

FEB 20 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. **83900****MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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 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 Terry Black 2-20-2020
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

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- 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**.

Change 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
☒ ☐		11.46	Irrigation	3/01 to 11/15	Bruneau River
☐ ☐		1.8	"	" to "	"
☐ ☐		6.66	"	" to "	"
☐ ☐	51-29B	.48	"	" to "	"
☐ ☐	51-30	.76	"	" to "	"
☐ ☐					
☐ ☐	51-7319	.040	Irrigation	3/01 to 11/15	unnamed Drain
☐ ☐	51-7318	.450	"	" to "	"
☐ ☐	51-13127	2.260	"	" to "	"
Total authorized under rights		2.75	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 #

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	
065	06E	30			6			13	35	39	10		34	6	25	40	37		
Total Acres (for irrigation use)																		245	

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 Rancher
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:

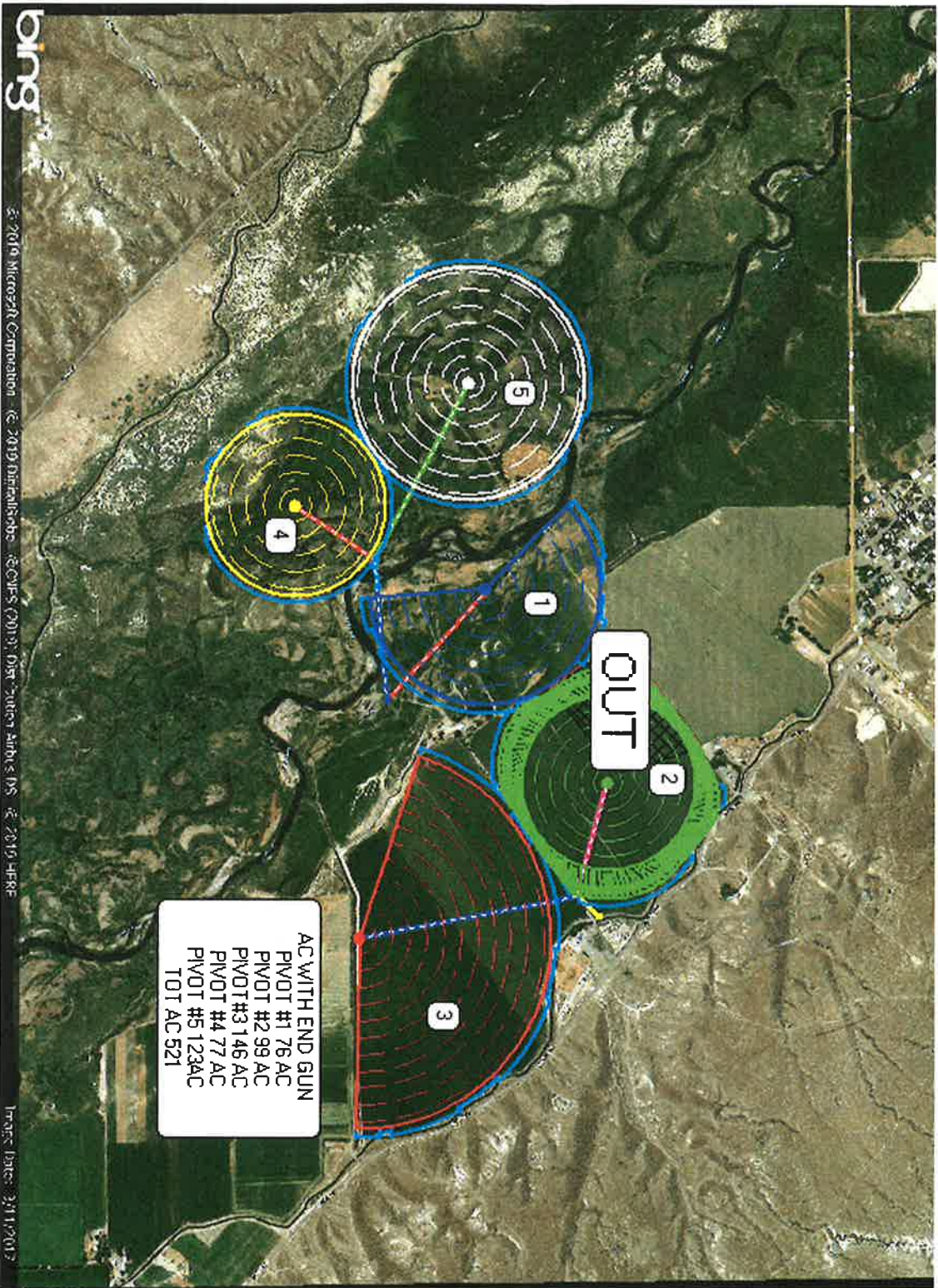
none

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

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:



2/20/2020

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

Status: Active

Tributary
BRUNEAU RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.450 CFS	143.0 AF
	Total Diversion		0.450 CFS	143.0 AF

UNNAMED DRAIN	SESE	Sec. 30, Twp 06S, Rge 06E, OUYHEE County
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[illegible]

POU Total Acres: 35.7

1. 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.
2. 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.
3. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for

2/20/2020

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

Status: Active

Tributary
BRUNEAU RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.040 CFS	20.6 AF
	Total Diversion		0.040 CFS	20.6 AF

UNNAMED DRAIN NWNE Sec. 31, Twp 06S, Rge 06E, OWYHEE County

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	06E	31		0.3			11.0												11.3

POU Total Acres: 11.3

1. 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.
2. 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.
3. WB7 This right combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 45.2 af at the field headgate for the 11.3 acre place of use. Use of this right is combined with water from Bruneau Buckaroo Coop Ditch Company.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in

2/20/2020

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

Status: Active

Tributary
BRUNEAU RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	2.260 CFS	
	Total Diversion		2.260 CFS	

WASTE WATER	L1(NWNW)	Sec. 31, Twp 06S, Rge 06E,	OWYHEE County
WASTE WATER	NENW	Sec. 31, Twp 06S, Rge 06E,	OWYHEE County

IRRIGATION within OWYHEE County

[illegible]

POU Total Acres: 113.0

1.	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.
2.	176	The waste water diverted under this right is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.
3.	933	This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
4.	934	When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.

68833.75

0000088

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	
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	
My G. Black						
Cert No 419	11	0	0	11	275.00	Town/School Pr
My G. 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	
My G. Gennette						
Cert No 388	60	32.5	32.5	125	3125.00	

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				
Jaho 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				
Rudden, 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									
Lay Atkins									
Cert No 407	3	0	0	3	75.00				
Bill Aquiso									
Cert No 408	4	0	0	4	100.00				
Wayce & Kelli Buckingham									
Cert No 409	3	0	0	3	75.00				

13
#3
#3

J.R. Simplot									
Cert No 421	41	42	42	125	3125.00	Big Springs			
Cert No 422	21	9.5	9.5	40	1000.00	Big Springs/Pen			
Cert No 423	0	0	96	96	2400.00	Perkins			
Cert No 424	0	0	48	48	1200.00	Perkins			
Cert No 425	0	0	48	48	1200.00	Perkins			
Cert No 426	0	0	28	28	700.00	Perkins			
Cert No 427	25	8	7	40	1000.00	Sewage Ponds			
Cert No 428	50	0	0	50	1250.00	Owens/Pinkston			
Cert No 429	0	0	5	5	125.00	Simplot Bunkho			
	137	59.5	283.5	480	12000.00				
William Porter									
Cert No 342	7	4	4	15	375.00				
Ray Shaffer									
Cert No 346	77	66.5	0	143.5	3587.50				
Cert No 347	0	0	30	30	750.00				
Cert No 345	0	0	10	10	250.00				
	77	66.5	40	183.5	4587.50				
Robertson Estate									
Cert No 222	21.5	8	8	37.5	937.50				
Donald or Carol Collins									
Cert No 415	6.45	0	0	6.45	161.25				
Richard Y.T.									
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				

-ynn 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				
Sheryl 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				
Mark Alzola									
Cert No 434	75	0	0	75	1875.00	River Bottom			

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: 12-27-05

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.



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)



Brad Little
Governor

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

Gary Spackman
Director

March 11, 2020

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

RE: Transfer No. 83900
Water Right No(s). 51-13127, 51-7318, 51-7319

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 3/19/2020 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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft'.

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

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,

Sincerely,

Anna Kaiser

Water Resource Agent

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