWYHEE County

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

Conditions of Approval:

- 206 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

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Proof Report

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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. X35 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. R64 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. 01M 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.
5. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 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.

Comments:

1. SBOCK 7/6/1998 PPU
THESE RIGHTS WERE COMBINED INTO A PPU PER CLAIMANT'S REQUEST AND THIS IS THE WAY THE SYSTEM OPERATES. THIS CLAIM WAS FILED ON WITH SOME OF THE LAND ON THE E. SIDE OF THE RIVER. CLAIMANTS DO NOT USE ANY WATER FROM S. SIDE ON THE EAST SIDE OF THE RIVER. THEY HAVE 51.9 ACRES FROM THIS CLAIM WHICH THEY ARE NOW IRR. WITH WATER DELIVERED VIA S. SIDE.
2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. SBOCK 8/26/1998 EXCESSIVE FLOWS
AS PER THE BROCKWAY STUDY, THE CLAIMANTS AMENDED THEIR CLAIMS TO INCLUDE EXCESSIVE FLOWS. THIS RIGHT IS BEING RECOMMENDED AS DECREED AT 2.0 CFS.
4. KWALKER 5/14/1999 REVISED RECOMMENDATIONS
REVISED RECOMMENDATIONS PER STIPULATION WITH SOUTH SIDE CANAL AND WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERSIONS SINCE THE CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. REDUCED AMOUNT OF WATER PER STIPULATION MENTIONED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

5.	AKaiser Updated POU Shape	3/6/2020	Updated Shape
6.	AKaiser Updated POD Shape	7/22/2020	Updated Shape
7.	AKaiser Updated POU Shape	7/22/2020	Updated Shape
8.	dlauerman This is now an approved transfer.	1/27/2021	Transferred Right Transfer Number = 83899

Dates and Other Information

Decreed Date: 3/6/2000
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B ,51-30 ,51-10252		263.7

SubCase:

SubCaseNumber: 51-30
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 5/28/1999
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

Water Right 51-10252

Owner Type **Name and Address**
Current Owner ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Priority Date: 2/16/1925

Basis: Decreed

Status: Active

Source **Tributary**
BRUNEAU RIVER SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	11.460 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	Total Diversion		11.460 CFS	

Source and Point(s) of Diversion

BRUNEAU RIVER	NENW	Sec. 31, Twp 06S, Rge 06E, OWYHEE County
BRUNEAU RIVER	SESE	Sec. 25, Twp 06S, Rge 05E, OWYHEE County(R)
BRUNEAU RIVER	SWSE	Sec. 5, Twp 07S, Rge 06E, OWYHEE County

Place Of Use

STOCKWATER within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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													

IRRIGATION within OWYHEE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	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

Conditions of Approval:

- 206 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

- 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. X35 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. R64 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. 01M 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.
 5. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
 6. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 7. 004 This right does not grant any right-of-way or easement across the land of another.
 8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. T19 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.

Comments:

1. SBOCK 7/6/1998 COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL.
DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4
AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4
AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE
BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMMITED THIS 1/4 1/4 HAS BEEN FILED
BY THE CLAIMANT AND CAN BE FOUND IN FILE # A65-00027B. THIS CLAIM
REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS
IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE
DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN
DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS.
ELR. ***** 07/06/1998 THIS LAND HAS BEEN COMBINED INTO A PPU AS THE
WATER IS USED THIS WAY. NO LANDS ARE IRR. EAST OF THE RIVER WITH WATER
DIVERTED FROM S. SIDE. THIS B.U. CLAIM IS LIMITED TO 1.28 CFS TO BRING THE
TOTAL IRR UP TO 1' PER ACRE.
2. AJU10-JS 7/31/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. SBOCK 8/26/1998 EXCESSIVE FLOWS
AS PER THE BROCKWAY STUDY, CLAIMANTS ARE AMENDING THEIR CLAIMS TO

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

INCLUDE EXCESSIVE FLOWS.

4.	AKaiser Updated POD Shape	3/6/2020	Updated Shape
5.	AKaiser Updated POU Shape	3/6/2020	Updated Shape
6.	AKaiser Updated POD Shape	7/22/2020	Updated Shape
7.	AKaiser Updated POU Shape	7/22/2020	Updated Shape
8.	dlauerman This is now an approved transfer.	1/27/2021	Transferred Right Transfer Number = 83899

Dates and Other Information

Decreed Date: 12/1/2000

State or Federal: S

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

263.7

51-27B ,51-28B ,51-29B ,51-30 ,51-10252

SubCase:

N/A

Water Supply Bank:

N/A



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 26, 2022

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

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

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 2/2/2022 and 2/9/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

A handwritten signature in blue ink that reads "Denise Lauerman". The signature is fluid and cursive, with the first name "Denise" being more prominent.

Denise Lauerman
Administrative Assistant

Lauerman, Denise

From: Lauerman, Denise
Sent: Thursday, January 27, 2022 11:45 AM
To: Casey Pozzanghera
Cc: Hickey, Clay
Subject: 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

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 unprotested 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

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

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
C/O FREDRIC W PRICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

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,

Denise Lauerman
Administrative Assistant

Enclosures

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

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) _____ 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 _____ day of _____.

Signature



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

January 27, 2022

EPA REGION 10
IDAHO OPERATIONS OFFICE
950 W BANNOCK ST STE 900
BOISE ID 83702

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,



Denise Lauerman
Administrative Assistant

Enclosures

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

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) _____ 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 _____ day of _____.

Signature



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

January 27, 2022

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

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,

Denise Lauerman
Administrative Assistant

Enclosures

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

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) _____ 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 _____ day of _____.

Signature

Lauerman, Denise

From: Lauerman, Denise
Sent: Wednesday, January 26, 2022 5:21 PM
To: office@owyheeavalanche.com
Cc: Jon Brown
Subject: OWYHEE COUNTY Legal Notice - Application for Transfer No. Transfer No. 85334; Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30
Attachments: Cover Letter Owyhee County 85334.docx; Legal Notice Owyhee County 85334.docx

Good evening,

Please see the attached ad for publication on 02/02/2022 and 02/09/2022.

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/22/2022. Your cooperation is appreciated.

Please confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.

Thanks!
Denise

Denise Lauerman
Administrative Assistant | IDWR - Western Region
2735 W Airport Way, Boise ID 83705-5082
☎ (208) 334.2190 | <http://idwr.idaho.gov/>
✉ denise.lauerman@idwr.idaho.gov





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

January 26, 2022

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

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

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/22/2022. Your cooperation is appreciated.

Sincerely,

Denise Lauerman
Administrative Assistant

Enclosures

**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

Published on 2/2/2022 and 2/9/2022

COPY



IDAHO DEPARTMENT
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

August 18, 2021

ACE BLACK RANCHES
28892 HOT SPRING RD
BRUNEAU ID 83604

Re: Application for Transfer

Dear Applicant:

The Idaho Department of Water Resources (IDWR) received your application for transfer to change a water right(s) on August 12, 2021. Additional information is needed to evaluate and process your application.

Please provide the following information:

- **Item 6(a).**

-A description of the complete diversion system is needed. Please include in this description details such as if the diversion will be gravity fed or pumped, pump size if applicable, measuring devices and lockable controlling works, and a description (or sketch) of how this point of diversion will tie into the existing water delivery system.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to delay processing. Your written response including the requested information, or a request for more time to seek the information, must be received within the next thirty (30) days.

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Aaron Olson - Water Resource Agent
Idaho Dept. of Water Resources
2735 W Airport Way Boise, ID 83705
Aaron.Olson@idwr.idaho.gov

Enclosure: Transfer Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE

Governor

August 3, 2021

GARY SPACKMAN

Director

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU ID 83604

Re: Transfer Application Info

Dear Applicant:

This office received your transfer application proposing to add a point of diversion (POD) to your irrigation rights out of the Bruneau River on July 29, 2021. Please review the following information regarding your transfer application. Once IDWR receives your updated transfer application with the appropriate fee, we will continue processing your application:

1) Item 4. – Total amount of water

- The transfer application must include all five water rights listed on your application as these five rights are stacked. That said, you do not need to transfer the entire combined 14.86 cfs to the proposed POD. You can reduce the amount of water listed under item 4 if you do not believe you will ever utilize the full 14.68 cfs of water out of your proposed POD.

2) Fee

- After you determine how much water you wish to transfer to your proposed POD (item 4), please reference the attached fee schedule and submit the appropriate fee.

3) Temporary change (resulting from drought conditions)

- Earlier, we discussed the possibility of a temporary transfer due to drought conditions. I have attached the required form for that process (a temporary change form). However, you may only submit a temporary change if Owyhee county officially declares a drought.

With this letter, I have included your original application for transfer, the transfer application fee schedule, and a blank temporary change form. Please make the necessary changes to your application, and submit your updated application and necessary fees by mail or in person to me at the address listed below. If you have any questions please do not hesitate to call me at (208)-334-2190 or email me at anna.kaiser@idwr.idaho.gov.

You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be returned indefinitely without a timely written reply within the next thirty (30) days.

Sincerely,



Anna Kaiser

Water Resource Agent

Idaho Dept. of Water Resources | Western Regional Office
2735 W Airport Way, Boise ID 83705

Enclosures: Original Transfer Application
Transfer Application Fee Schedule
Blank Temporary Change Application

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED
INCOMPLETE - MUSHY
JUL 29 2021 Fee

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

WATER RESOURCES
WESTERN REGION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

COPY

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
- ☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Ace Black Ranch Phone 208-845-2601

2. **MAILING ADDRESS** 28892 Hot Spring RD City Bruneau

State Idaho Zip 83604 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 51-27B, 51-28B, 51-29B, 51-30, 51-10252

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 14.86 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, Water Rights, Water Right Transfers, Modeling Resources.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
N			SE	SE	25	6S	5E	OWYHEE	BRUNEAU RIVER	
N			NE	NW	31	6S	6E	"	"	
N			SW	SE	5	7S	6E	"	"	
Y			SW	SW	30	6S	6E	"	"	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

- b. Who owns the property at the point(s) of diversion? Ace Black Ranches
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Terry Black
Signature of applicant or authorized agent

Terry Black
Print name and title if applicable

7/29/21
Date

Terry Black
Signature of applicant or authorized agent

Terry Black
Print name and title if applicable

7/29/21
Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 07/29/2021
Fee paid _____ Date _____ Receipted by _____ Receipt # _____
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

- 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. X35 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. X35 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. R64 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. 01M 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.
 6. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
 7. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 11. T19 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.

Comments:

1. SBOCK 7/6/1998 COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL. DECREE WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING ASSUMPTION THAT INCHES DECREE EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4 AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4 AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMMITED THIS 1/4 1/4 HAS BEEN FILED BY THE CLAIMANT AND CAN BE FOUND IN FILE # A65-00027B. THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR. ***** 7/6/1998 EVEN IF THE LAND LISTED ABOVE SHOULD HAVE BEEN INCLUDED IN THE DECREE, IT WAS NOT; THEREFORE, I CAN NOT ENTER IT. ALSO ALL LANDS LOCATED EAST OF THE RIVER SHOULD BE COVERED UNDER BRUNEAU BUCKAROO AS NO WATER FROM S. SIDE IS APPLIED ON THE EAST SIDE.

2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

3. KWALKER 5/14/1999 REVISION TO RECOMMENDATION
REVISED RECOMMENDATION PER STIPULATION WITH SOUTH SIDE CANAL AND
WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERSIONS SINCE THE
CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS
PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER
USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS
THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. ADDED REMARK LIMITING
THIS RIGHT TO 175 ACRES WHEN COMBINED WITH 51-00028B AND 51-00029B
BECAUSE THE THREE RIGHTS TOGETHER HAVE HISTORICALLY IRRIGATED ONLY 175
ACRES.

4. AKaiser Updated POU Shape	3/6/2020	Updated Shape
5. AKaiser Updated POD Shape	7/21/2020	Updated Shape
6. AKaiser Updated POU Shape	7/22/2020	Updated Shape
7. pkelly Updated Pls	1/5/2021	POU
8. pkelly Updated Shape	1/5/2021	POU
9. pkelly Updated Shape	1/22/2021	POU
10. dlauerman This is now an approved transfer. Transfer Number = 83899	1/27/2021	Transferred Right

Dates and Other Information

Decreed Date: 3/6/2000
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B		175.0
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B ,51-30 ,51-10252		263.7

SubCase:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

SubCaseNumber: 51-27B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 5/28/1999
Objection Status: Active

Water Supply Bank:

N/A

7/29/2021

Name and Address
ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

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 11. T19 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.

Comments:

1. SBOCK 7/6/1998 COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL.
DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4
AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4
AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE
BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMITTED THIS 1/4 1/4 HAS BEEN FILED
BY THE CLAIMANT AND CAN BE FOUND IN FILE # A51-00027B. THIS CLAIM
REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS
IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE
DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN
DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS.
ELR ***** 7/02/1998 EVEN IF THE LAND LISTED ABOVE SHOULD HAVE
BBEN INCLUDED IN THE DECREE, IT WAS NOT; THEREFORE, I CAN NOT ENTER IT.
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2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

3. KWALKER 5/14/1999 REVISED RECOMMENDATIONS
REVISED RECOMMENDATIONS PER STIPULATION WITH SOUTH SIDE CANAL AND
WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERSIONS SINCE THE
CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS
PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER
USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS
THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. ADDED REMARK LIMITING
THIS RIGHT TO 175 ACRES WHEN COMBINED WITH 51-00027B AND 51-00029B
BECAUSE THE THREE RIGHTS TOGETHER HAVE HISTORICALLY IRRIGATED ONLY 175
ACRES.

4. AKaiser 3/6/2020 Updated Shape
Updated POU Shape

5. AKaiser 7/21/2020 Updated Shape
Updated POD Shape

6. AKaiser 7/22/2020 Updated Shape
Updated POD Shape

7. AKaiser 7/22/2020 Updated Shape
Updated POU Shape

8. dlauerman 1/27/2021 Transferred Right
This is now an approved transfer. Transfer Number = 83899

Dates and Other Information

Decreed Date: 3/6/2000

State or Federal: S

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
-------------	---------------	--------------

51-27B ,51-28B ,51-29B		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B ,51-30 ,51-10252		263.7

SubCase:

SubCaseNumber: 51-28B

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 5/28/1999

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

Objection Status: Active

Water Supply Bank:
N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

Water Right 51-29B

Owner Type **Name and Address**
Current Owner ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Priority Date: 4/2/1905

Basis: Decreed

Status: Active

Source **Tributary**
BRUNEAU RIVER SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	0.180 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	Total Diversion		0.180 CFS	

Source and Point(s) of Diversion

BRUNEAU RIVER	SESE	Sec. 25, Twp 06S, Rge 05E, 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

STOCKWATER within OWYHEE County

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													

IRRIGATION within OWYHEE County

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

Conditions of Approval:

1. 206 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

- 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.
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 6. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
 7. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 8. 004 This right does not grant any right-of-way or easement across the land of another.
 9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 11. T19 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.

Comments:

1. SBOCK 7/6/1998 COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL. DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4 AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4 AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMITED THIS 1/4 1/4 HAS BEEN FILED BY THE CLAIMANT AND CAN BE FOUND IN FILE # A51-00027B. THIS CLAIM REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS. ELR ***** 07/06/1998 - COULD NOT INCLUDE THIS LAND IF NOT INCLUDED IN DECREE AND ALL LANDS EAST OF RIVER IRR. BY BRUNEAU BUCKAROO.
2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. KWALKER 5/14/1999 REVISED RECOMMENDATIONS
REVISED RECOMMENATIONS PER STIPULATION WITH SOUTH SIDE CANAL AND

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERIONS SINCE THE CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. ADDED REMARK LIMITING THIS RIGHT TO 175 ACRES WHEN COMBINED WITH 51-00027B & 51-00028B BECAUSE THE THREE RIGHTS TOGETHER HAVE HISTORICALLY IRRIGATED ONLY 175 ACRES.

4.	AKaiser	3/6/2020	Updated Shape
Updated POU Shape			
5.	AKaiser	7/22/2020	Updated Shape
Updated POD Shape			
6.	AKaiser	7/22/2020	Updated Shape
Updated POU Shape			
7.	dlauerman	1/27/2021	Transferred Right
This is now an approved transfer. Transfer Number = 83899			

Dates and Other Information

Decreed Date: 3/6/2000
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B		175.0
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
51-27B ,51-28B ,51-29B ,51-30 ,51-10252		263.7

SubCase:

SubCaseNumber: 51-29B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 5/28/1999
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

Water Right 51-30

Owner Type **Name and Address**
Current Owner ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Priority Date: 4/2/1905

Basis: Decreed

Status: Active

Source
BRUNEAU RIVER

Tributary
SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	0.760 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	Total Diversion		0.760 CFS	

Source and Point(s) of Diversion

BRUNEAU RIVER	SESE	Sec. 25, Twp 06S, Rge 05E, 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

STOCKWATER within OWYHEE County

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													

IRRIGATION within OWYHEE County

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

Conditions of Approval:

1. 206 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2021

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Comments:

1. SBOCK 7/6/1998 PPU
THESE RIGHTS WERE COMBINED INTO A PPU PER CLAIMANT'S REQUEST AND THIS IS THE WAY THE SYSTEM OPERATES. THIS CLAIM WAS FILED ON WITH SOME OF THE LAND ON THE E. SIDE OF THE RIVER. CLAIMANTS DO NOT USE ANY WATER FROM S. SIDE ON THE EAST SIDE OF THE RIVER. THEY HAVE 51.9 ACRES FROM THIS CLAIM WHICH THEY ARE NOW IRR. WITH WATER DELIVERED VIA S. SIDE.
2. AJU10-JS 7/30/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. SBOCK 8/26/1998 EXCESSIVE FLOWS
AS PER THE BROCKWAY STUDY, THE CLAIMANTS AMENDED THEIR CLAIMS TO INCLUDE EXCESSIVE FLOWS. THIS RIGHT IS BEING RECOMMENDED AS DECREED AT 2.0 CFS.
4. KWALKER 5/14/1999 REVISED RECOMMENDATIONS
REVISED RECOMMENDATIONS PER STIPULATION WITH SOUTH SIDE CANAL AND WATER USERS. REMOVED THE POINTS SHOWN AS REDIVERSIONS SINCE THE CLAIMANT TOLD CANAL COMPANY THAT THEY ONLY DIVERT FROM THE CANAL AS PART OF THE "HEAD OF DITCH" AGREEMENT BETWEEN CANAL COMPANY & WATER USERS WHEN THE CANAL TOOK OVER PRIVATE DIVERSION IN 1920 WHICH ALLOWS THIS USE FROM CANAL WITH NO DELIVERY ASSESSMENT. REDUCED AMOUNT OF WATER PER STIPULATION MENTIONED ABOVE.

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5.	AKaiser Updated POU Shape	3/6/2020	Updated Shape
6.	AKaiser Updated POD Shape	7/22/2020	Updated Shape
7.	AKaiser Updated POU Shape	7/22/2020	Updated Shape
8.	dlauerman This is now an approved transfer.	1/27/2021	Transferred Right Transfer Number = 83899

Dates and Other Information

Decreed Date: 3/6/2000

State or Federal: S

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

263.7

51-27B ,51-28B ,51-29B ,51-30 ,51-10252

SubCase:

SubCaseNumber: 51-30

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed: 5/28/1999

Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
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7/29/2021

Water Right 51-10252

Owner Type **Name and Address**
Current Owner ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU, ID 83604-5007
(208) 845-2601

Priority Date: 2/16/1925

Basis: Decreed

Status: Active

Source **Tributary**
BRUNEAU RIVER SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/01	11/15	11.460 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	Total Diversion		11.460 CFS	

Source and Point(s) of Diversion

BRUNEAU RIVER	NENW	Sec. 31, Twp 06S, Rge 06E, OWYHEE County
BRUNEAU RIVER	SESE	Sec. 25, Twp 06S, Rge 05E, OWYHEE County(R)
BRUNEAU RIVER	SWSE	Sec. 5, Twp 07S, Rge 06E, OWYHEE County

Place Of Use

STOCKWATER within OWYHEE County

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													

IRRIGATION within OWYHEE County

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

Conditions of Approval:

- 206 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

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- 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. X35 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. R64 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. 01M 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.
 5. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
 6. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 7. 004 This right does not grant any right-of-way or easement across the land of another.
 8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. T19 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.

Comments:

1. SBOCK 7/6/1998 COPIED FROM REMARKS
THIS CLAIM IS A SPLIT OF 51-00027. WATER DELIVERED VIA SOUTH SIDE CANAL.
DECREED WATER SPLIT PROPORTIONATELY BETWEEN CLAIMANTS USING
ASSUMPTION THAT INCHES DECREED EQUALS ACRES IRRIGATED. ELR.
***** THIS CLAIM LISTS THE SWSE 1/4
AS LANDS IRRIGATED UNDER THE PARENT RIGHT WHICH DID NOT LIST THIS 1/4 1/4
AS LANDS OWNED BY JOHN TURNER. DOCUMENTATION SUPPORTING THAT THE
BRUNEAU RIVER DECREE HAD ERRONEOUSLY OMMITED THIS 1/4 1/4 HAS BEEN FILED
BY THE CLAIMANT AND CAN BE FOUND IN FILE # A65-00027B. THIS CLAIM
REPRESENTS THE ADDITION OF THIS 1/4 1/4 TO THE BRUNEAU RIVER DECREE AS
IRRIGATED LANDS BUT DOES NOT REPRESENT ADDITION OF INCHES WITHIN THE
DECREE FOR THOSE ADDITIONAL LANDS. THIS 40 ACRES WAS NOT USED IN
DETERMINING THE PROPORTION OF WATER SPLIT AMID THIS AND OTHER CLAIMS.
ELR. ***** 07/06/1998 THIS LAND HAS BEEN COMBINED INTO A PPU AS THE
WATER IS USED THIS WAY. NO LANDS ARE IRR. EAST OF THE RIVER WITH WATER
DIVERTED FROM S. SIDE. THIS B.U. CLAIM IS LIMITED TO 1.28 CFS TO BRING THE
TOTAL IRR UP TO 1' PER ACRE.
2. AJU10-JS 7/31/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C14 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. SBOCK 8/26/1998 EXCESSIVE FLOWS
AS PER THE BROCKWAY STUDY, CLAIMANTS ARE AMENDING THEIR CLAIMS TO

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INCLUDE EXCESSIVE FLOWS.

4.	AKaiser Updated POD Shape	3/6/2020	Updated Shape
5.	AKaiser Updated POU Shape	3/6/2020	Updated Shape
6.	AKaiser Updated POD Shape	7/22/2020	Updated Shape
7.	AKaiser Updated POU Shape	7/22/2020	Updated Shape
8.	dlauerman This is now an approved transfer.	1/27/2021	Transferred Right Transfer Number = 83899

Dates and Other Information

Decreed Date: 12/1/2000

State or Federal: S

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

263.7

51-27B ,51-28B ,51-29B ,51-30 ,51-10252

SubCase:

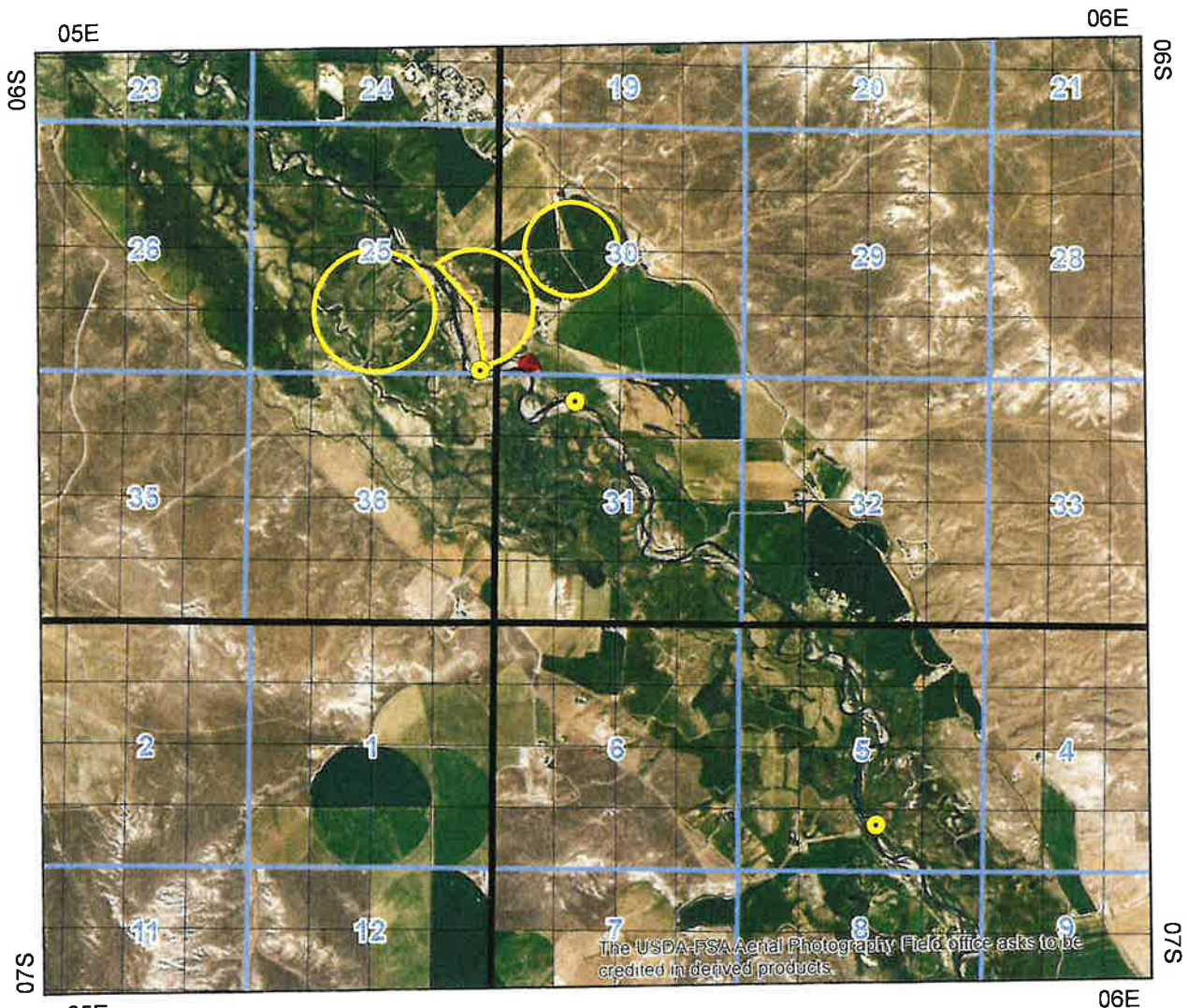
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Attachment to TR Application
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.



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