

RECEIVED

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FEB 20 2020
COMPLETE
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. **83899**

RECEIVED

JAN 29 2020-AL
Incomplete
WATER RESOURCES
WESTERN REGION

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

JAN 21 2020
Incomplete
WATER RESOURCES
WESTERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Ace Black Ranches

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☐ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☐ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☐ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☐ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Ace Black Ranches Phone 208-845-2601
Mailing address 28892 Hot Springs RD, Bruneau, ID Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Terry Black _____ 1-21-2020
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Expand the place of use to accommodate Pivots

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	51-10252	11.46 cfs	Irrigation	3/01 to 11/15	Bruneau River
<input type="checkbox"/> <input type="checkbox"/>	51-27B	1.8 cfs	Irrigation	3/01 to 11/15	Bruneau River
<input type="checkbox"/> <input type="checkbox"/>	51-28B	0.66 cfs	Irrigation	3/01 to 11/15	Bruneau River
<input type="checkbox"/> <input type="checkbox"/>	51-29B	0.18 cfs	Irrigation	3/01 to 11/15	Bruneau River
<input type="checkbox"/> <input type="checkbox"/>	51-30	0.76 cfs	Irrigation	3/01 to 11/15	Bruneau River
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 14.86 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SW	30	6S	6E	Owyhee	Bruneau River	
			SE	SE	25	6S	05E	Owyhee	Bruneau River	
			NE	SE	36	6S	05E	Owyhee	Bruneau River	
			NW	SW	05	07S	06E	Owyhee	Bruneau River	

* Will Not Change POD For WR: 51-27B, 51-28B, 51-29B, or 51-30

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	5E	25									X			X	X	X	X	X	
6S	5E	36	X	X		X													
6S	6E	31					X												
6S	6E	30			X		X		X		X	X	X	X	X	X	X	X	

* See Acreage Amounts on Attachment Supplement

Total Acres (for irrigation use)

Ident. No. _____

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

Page _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

Pumping water into Pivots, Pivots will have meters

- 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. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: none

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank? If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

none

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

none

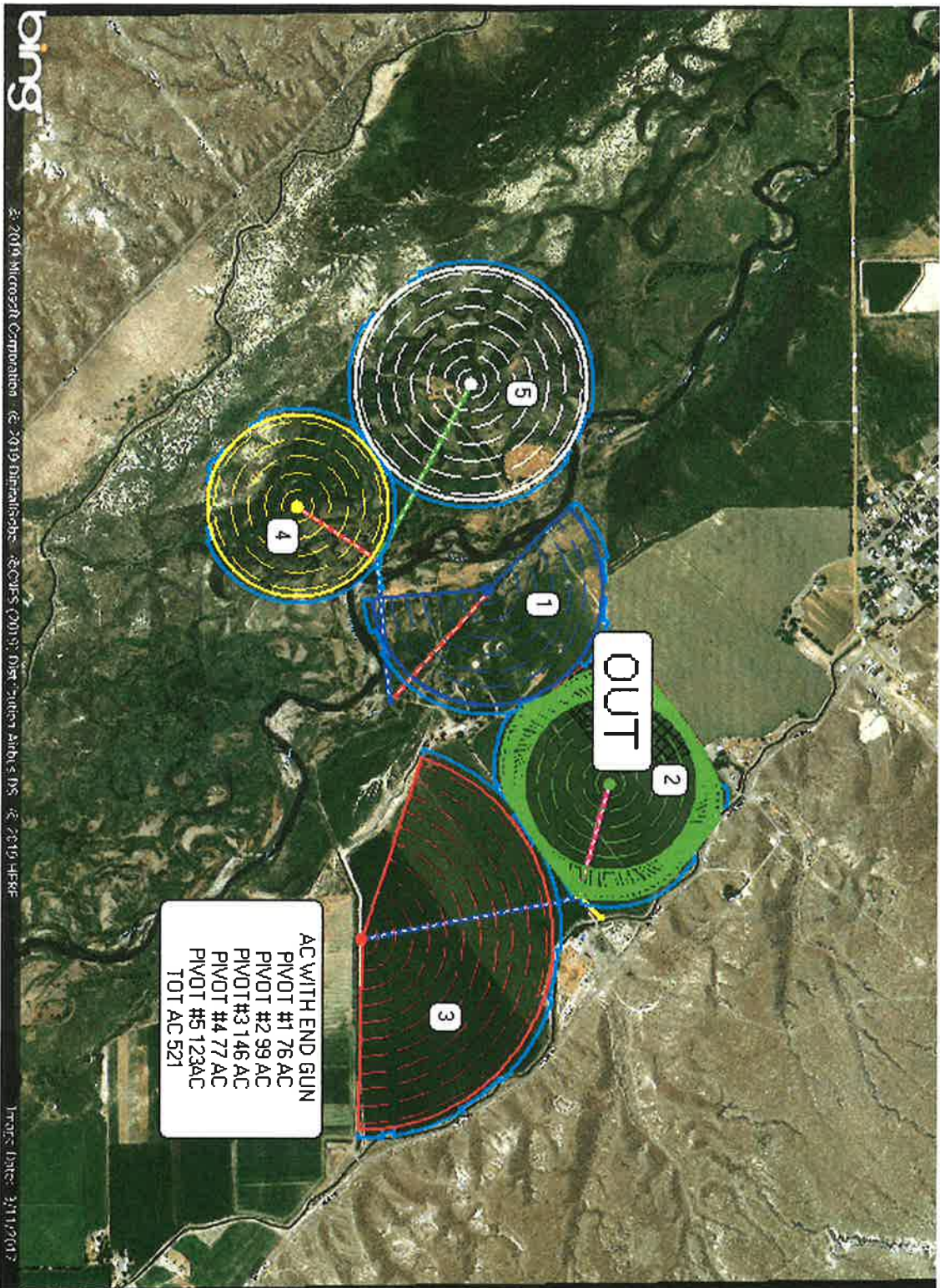
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank, |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

83899



2/24/2020

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

4. N08 SEASON. COMBINED RIGHT NOS.: 51-00028B & 51-00029B
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.
5. WATER IS DELIVERED THROUGH THE SOUTH SIDE CANAL.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.
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.

Dates and Other Information

Decreed Date: 3/6/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

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: 51-27B

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

2/24/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALBERT BLACK 28799 HOT SPRINGS RD BRUNEAU, ID 83604-5008 (208) 845-2542

Status: Active

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	11/15	0.660 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	Total Diversion		0.660 CFS	

BRUNEAU RIVER NWSWSE Sec. 5, Twp 07S, Rge 06E, 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									41.0			40.0	3.9	33.0	41.0	15.0	173.9
06S	05E	36	41.0	40.0		8.8													89.8

POU Total Acres: 263.7

1.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2.	N05	THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.		THIS RIGHT IS LIMITED TO THE IRRIGATION OF 175 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00027B, 51-00029B, 51-00030, 51-10252. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 175 ACRES IN A SINGLE IRRIGATION

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6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

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Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

Combined Use Limits

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

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

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

SubCase:

SubCaseNumber: 51-28B

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

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Basis of Claim: Decreed

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ELR ***** 07/06/1998 - COULD NOT INCLUDE THIS LAND IF NOT INCLUDED
IN DECREE AND ALL LANDS EAST OF RIVER IRR. BY BRUNEAU BUCKAROO.
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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

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

Rate

Volume

Acres

263.7

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

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

2/24/2020

Water Right 51-30

Owner Type **Name and Address**
Current Owner ALBERT BLACK
28799 HOT SPRINGS RD
BRUNEAU, ID 83604-5008
(208) 845-2542

Priority Date: 4/1/1905

Basis: Decreed

Status: Active

Source
BRUNEAU RIVER

Tributary
SNAKE RIVER

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

Source and Point(s) of Diversion

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

Place Of Use

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									41.0			40.0	3.9	33.0	41.0	15.0	173.9
06S	05E	36	41.0	40.0		8.8													89.8

Right Acre Limit: 51.9

POU Total Acres: 263.7

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 51.9 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-00027B, 51-00028B, 51-00029B, 51-10252.
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

- USE.
5. WATER IS DELIVERED THROUGH THE SOUTH SIDE CANAL.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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 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. REDUCED AMOUNT OF WATER PER STIPULATION MENTIONED ABOVE.

Dates and Other Information

Decreed Date: 3/6/2000
Civil Case Number: 39576
Judicial District: FIFTH
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:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 5/28/1999
Objection Status: Active

Water Supply Bank:
N/A

2/24/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALBERT BLACK 28799 HOT SPRINGS RD BRUNEAU, ID 83604-5008 (208) 845-2542

Status: Active

Tributary
SNAKE RIVER

BRUNEAU RIVER	NESE	Sec. 36, Twp 06S, Rge 05E, OWYHEE County(R)
BRUNEAU RIVER	SWSE	Sec. 25, Twp 06S, Rge 05E, OWYHEE County(R)
BRUNEAU RIVER	SESE	Sec. 25, Twp 06S, Rge 05E, OWYHEE County(R)
BRUNEAU RIVER	NWSWSE	Sec. 5, Twp 07S, Rge 06E, OWYHEE County

[illegible]

POU Total Acres: 263.7

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 155 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 263.7 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

4. N08 COMBINED RIGHT NOS.: 51-00027B, 51-00028B, 51-00029B, 51-00030
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.
5. WATER IS DELIVERED THROUGH THE SOUTH SIDE CANAL.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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
INCLUDE EXCESSIVE FLOWS.

Dates and Other Information

Decreed Date: 12/1/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

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

SubCase:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/24/2020

Water Supply Bank:

N/A

TRUSTEES' DEED

JOSEPH E. BLACK, as trustee of THE ALBERT L. BLACK FAMILY TRUST, grantor and party of the first part, and, ACE BLACK RANCHES, whose address is 28892 Hot Springs Road, Bruneau, Idaho 83604, grantees and parties of the second part, WITNESSETH, that the said party of the first part, for good and other valuable consideration, to them in hand paid by said parties of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey without warranty unto the said party of the second part the following property situated in OWYHEE County, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or other wise appertaining, and all estate, right, title and interest in and to the said property.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the party of the second part and their heirs and assigns forever.

DATED this 8th day of February, 2005.

THE ALBERT L. BLACK FAMILY TRUST

By Joseph E. Black T.R.
JOSEPH E. BLACK, trustee

STATE OF IDAHO)
) ss.
COUNTY OF ELMORE)

On this 8th day of February, 2005 before me a Notary Public in and for said State, personally appeared Joseph E. Black, known to me to be the person whose name is subscribed to the within instrument as trustee of the The Albert L. Black Family Trust, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Sheryl A. Reymont
Notary Public for
Residing at: Mountain Home
Comm Exp: 12-2-05

PARCEL I

The East Half of the Southwest Quarter and that part of the Southeast Quarter of Section 25 lying West of the Bruneau River, in Township 6 South, Range 5 East, Boise Meridian, Owyhee County, Idaho.

PARCEL II

The Northwest Quarter of the Northeast Quarter and the East Half of the Northeast Quarter of Section 36, Township 6 South, Range 5 East, Boise Meridian.

EXCEPTING a tract of land in the Southeast Quarter of the Northeast Quarter, more particularly described as follows:

BEGINNING at the East Quarter corner of Section 36, Township 6 South, Range 5 East, Boise Meridian, Idaho, thence

North 0 degrees 01' West, a distance of 1,065 feet to a point; thence

North 88 degrees 30' West, a distance of 1,320.4 feet to a point; thence

South 0 degrees 01' East, a distance of 1,102.5 feet to a fence line on the South line of the Southeast Quarter of the Northeast Quarter; thence

North 89 degrees 52' East, a distance of 1,320 feet, more or less to the POINT OF BEGINNING.

68833.75

83899

BRUNEAU BUCKAROO DITCH COMPANY					
29-Aug-18					
	1st	2nd	3rd	Total	# Shares
Frank Bachman					
Cert No 367	0	13	0	13	325.00 Upper Place
Cert No 392	0	10	10	20	500.00 Upper Place
Cert No 391	27	18	0	45	1125.00 Upper Place
Cert No 390	32.5	0	0	32.5	812.50 Lower/Mackley *
Cert No 389	17	0	0	17	425.00 Lower/Mackley *
Cert. No. 412	25	0	0	25	625.00 George Turner's
C No. 413	50	0	0	50	1250.00 George Turner's
	151.5	41	10	202.5	5062.50
Martin & Jennifer Black					
Cert No 418	60	32.5	32.5	125	3125.00 Jones Place
Cert No 417	0	0	40	40	1000.00 Wash Out
	60	32.5	72.5	165	4125.00
Ice Black Ranches					
Cert No 400	30.5	34.5	34.5	99.5	2487.50 Hawes
Cert No 365	175	0	0	175	4375.00 Hawes
Cert No 364	2	0	0	2	50.00 Asa House
	207.5	34.5	34.5	276.5	6912.50
Ray G. Black					
Cert No 419	11	0	0	11	275.00 Town/School Pr
Polyer Cattle					
Cert No 366	128	20.5	0	148.5	3712.50 Hutchison Place
Cert No 291	105.5	24.5	0	130	3250.00 Lower Place
Cert No 290	57	32	0	89	2225.00 Lower Place
	290.5	77	0	367.5	9187.50
Ince/Alice Gennette					
Cert No 388	60	32.5	32.5	125	3125.00

13
#3
#3

66889

Hall Family Trust						
Cert No 410	61.5	0	0	61.5	1537.50	
Peter/Ruth Jackson						
Cert No 397	10	0	0	10	250.00	Town Pasture/W
Cert No 399	94	23.5	23	140.5	3512.50	Benham Place
Cert No 431	4			4	100.00	Wild Meadow
Cert No 432			56	56	1400.00	Wild Meadow
Cert. No 433			4	4	100.00	Janousek House
	108	23.5	83	214.5	5362.50	
daho Power						
Cert No 246	15	10	0	25	625.00	
Cert No 245	65	35	0	100	2500.00	
Cert No 238	16	7	7	30	750.00	
Cert. No 414	15	0	0	15	375.00	George Turner
	111	52	7	170	4250.00	
Prudden, Pigeon & Mather Cap						
Cert No 411	19	37	36	92	2300.00	
Additional assessment for delivery of their own water right #51-13098 Owyhee Co. Instru						
dated 9-4-2012 2.6 CFS x 50 = 130" x \$13.75 per inch = \$1,787.50						
May Atkins						
Cert No 407	3	0	0	3	75.00	
Vill Aquiso						
ert No 408	4	0	0	4	100.00	
tacey & Kelli Buckingham						
ert No 409	3	0	0	3	75.00	

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Milared Porter

Ray Shaffer

Robertson Estate

Donald or Carol Collins

rickland YT

Cert No 319	87.5	16.5	16	120	3000.00
Cert No 313	42.5	15.5	0	58	1450.00
Cert No 436	9	7.5	7.5	24	600.00
	139	39.5	23.5	202	5050.00

Lynn Bachman						
Cert No 416	2.5	0	0	2.5	62.50	Renner Place
Cert No 435	1	0	0	1	25.00	Jodie's
	3.5	0	0	3.5	87.50	
Cheryl Whiteside						
Cert No 420	13	6	6	25	625.00	
Tom Buckingham						
Cert No 405	25	0	0	25	625.00	
State Highway						
Cert. No. Unknown	3.3	0	0	3.3	82.50	
School District						
Cert No 51	1.6	0	0	1.6	40.00	
Clark Alzola						
Cert No 434	75	0	0	75	1875.00	River Bottom



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

BRUNEAU BUCKAROO DITCH CO
PO BOX 235
MOUNTAIN HOME, ID 83604

RE: Transfer No. 83899, 83900

Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30, 51-13127, 51-7318, 51-7319

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 applications. You can find a copy of the applications at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the applications and submit any comments 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,

Kensie Thorneycroft
Administrative Assistant 1

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

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

RE: Transfer No. 83899
Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30

Dear Applicant(s):

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 3/18/2020 and 3/25/2020, and the TIMES NEWS, IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER on 3/19/2020 and 3/26/2020. 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,

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, March 11, 2020 10:16 AM
To: 'Avalanche Office'
Cc: 'jon@owyhee.com'
Subject: Owyhee Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 03/18/2020 and 03/25/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

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

RE: Transfer No. 83899, 83900

Water Right No(s). 51-10252, 51-27B, 51-28B, 51-29B, 51-30, 51-13127, 51-7318, 51-7319

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 4/6/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83899**

ACE BLACK RANCHES, 28892 HOT SPRINGS RD, BRUNEAU, ID 83604-5007 has filed **Application No. 83899** 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: The transfer proposes to change the place of use for water rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 to accompany pivot irrigation systems developed directly off the Bruneau River in Owyhee County.

TRANSFER NO. 83900

ACE BLACK RANCHES, 28892 HOT SPRINGS RD, BRUNEAU, ID 83604-5007 has filed **Application No. 83900** for changes to the following water rights within OWYHEE County(s): Right No(s). 51-13127, 51-7318, 51-7319; 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: The transfer proposes to change the place of use for water rights 51-7318, 51-7319, and 51-13127 to accommodate pivot irrigation systems directly off the Bruneau River in Owyhee County.

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 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/18/2020 and 3/25/2020

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, March 11, 2020 10:19 AM
To: 'BOI Legals'
Subject: Ada Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 03/19/2020 and 03/26/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 83899
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 4/6/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83899

ACE BLACK RANCHES, 28892 HOT SPRINGS RD, BRUNEAU, ID 83604-5007 has filed **Application No. 83899** 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: The transfer proposes to change the place of use for water rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 to accompany pivot irrigation systems developed directly off the Bruneau River in Owyhee County.

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 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/19/2020 and 3/26/2020

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, March 11, 2020 10:18 AM
To: 'legalnotices@postregister.com'
Subject: Bonneville Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 03/19/2020 and 03/26/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

RE: Transfer No. 83899

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 4/6/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83899**

ACE BLACK RANCHES, 28892 HOT SPRINGS RD, BRUNEAU, ID 83604-5007 has filed **Application No. 83899** 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: The transfer proposes to change the place of use for water rights 51-27B, 51-28B, 51-29B, 51-30, and 51-10252 to accompany pivot irrigation systems developed directly off the Bruneau River in Owyhee County.

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 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/19/2020 and 3/26/2020

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, March 11, 2020 10:19 AM
To: 'legals@lmtribune.com'
Subject: Nez Perce Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 03/19/2020 and 03/26/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

March 11, 2020

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST
PO BOX 957
LEWISTON, ID 83501

RE: Transfer No. 83899
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 4/6/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83899**

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GARY SPACKMAN, Director

Published on 3/19/2020 and 3/26/2020

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, March 11, 2020 10:20 AM
To: 'legals@magicvalley.com'
Subject: Twin Falls Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 03/19/2020 and 03/26/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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Brad Little
Governor

Gary Spackman
Director

March 11, 2020

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 83899
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 4/6/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

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GARY SPACKMAN, Director

Published on 3/19/2020 and 3/26/2020



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

GARY SPACKMAN
Director

March 5, 2020

ACE BLACK RANCES LLC
28892 HOT SPRINGS RD
BRUNEAU ID

Ownership Change of Water Right Nos: 51-10252, 51-27B, 51-28B, 51-29B, 51-30 in Transfer No. 83899

Dear Applicant(s),

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right associated with the above referenced pending transfer to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

The Department is currently reviewing your transfer application for the water right referenced above and will notify you upon completion.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures



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

February 27, 2020

GARY SPACKMAN

Director

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU ID 83604

Re: Transfer Application Additional Fee Required

Dear Applicant:

This office received your transfer applications on February 20, 2020. After a further review of your applications, it was determined an additional fee is required for the processing of these transfers.

Fees Required:

Transfer 83899 (14.86 cfs)	\$1,620.00
Transfer 83900 (2.75 cfs)	\$660.00
(5) Change in Ownership	\$125.00
<i>Total Fees Required</i>	<i>\$2,405.00</i>

Fees Paid:

1/21/2020	\$50.00
1/29/2020	\$1,595.00
2/20/2020	\$660.00
<i>Total fees paid</i>	<i>\$2,305.00</i>

Remaining Fee: ***\$100.00***

Please submit the necessary remaining fee by mail or in person to 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.

Sincerely,

Anna Kaiser

Water Resource Agent

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



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

GARY SPACKMAN
Director

January 23, 2020

ACE BLACK RANCHES
28892 HOT SPRINGS RD
BRUNEAU ID 83604

COPY

Re: Transfer Application Additional Information Request

Dear Applicant:

This office received your transfer application on January 21, 2019. The Idaho Department of Water Resources (Department) cannot complete processing your application until the following items are addressed:

1) Ownership Change Required

- The name on your transfer application does not reflect the current owner of water right no. 51-10252. The Department's records have Albert Black on file as the current owner of Water Right 51-10252. Please submit a conveyance document (warranty deed, quitclaim deed, court decree, contract of sale, etc.) and fee (\$25.00) in person or by mail to the IDWR Western Regional Office.

2) PART 1: A. Purpose of Transfer (3)

- Please describe in words your proposed changes under **part 1.A.3.** on page 2 of your application with as much detail as you can.

3) Map

- Enclosed, please find a generated map outlining your property boundary (black), the current place of use boundary for water right 51-10252 (pink), and the current points of diversion for water right 51-10252 (orange). Make the following changes:
 - Please "X" over the point of diversion you wish to change. Clearly mark and initial the location your proposed point of diversion.
 - The black outline is your property boundary. If you wish for your new place of use boundary to cover your entire property, initial next to the area outlined in black.
 - Within the above described place of use boundary, you are permitted to irrigate 155 acres of land. Please clearly draw the approximate location of 155 acre tract of land you wish to irrigate.
- You may attach this map (with your proposed changes shown) to your re-submitted transfer application form.

4) POU Table.

- The Department requires further clarification on your place of use table. Because water right 51-10252 is used for irrigation purposes, you must specify how many acres you may irrigate within each quarter-quarter section of your proposed permissible place of use boundary.
- Please clarify your irrigated acres on your application using this example as reference.

Example:

Twp	Rge	Sec	NE $\frac{1}{4}$ of section (160 acres)				NW $\frac{1}{4}$ of section (40 acres)				SW $\frac{1}{4}$ of section (40 acres)				SE $\frac{1}{4}$ of section (40 acres)				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1E	14						10	2										12
5N	1E	15	25																25
5N	1E	15				D													

this is SE $\frac{1}{4}$ of NE $\frac{1}{4}$

Total acres (for irrigation use) 37

- Please specify how many acres you will irrigate within each marked quarter-quarter section.
 - Note: Each quarter-quarter section is 40-acres
- Use the table on the supplementary attachment included behind page 3 of your application

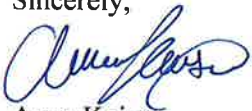
5) Transfer Application Fee

- The Department determines transfer fees in part by the amount of water involved in the transfer. Your transfer proposes to change aspects of water right 51-10252 which permits 11.46 cfs of diverted water. 11.46 cfs is a relatively very large diversion rate.
- If you wish to change both the point of diversion, and extend the place of use boundary as described on your transfer application, please submit an additional fee of \$1330.00.

With this letter, I have included your original application for transfer. 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 rejected without a timely written reply within the next thirty (30) days. Refunds are not issued for rejected applications.

Sincerely,



Anna Kaiser

Water Resource Agent

Idaho Dept. of Water Resources | Western Regional Office

2735 W Airport Way, Boise ID 83705

Enclosures: Department Generated Map
 Original Transfer Application