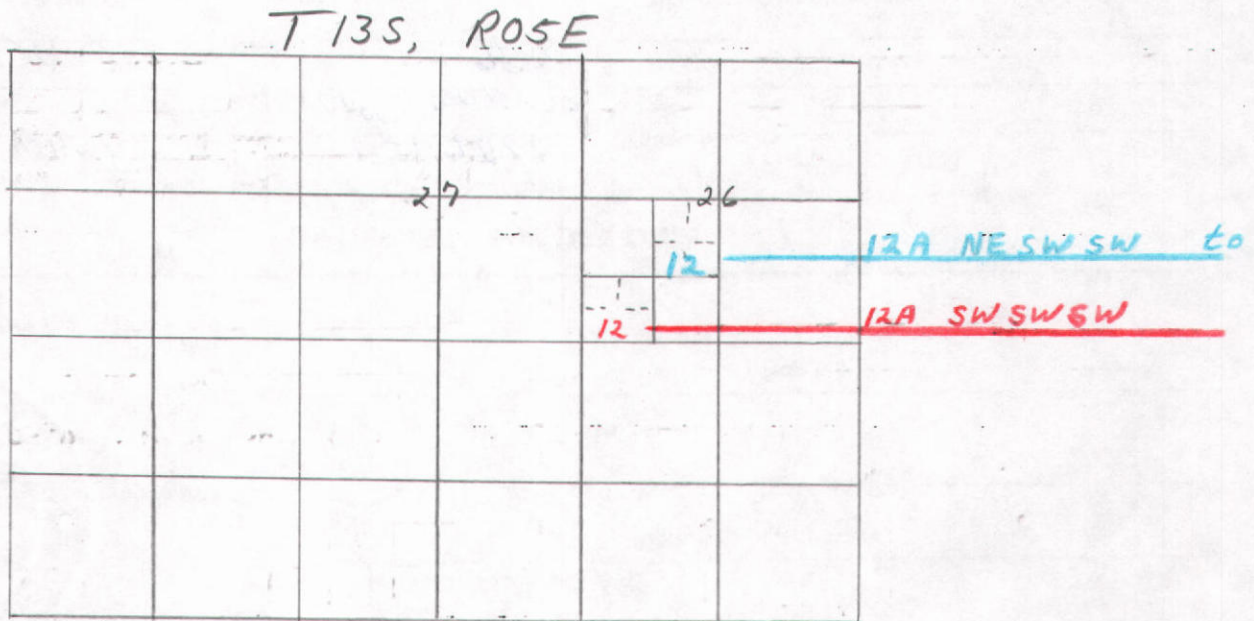


Page 6 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

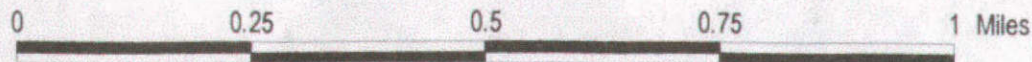
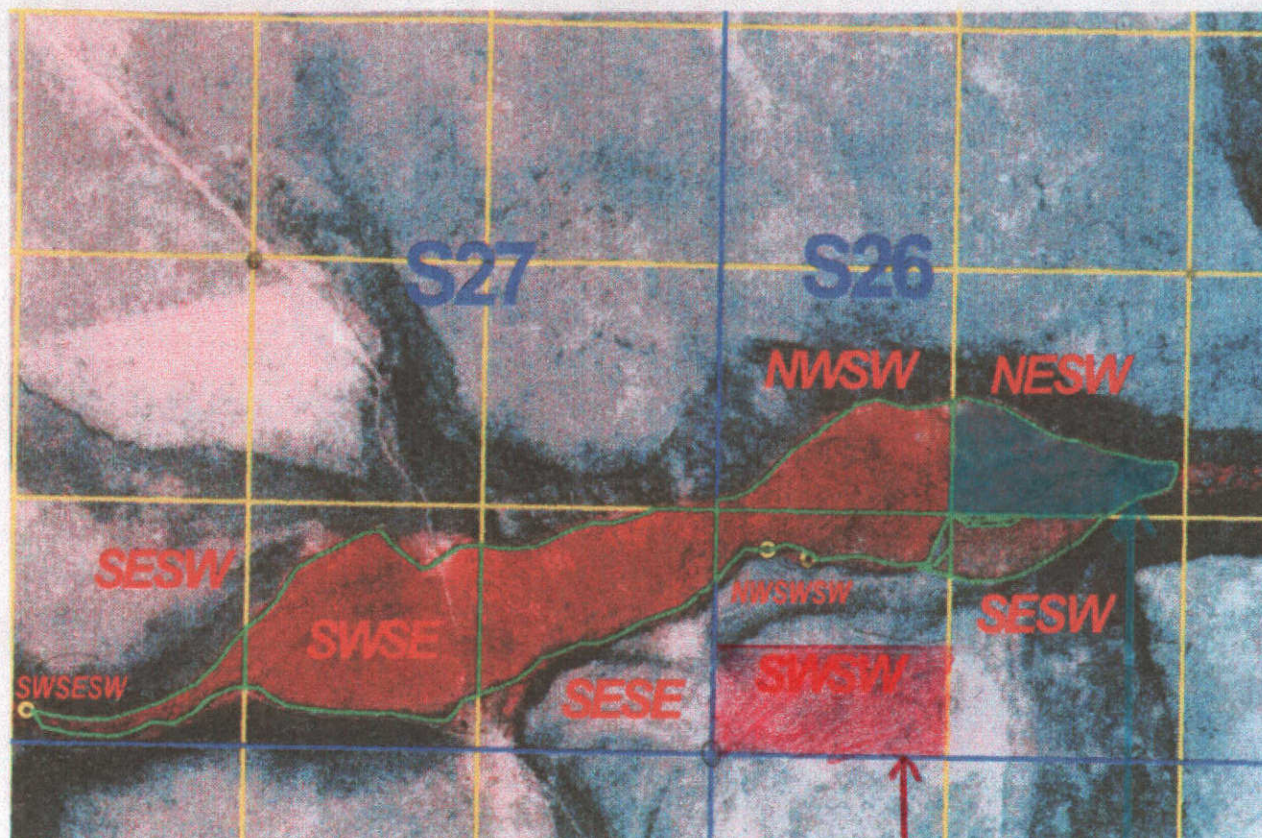


IDWR

T13S, R05E

Claim(s) 51-04015
 Owner(s) IE RANCHES LLC
 Prepared by:
 Ron Howerton
 Date: 06 Jul 98

-  POU
-  POD
-  SECTION LINES
-  1/4 1/4 Lines



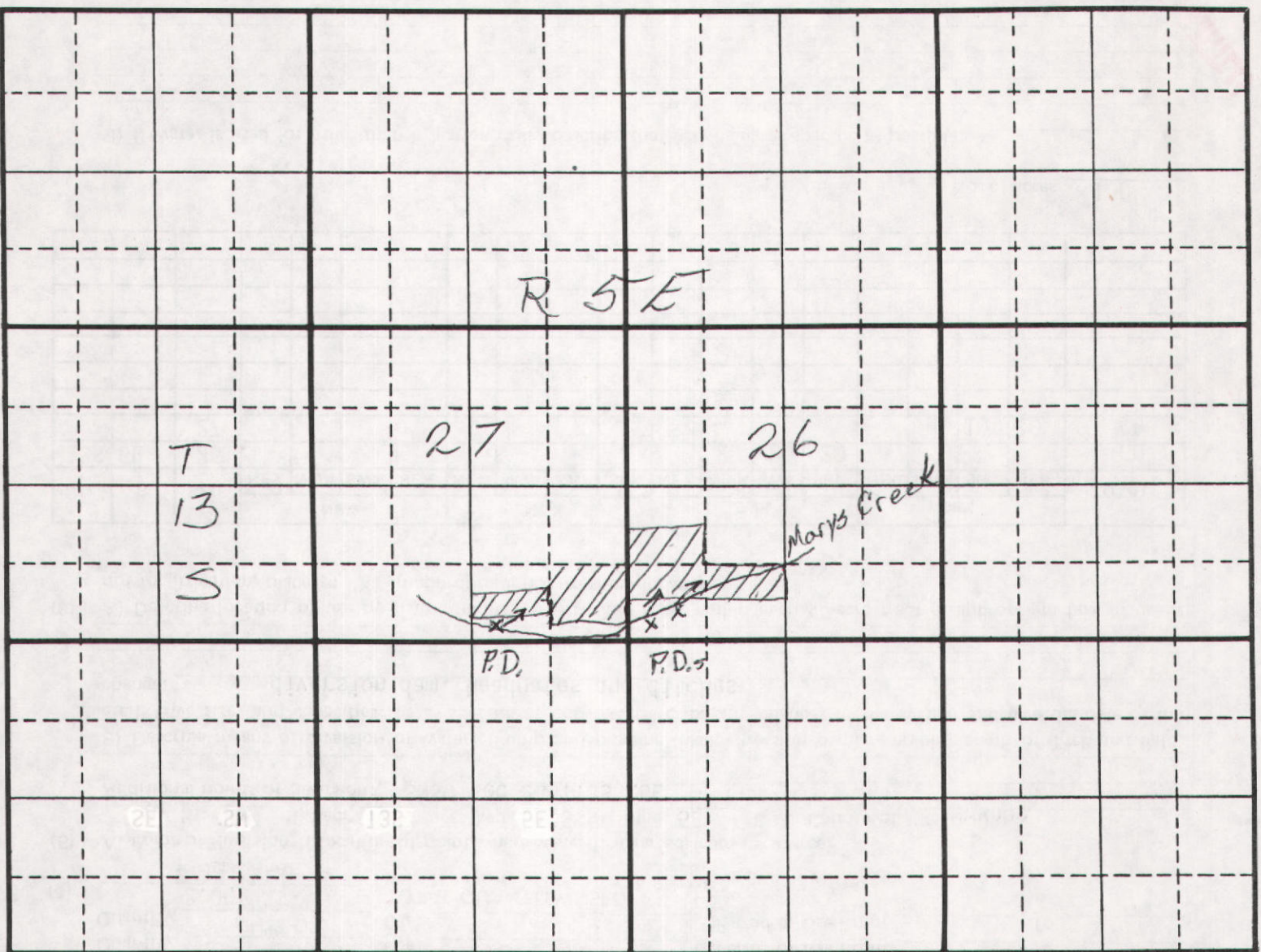
MICROFILMED
 OCT 23 2000

page 5 of 7

12A NE SWSW to

12A SWSWSW

(8) Remarks 2 points of diversion in SWSW Sec 26 T13N R5E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Theodore Robert Windall
(Claimant)

Sworn to before me this 7 day of Sept, 19 78.

David R. Tuttle
Notary Public
Residing at Boise Id

My commission expires Sept 10, 1980

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>9/27/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>9/27/78</u>		claimant by:	
\$20.00 fee received by <u>[Signature]</u>	Date <u>9-7-78</u>			
Published in <u>Owyhee Register</u>				
Dates <u>9-21 + 9-28, 1978</u>				

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 21 day of September, 1978, and the last publication being on the 28 day of September, 1978;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 28 day of Sept, 1978.

Lona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

51 - 4015

Name: TINDALL, THEODORE ROBERT

Address: RT B BOX 169, BRUNEAU, ID 83604

Source: MARY'S CREEK tributary to SHEEP CREEK

Priority Date: 04/01/1914

County: OWYHEE

Amount: 2.00 CFS

Point of Diversion: SWSE S27 T13S RO5E SWSW S26 T13S RO5E

Use: IRRIGATION from 04/01 to 11/01

STOCKWATER from 01/01 to 12/31.

Place of Use: NWSW SWSW SESW S26 T13S RO5E SWSE SESE S27 T13S RO5E FOR 100 ACRES

Means: DIVERSION DAM, HEADGATES AND DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED,
Director

Published in the Owyhee Nugget, Marsing, Owyhee County, Idaho, on September 21, 1978 and September 28, 1978.

RECEIVED
DEC 15 1978

Department of Water Resources
Western Regional Office

ok
MICROFILMED

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

RECEIVED

MAR 31 2000

WATER RESOURCES
WESTERN REGION

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

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

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

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

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

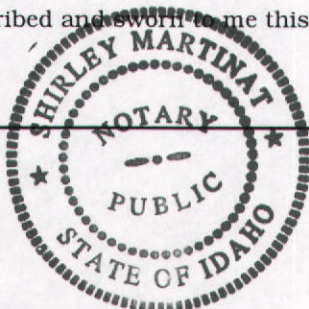
said newspaper, in Two (2)

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

March 15 & 22, 2000

Signed

Subscribed and sworn to me this 22nd day of March A.D., 2000



Shirley Martinat
Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires 04/22/2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS, TRANSFER NO. 5678

Notice is given that I. E. RANCHES LLC of HC 85 Box 169, Bruneau, ID 83604 has applied to the Department of Water Resources to change the place of use and point of diversion pursuant to IC § 42-222 for the following right in T13S R5E, Owyhee County:

STATUTORY CLAIM #51-04015, priority 2/15/1940, 2.00 cfs diverted from Mary's Creek Tributary to Sheep Creek in the SWSW S26 (2 points) and SWSE S27 for irrigation and stockwater in SW S26 and S 1/2 SE S27, 100 acres total.

The statutory claim was recommended in the Snake River Basin Adjudication (SRBA) with the following clarified elements:

A51-04015, priority 2/15/1925, 2.65 cfs diverted in the SWSW S26 (2 points) and SESW S27 for 82.4 acres total irrigation.

PROPOSED CHANGE

Clarify statutory claim to match SRBA recommendation and move 12 acres off public land in the NESW S26 to the SWSW S26 to satisfy SRBA objection.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before April 3, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

3/15&22/00

MICROFILMED

OCT 23 2000



WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
51-04015	TINDALL, THEODORE ROBERT	C	12/14/1940	S/	MARYS CREEK	IRR STOCK	WR
X51-04015	I E RANCHES LLC	C	02/15/1925	S/	MARYS CREEK	IRR STOCK	WR
51-04015	I E RANCHES L L C	C	02/15/1925	J/	MARYS CREEK	IRR STOCK	AJ
A51-04015	I E RANCHES L L C	C	04/01/1914	S/	MARYS CREEK	IRR STOCK	AJ

MICROFILMED

JUN 2 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5678
WATER RIGHT NO. 51-04015

This is to certify that: **I E RANCHES LLC**
HC 85 BOX 169
BRUNEAU ID 83604

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.65 CFS	288.4 AF
STOCKWATER	01/01 to 12/31	0.16 CFS	9.4 AF
Totals		1.81 CFS	297.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
MARYS CREEK	SHEEP CREEK

Priority: 02/15/1925

LOCATION OF POINT(S) OF DIVERSION: NWSWSW , Sec. 26, Township 13S, Range 05E
SWSESW , Sec. 27, Township 13S, Range 05E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	05E	26	NWSW 12	SWSW 19.2	SESW 4.9	36.1
		27	SESW 3.3	SWSE 24	SESE 19	46.3
Total number of acres irrigated:						82.4

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>
13S	05E	26	NWSW	SWSW	SESW
		27	SESW	SWSE	SESE

APPROVED

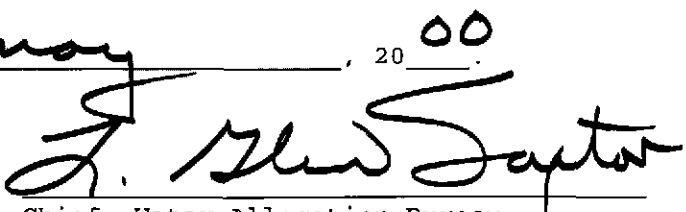
TRANSFER NO. 5678
WATER RIGHT NO. 51-04015

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Two points of diversion are located within NWSWSW, S26, T13S, R05E.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. The total instantaneous diversion of water from all points of diversion under Transfer 5678 shall not exceed 1.81 cfs, nor a total combined annual volume of 297.8 af.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The quantity of water for stockwater use recognized under this transfer approval is not a determination of historical beneficial use.
9. All water rights within Basin 51 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 4th day of

may, 2000


Chief, Water Allocation Bureau

MICROFILMED

SEP 24 1999

Page 1 of 1STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5678

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

APR 24 2000

PART 1

Department of Water Resources

Name of applicant IE Ranches LLC Phone 845-2281Post Office address HC 85 Box 169 Bruneau, Ida. 83604

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. Describe the reason for the proposed changes Water claimed on a 12 acre parcel of BLN ground is being moved to private land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- 51-04015 2/15/1925 1.650 cfs Irrigation 4/01 to 10/31
- _____ _____ 0.160 cfs Stockwater 1/01 to 12/31
- _____ _____ _____ _____ _____ to _____
- _____ _____ _____ _____ _____ to _____
2. Total amount of water being transferred 1.24 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Marys Creek tributary to Sheep Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SW	26	13S	5E	Owyhee	2 P/O's
	SW	SE	SW	27	13S	5E	Owyhee	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	5E	26									12	19.2	4.9						36.1
13S	5E	27											3.3			24	19		46.3
13S	5E	26									5	5	5						82.4
13S	5E	27											5			5	5		

MICROFILMED

2000 2 24

PART 1

6 General Information:

- a. Description of diversion system Concrete dams and dirt ditches. Ditches are 6 to 8 ft wide across the top with 2 ft bottoms. Sagebrush & rocks cover the ditch banks.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Very little change since it is pasture ground. Sagebrush and native grasses will eventually take over after several years.
- d. Remarks:
Water is being moved from Federal lands to private ground which has not been irrigated but would be suitable for pasture.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

3-31-60
H.M.

W. H. H. H. H.

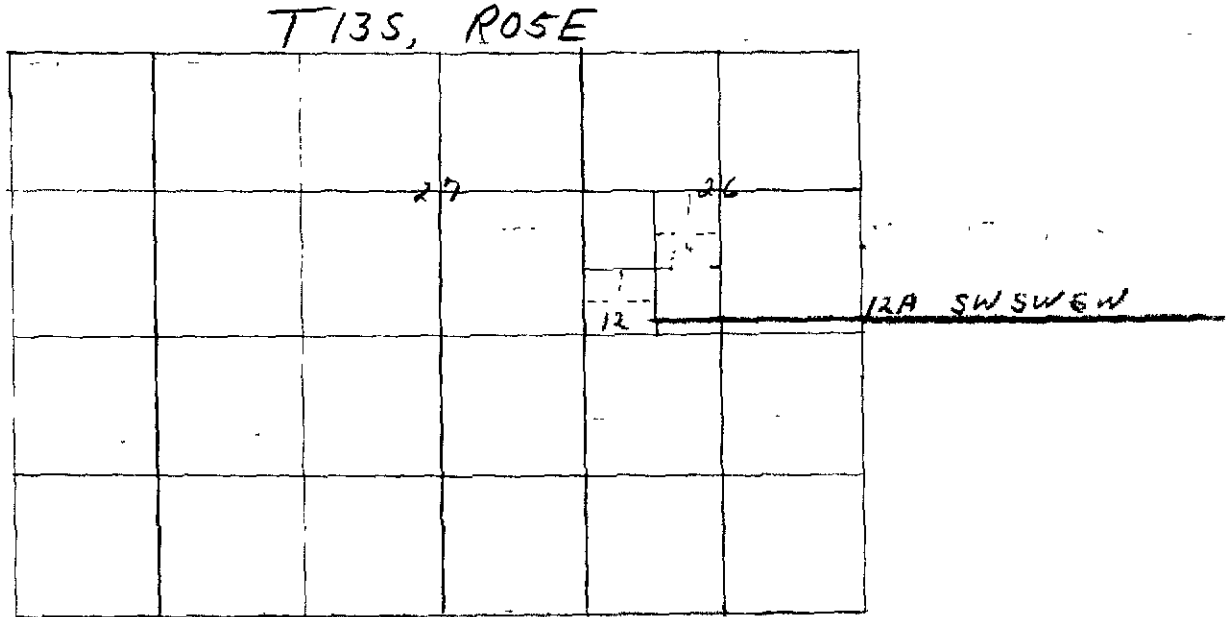
1972

Page 6 of 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>None</u>			_____ to _____
				_____ to _____

2 Quantity and quality of return flows and location of discharge:

N/A

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Theodore Robert Stindall
(Signature of Applicant)

Subscribed and sworn to before me this 24 day of January, 192000.

Bob Harris
(Notary Public)

My commission expires 12-31-01

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 2 attachments

Received by DAV Date 1-24-2000 Protest filed by _____

Prelim. check by _____ Fee 100⁰⁰ 4026072

Receipted by DAV Date 1-24-2000

Published in San Juan Avalanche Copies of protest forwarded by _____

Pub. dates 3-15-00 + 22-00 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MC
2000 2 3 1000

IDWR

T13S, R05E

Claim(s) 51-04015

Owner(s) IE RANCHES LLC

Prepared by:

Ron Howerton

Date: 06 Jul 98

POU

POD

SECTION LINES

1/4 1/4 Lines



0 0.25 0.5 0.75 1 Miles

13A SW 1/4 SW 1/4

MICROFILM

OCT 23 2000

MAKE CHECK PAYABLE TO:
BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-5522

1999 TAX BILL/RECEIPT

PARCEL NUMBER
RP13S05E265400A
7,704

BILL# 7025 CODE AREA 31-00 L

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	7,704
TAX 34.73	TAX 34.73	TAX 69.46		
LATE	LATE	LATE		
INT	INT	INT		
COST	COST	COST		
TOT	TOT	TOT	TOT ACS	120.000

I E RANCHES L L C
HC 85 BOX 169
BRUNEAU ID 83604

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.003150404	24.26
SCHOOL 365	.005124234	39.43
COUNTY RD	.000373040	2.86
BRUNEAU CEM	.000144634	1.10
EAST/OWY LIB	.000229661	1.76
AMOUNT DUE	.009021973	69.46

SESW, W2SW 26 13S 5E

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR
TO AVOID LATE CHARGES PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE
KEEP TOP PORTION FOR YOUR RECORDS
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE

MICROFILM

107 23 2003 51-04015

Attachment A

MAKE CHECK PAYABLE TO:
BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-5522

1999 TAX BILL/RECEIPT

PARCEL NUMBER
RP13S05E276000A

BILL# 7026 CODE ARE 31-00

L 17,659
I 9,849

1ST HALF DUE

2ND HALF DUE

FULL DUE

TOT MV

27,508

TAX 134.09
LATE
INT
COST
TOT

TAX 134.09
LATE
INT
COST
TOT

TAX 268.13
LATE
INT
COST
TOT

TOT ACS

160.000

I E RANCHES L L C
HC 85 BOX 169
BRUNEAU ID 83604

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.003150404	86.66
SCHOOL 365	.005124234	140.96
COUNTY RD	.000373040	10.26
BRUNEAU CEM	.000144634	3.93
EAST/OWY LIB	.000229661	6.32
DISTRICT TOTAL	.009021973	248.18
SOLID WASTE FEE		20.00
AMOUNT DUE		268.18

S2S2 27 13S 5E

IMPORTANT
PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR

TO AVOID LATE CHARGES PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE

KEEP TOP PORTION FOR YOUR RECORDS

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE

MICROFILM

2002 1/1/00

51-04015

ATTACHMENT

A 2

 RIGHTS FROM: SOURCE: MARYS CREEK TRIBUTARY: SHEEP CREEK

RIGHT NUMBER: 51-04015

NAME & ADDRESS: I E RANCHES L L C
 A LIMITED LIABILITY COMPANY
 HC 85 BOX 169
 BRUNEAU ID 83604

SOURCE: MARYS CREEK TRIBUTARY: SHEEP CREEK

QUANTITY: 1.81 CFS

PRIORITY DATE: 02/15/1925

POINT OF DIVERSION: T13S R05E S26 NWSWSW Within Owyhee County
 S27 SWSWSW

2 POINTS OF DIVERSION LOCATED IN T13S, R05E, S26, NWSWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	1.65 CFS
STOCKWATER		01-01 12-31	0.16 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
T13S R05E S26	NESW 12	NWSW 12	SWSW 7.2	SESW 4.9	
S27	SESW 3.3	SWSE 24	SESE 19		
82.4 ACRES TOTAL					
STOCKWATER	Within Owyhee County				
T13S R05E S26	NESW	NWSW	SWSW	SESW	
S27	SESW	SWSE	SESE		

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

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

MICRO

2003

51-04015
 ATTACHMENT

3

RIGHTS FROM: SOURCE: MARYS CREEK TRIBUTARY: SHEEP CREEK

RIGHT NUMBER: 51-04015 (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 51:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 51 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 51 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 700 RANGE CATTLE

APPROVED
DEC 2 2000

51-04015
Attachment
B2

PARAMETERS USED TO RUN THIS REPORT

INPUT SELECTION FILE NAME:	DNELSON-1143006
MAILING DATE:	2000-01-24
DATE THIS REPORT WAS PROCESSED:	2000-01-24
STATE OR FEDERAL INDICATOR:	STATE
RUN BY USER:	DNELSON

MICRO

JAN 24 2000

51-04015
ATTACHMENT
B3

WR5809NP IDAHO DEPARTMENT OF WATER RESOURCES DATE: 01/24/00
 No. 51-04015 WATER RIGHT PROFILE REPORT PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THEODORE ROBERT TINDALL RT B BOX 169 BRUNEAU ID 83604	12/14/1940	IRRIGATION STOCKWATER	04/01 11/01 01/01 12/31	2.000 CFS 0.160 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: MARYS CREEK

Tributary to: SHEEP CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T13S R05E S26 SWSW OWYHEE County
 S27 SWSE OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
13S	05E	26							20	20	20					60.0
13S	05E	27											10	30		40.0
TOTAL ACRES															100.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: OWYHEE

Remarks: GEN 2 P/D IN SWSW, S26, T13S, R5E.

Dates: App. Received: Priority Date: 12/14/1940
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 01/13/86 04/30/88 CONVERT

MICRO
 OCT 23 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A Check appropriate box below

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion

Lot	¼	¼	¼	Sec	Twp.	Rge	County	Local name for diversion

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals.
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

no If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2 Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp.	Rge	County	Local name for diversion

3 Lands irrigated or place of use

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2 Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion

3 Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Theodore Robert Tindall
(Name of Claimant)
Rt. B Box 169 Bruneau, ID 83604 Telephone No. 845-2281
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 4-1-1914

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Marys Creek tributary to Sheep Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	2.00 cfs	Use	irrigation	Period of Use From 4-1	To 11-1
Quantity	.16 cfs	Use	stockwater	Period of Use From 1-1	To 12-31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4)	2.00	TOTAL QUANTITY USED.			
(cfs, gpd, AFA)					

(5) A) Point of diversion (Location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 27 Twp. 13S Rge. 5E B.M., County of Owyhee
Additional points of diversion: SWSW Sec 26 T13S R5E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities. be as specific as possible. Describe any changes in the system and give the date of the change.
diversion dam, headgates and ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	5E	26										20	20	20					60
		27														10	30		40

No. of acres 100

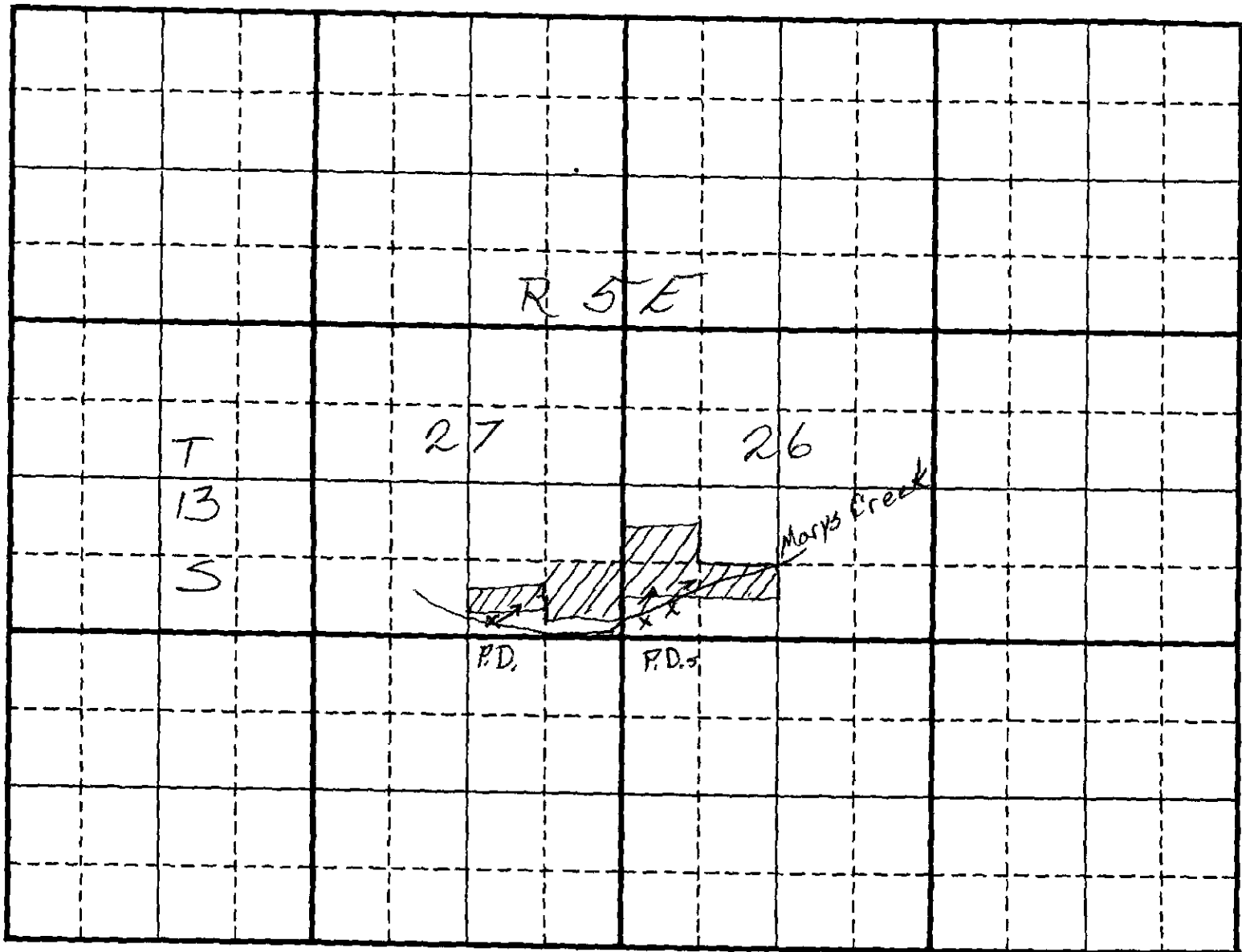
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered. up to 700 head cattle

(7) If you are claiming water as a member of an organization, list name of organization:

7/10/83 FILED

(8) Remarks 2 points of diversion in SWSW Sec 26 T13N R5E



Scale. 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 7 day of Sept, 19 78.
Theodore Robert Thibault
(Claimant)

Daniel R. Tuttle
Notary Public
Residing at Boise, Id

My commission expires Sept 10, 1980

FOR DEPARTMENT USE ONLY
Received by [Signature] Date 9/27/78 Exception filed by. _____ Fowarded to _____ Date _____
Prelim. check by [Signature] Date 9/27/78
\$20.00 fee received by [Signature] Date 9-7-78
Published in Owyhee Register
Dates 9-21 & 9-28, 1978

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 22 consecutive weeks, the first publication being on the 21 day of September, 1977, and the last publication being on the 28 day of September, 1977;

That the said newspaper has been published continuously and uninterrupted in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 22 day of Sept, 1977.

[Signature]
NOTARY PUBLIC

My commission expires Sept 22 1978

(SEAL)

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

51 -- 4015

Name: TINDALL, THEO-
DORE ROBERT

Address: RT B BOX 169,
BRUNEAU, ID 83604

Source: MARY'S CREEK
tributary to SHEEP CREEK

Priority Date: 04/01/1914

County: OWYHEE

Amount: 2.00 CFS

Point of Diversion: SWSE
S27 T13S R05E SWSW S26
T13S R05E

Use: IRRIGATION from
04/01 to 11/01

STOCKWATER from 01/01 to
12/31.

Place of Use: NWSW SWSW
SESW S26 T13S R05E SWSE
SESE S27 T13S R05E FOR 100
ACRES

Means: DIVERSION DAM,
HEADGATES AND DITCHES

Any exception to any claim of
water right may be filed with
the Director of the Idaho De-
partment of Water Resources,
92 S. Cole Road, Boise, Idaho
83705.

C. STEPHEN ALLRED,
Director

Published in the Owyhee
Nugget, Marsing, Owyhee County,
Idaho on September 22, 1977

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

I E RANCHES LLC
HC 85 BOX 169
BRUNEAU ID 83604

RE: Water Right 51-04015 (Transfer 5678)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5678). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

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.

Please feel free to contact the department if you have questions.

Sincerely,

for Shelly Keen
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JUL 2 • 2000

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of **May, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 51-04015 (Transfer 5678)

**I E RANCHES LLC
HC 85 BOX 169
BRUNEAU ID 83604**


**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 23 2003

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 04/30/00
Time: 09:25:24

Water Right Number: T51-04015

Comment Date: 3/ 7/2000 User ID: STAYLOR

Subject: TRANSFER NO. 5678

This transfer was filed to change the place of use to remove 12__
acres of irrigation from BLM land in the NESW of Sec. 26 and to__
add 12 acres of irrigation in the SWSW of Sec. 26. The annual__
volume is based on 3.5 af/acre and 700 head of range cattle. The
transfer is based on the recommendations prepared by the__
Adjudication Bureau for Claim A51-04015. Review and data entry__
by S. Keen on 4/30/2000._____

(Enter=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

Reviewed by Shelley Keen

MICROFILMED

OCT 24 2000

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 24 2000

TRANSFER ANALYSIS SHEET

Department of Water Resources

APPLICANT IE Ranches LLC

TRANSFER NO. 5678

INITIAL ALLOCATION REVIEW BY DAW

DATE 2-22-2000

1. Right number(s) 51-04015

2. Type of right ☐ Decree ☐ License ☒ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Period ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☐ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ All of right
- c. ☐ Part of right (*NOTE! Part B should be filled in only if part of right is owned by the applicant*)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive use volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒

Overlapping rights: check current & proposed scenarios:

Current NONE

Proposed NONE

l. ☒

SRBA claim(s) ~~SRBA~~ CLAIM WAS

FILED ON WATER RIGHT, ~~HOW TO~~

IT WAS PROTESTED AND THIS TRANSFER WAS FILED
AS PART OF THE SETTLEMENT.

m. ☒

Comment letters

If yes

☒ Yes

☐ No

Water District #

Other, see #2 below for name
and address

☒

~~ADFB~~

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: _____ See attached information

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☐ No; Acknowledgement sent? ☐ Yes

6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) Standard Conditions

4. By Danilo A. Nelson Date 4-17-00

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☐ Yes

2. File forwarded to S.O.: by AT date 4-20-00

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS
COUNTY OF OWYHEE)

RECEIVED

MAR 31 2000

WATER RESOURCES
WESTERN REGION

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

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

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

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

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

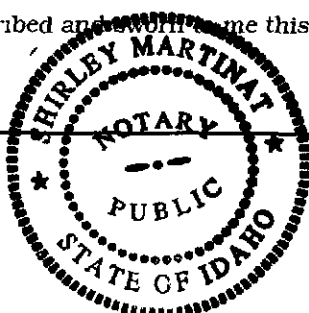
said newspaper, in Two (2)

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

March 15 & 22, 2000

Signed

Subscribed and sworn to me this 22nd day of March A D. 2000



Shirley Martinat
Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires 04/22/2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS, TRANSFER NO. 5678

Notice is given that I. E. RANCHES LLC of HC 85 Box 169, Bruneau, ID 83604 has applied to the Department of Water Resources to change the place of use and point of diversion pursuant to IC § 42-222 for the following right in T13S R5E, Owyhee County:

STATUTORY CLAIM #51-04015, priority 2/15/1940, 2.00 cfs diverted from Mary's Creek Tributary to Sheep Creek in the SWSW S26 (2 points) and SWSE S27 for irrigation and stockwater in SW S26 and S 1/2 SE S27, 100 acres total.

The statutory claim was recommended in the Snake River Basin Adjudication (SRBA) with the following clarified elements:

A51-04015, priority 2/15/1925, 2.65 cfs diverted in the SWSW S26 (2 points) and SESW S27 for 82.4 acres total, irrigation.

PROPOSED CHANGE

Clarify statutory claim to match SRBA recommendation and move 12 acres off public land in the NESW S26 to the SWSW S26 to satisfy SRBA objection.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before April 3, 2000. The protestant must also send a copy of the protest to the applicant

Karl J. Dreher, Director

3/15&22/00

MICROFILMED

007 2 3 2000



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Lower Snake River District

Boise Field Office

3948 Development Avenue

Boise, Idaho 83705-5389

<http://www.id.blm.gov>

In Reply Refer To
7250

RECEIVED

APR 17 2000

WATER RESOURCES
WESTERN REGION

APR 14 2000

Dan Nelson
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Application for Transfer of Water Right Nos. 5678 and 5680

Dear Mr. Nelson:

We have reviewed the referenced applications for transfer of water right and have no objection to either of the proposed transfers. Both of the proposed transfers implement agreements reached in the settlement of objections filed by the BLM to SRBA claims in the name of I. E. Ranches LLC (51-04015) and Eugene and/or Mary Tindall (51-02107 and 51-07110).

If you have any questions regarding this response, please contact Bob Mallis of this office at (208) 384-3348.

Sincerely,


for Jenna Whitlock
Bruneau Field Manager

COPY

See TRANSFER # 5680

FOR ORIGINAL.

NOT RECORDED

APR 14 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

4/5/2000

UNITED STATES DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
ATTN: BOB MALLIS
3948 DEVELOPMENT AVE
BOISE ID 83705-5389

RE: APROVAL OF 2 TRANSFERS

Dear Mr. Mallis:

I have enclosed copies of 2 applications for transfer that proposes to move irrigation from lands under the control of the Bureau of Land Management to private property. In order to continue processing these applications, our office will need written approval from your office. I have enclosed copies of both transfers for your inspection. The first transfer is for I.E. Ranches LLC (Theodore Robert Tindall). The second transfer is for Eugene and/or Mary Tindall. You may have already reviewed these transfers, but we need a response from BLM to allow the transfer to proceed.

These transfers are the result of Snake River Basin Adjudication (SRBA) objections you filed against these water rights. In earlier conversations, I informed you of this process. However, if you have new questions you can contact me at the above address.

Thanks you for your time and patience.

Respectfully,

A handwritten signature in dark ink, reading 'Daniel A. Nelson'. The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

OCT 23 2005

Lester, Steve

From: SCOTT GRUNDER [sgrunder@IDFG.STATE.ID.US]
Sent: Tuesday, March 14, 2000 10:43 AM
To: slester@idwr.state.id.us
Cc: CECE MANN; TERRY VERNHOLM
Subject: Transfers No 5681 and 5678, 78-07398

Dear Mr Lester:

The Idaho Department of Fish and Game does not anticipate significant adverse effects on fish or wildlife resources as a result of the two water right transfers, nor we take issue with the application for a water right filed by the Idaho Department of Lands.

Thank you for the opportunity to comment.

Scott A. Grunder
Environmental Staff Biologist
Idaho Department of Fish and Game, Southwest Region Office
3101 South Powerline Road
Nampa, Idaho 83686
Phone (208)-465-8465
FAX (208)-465-8467
email address: sgrunder@idfg.state.id.us

T. 5681 STONE 65-0549
T. 5678 IE Ranches 51-04015
78-07398 St. of Idaho
Dept of Lands

MICROFILMED
OCT 23 2000

IDFG comments
3/14/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 10, 1999

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Transfer No. 5681 in the Name of JL Stoune and 5678 in the Name of
I.E. Ranches and application for Water Right No. 78-07398 in the Name of ID Dept. of
Lands

Dear Sir:

Enclosed is a copy of the above referenced applications for transfer and application for
water right which may be of interest to your agency. The proposed use of these applications is
from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period
and is required to take final action shortly thereafter. However, if your agency desires to file a
formal protest against the approval of this application(s), your written protest along with the
\$25.00 protest fee must be received in this office by April 3, 2000.

If you have any questions regarding these applications, please contact this office.

Sincerely,

Gary Spackman

GS:st

Encl. Copy of Application

Larry
452-7031 wk

RECEIVED

OCT 23 2000

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHTS, TRANSFER NO. 5678**

Notice is given that **I. E. RANCHES LLC** of HC 85 Box 169, Bruneau, ID 83604 has applied to the Department of Water Resources to change the place of use and point of diversion pursuant to I.C. § 42-222 for the following right in T13S R5E, Owyhee County:

STATUTORY CLAIM # 51-04015, priority 2/15/1940, 2.00 cfs diverted from Mary's Creek Tributary to Sheep Creek in the SWSW S26 (2 points) and SWSE S27 for irrigation and stockwater in SW S26 and S ½ SE S27, 100 acres total.

The statutory claim was recommended in the Snake River Basin Adjudication (SRBA) with the following clarified elements:

A51-04015, priority 2/15/1925, 2.65 cfs diverted in the SWSW S26 (2 points) and SESW S27 for 82.4 acres total irrigation.

PROPOSED CHANGE

Clarify statutory claim to match SRBA recommendation and move 12 acres off public land in the NESW S26 to the SWSW S26 to satisfy SRBA objection.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before April 3, 2000. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Owyhee Avalanche on March 15 and 22, 2000.

RECEIVED

MAY 23 2000

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON
DATE: 4/6/2000

DAW

RE: IE RANCHES TRANSFER, RIGHT 51-04015

The transfer proposes to clarify statutory claim to match Snake River Basin Adjudication (SRBA) recommendation and to move 12 acres of irrigation from Bureau of Land Management (BLM) ground in the NESW S26 to private ground in the SWSW S26 T13S R5E.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 7 pages and 2 attachments. Note the location of the following application items:

Attach. A – Proof of ownership documentation (A1 through A2)

Attach. B – SRBA recommendation (B1 through B3)

Applicant prepared the application with my assistance

Other information used in this review includes a change of ownership form copied from SRBA file, Place of Use Comparison Sheet, letter from BLM approving transfer, and 1998 Satellite Photo all attached to this memo.

NARRATIVE

This right was recommended in the SRBA and was objected to by BLM. The BLM objection was that a portion of the lands being irrigated under this right was public land under their control. The applicant agreed to file this transfer and move the irrigation on BLM ground to private lands and clarify their statutory claim to match the SRBA recommendation. The applicant has supplied ownership documentation that shows that he owns all of the property to be irrigated after the proposed transfer. The SRBA recommendation shows the land was irrigated in 1987. The 1998 Satellite Photo shows that these lands have been irrigated in the last 5 years. The Place of Use Comparison report shows that there are no overlapping rights. A change of ownership form has been filed to change the name from Robert Tindall to I.E. Ranches.

RECOMENDATIONS

This transfer should be approved as listed on the application. BLM has already agreed with the transfer and there is no expansion.

MICR

OCT 23 2000



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 29 1996

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY/ SEE EXHIBIT A ATTACHED
Township _____ Range _____

Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

SEE ATTACHED EXHIBIT A

[] Name and Address of Former
Owner/Claimant(s)(Seller):

ROBERT TINDALL, (also known asTheodore Robert Tindall)HC 85, Box 169, Bruneau, ID 83604

[] New Owner/Claimant
(Purchaser):

I E RANCHES, L.L.C.,A Limited Liability Company

[] New Mailing Address:

HC 85, Box 169, Bruneau, ID 83604

[] New Telephone Number: (208) 845-2281

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s):

I E Ranches LLC, Robert Tindall, Manager Date 7-24-96

[] Signature of Former
Owner/Claimant(s):

Robert Tindall Date 7-24-96
Manager Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date _____ By: _____

Further Action Needed:

Further Action Taken

Date _____ By: _____

Final Review and Data-Entry

Date _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

JUL 24 2000

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
5104015	T13S R05E S26 MARYS CREEK																	
	:											20	20	20	:			60

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

*5104015	MARYS CREEK :											212	212	207	204 :			35
A5104015	MARYS CREEK :											12	16	13	07 :			48
5104052	MARYS CREEK :			03														3
*5104052	MARYS CREEK :			S														
A5104052	MARYS CREEK :			03														3
R5104052	MARYS CREEK :			S														
*5111292	MARYS CREEK :											25						
A5111292	MARYS CREEK :											25						

5104015 T13S R05E S27 MARYS CREEK

	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
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MICROFILMED

11/23/2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate:

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature) _____

MICROFILMED

ORAL ARGUMENT

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

FINAL ORDER

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when (a) the petition for reconsideration is disposed of, or (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) the real property or personal property that was the subject of the agency action is located. The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code

SW	SESW	SWSE	SESE	SWSW	SESW	S
W	NENW	NWNE	NENE	NWNW	NENW	N
W	SENW	SWNE	SENE	SWNW	SENW	S
W	NESW	NWSE	NESE	NWSW	NESW	N
W	SESW	SWSE	SESE	SWSW	SESW	SW
V	NENW	NWNE	NENE	NWNW	NENW	NW
V	SENW	SWNE	SENE	SWNW	SENW	SW
V	NESW	NWSE	NESE	NWSW	NESW	NW

ROUTING SLIP

DISTRIBUTION		PROVIDED FOR YOUR:	
DATE: 12/8/99		INFORMATION	
TO: FISCAL DEBBIE ALLEN		COMMENTS	
FROM: DANIEL A. NELSON WESTERN REGION		APPROVAL	YES
		SIGNATURE	
SPECIAL NOTES: Debbie could you please correct this receipt. The applicants filed an application for transfer and I put in the incorrect codes. Before I could correct the codes Sue Taylor had already done the deposit. I am sorry for the inconvenience. Thank you Dan Nelson Western			

MICROFILM

DEC 2 5 2000

MEMORANDUM

TO: IDWR FISCAL DEPT. - ATTN: DEBBIE ALLEN
FROM: DANIEL A. NELSON - WATER RIGHT AGENT
DATE: 12/8/99
SUBJECT: CORRECT CODES ON RECIEPT

Please correct the receipt codes on receipt # W026072. I put in the incorrect PCA code for a transfer and did not catch it until after Sue Taylor had already done the deposit. The correct receipt code is 62105 instead of what was put on the receipt. Two transfers were filed and I put in the codes for permits. Could you please correct the receipt? No refund is necessary on this receipt, only the codes need to be changed. Thank you for your efforts I appreciate it.

The following is the necessary information.

RECEIPT -- # W026072 (Copy of receipt included)

AMOUNT OF REFUND – N/A (no refund required)

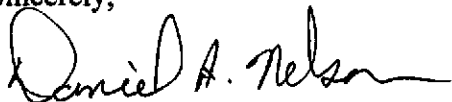
The receipt should read as follows:

Description	Fund	FD	PCA	Obj	Subsid
Transfer Fee 51-07110/51-2107	229	21	62105*	1155	100.00
Transfer Fee 51-04015	229	21	62105*	1155	100.00
Total Amount					200.00

* This is the only change needed on the receipt.

Thank you for your time and effort. If you have any questions please contact me at the Western Office of IDWR.

Sincerely,



Daniel A. Nelson
Senior Agent

DATE 1-25-2000

MICROFILMED
OCT 27 2000

W026072

1/24/2000

TINDALL, EUGENE & MARY

TRANSFER FEE 51-07110/51-02107	62103	229 21 1155	100.00
TRANSFER FEE 51-04015	62103	229 21 1155	100.00

CHECK	6465	\$	200.00
-------	------	----	--------

Region: WESTERN

Signature: _____

MICROFILMED
OCT 23 1980

RECEIPT
For Monies Paid
to the

Idaho Department of Water Resources

RECEIVED

JAN 27 2000

WATER RESOURCES
WESTERN REGION

Receipt No:

Date:

Time:

Received

From: FINANCE, BUREAU OF WATER

Type of Payment	Program A cct	Amount
TRANSFER FEE 51-07110-51-0210 0009 10 51101 1170		100.00
TRANSFER FEE 51-00005 0009 10 51101 1111		100.00
Total		

CHECK 4425

Idaho Department of Water Resources

Western Region

Signature: *da*

MICROFILMED

JAN 27 2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 11111111

Date: 10/11/00
 Time:

Received
From: TIDWATER ELECTRIC COMPANY

Type of Payment	Program A cct	Amount
TRANSFER FEE 51-07110 51-071107 0100 210000000 1000		\$ 210,000.00
TRANSFER FEE 51-07110 51-071107 0100 210000000 1000		\$ 210,000.00
Total		\$ 420,000.00

CHECK 6465

Idaho Department of Water Resources

Region: 00000000

MICROFILMED
 OCT 23 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

December 21, 1978

Theodore Robert Tindall
Route B, Box 169
Bruneau, ID 83604

Dear Mr. Tindall:

Re: Claim to a Water Right No. 51-4015

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

Enclosure

10/1/79

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

SEPTEMBER 14, 1978

Dwyrhee Nussat
Marsins, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. IN ORDER TO RECEIVE PAYMENT, THE FOLLOWING CERTIFICATION MUST APPEAR ON THE BILL:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before OCTOBER 9, 1978.

Yours truly,

Sally Trinkeus
Secretary

51-4015

Name: TINDALL, THEODORE ROBERT

Address: RT B BOX 169, BRUNEAU, ID 83604

Source: MARYS CREEK tributary to SHEEP CREEK

Priority Date: 04/01/1914

Country: Owyhee

Amount: 2.00 CFS

Point of Diversion: SWSE S27 T13S R05E SWSW S26 T13S R05E

Use: IRRIGATION from 04/01 to 11/01
STOCKWATER from 01/01 to 12/31

Place of Use: NWSW SWSW SESW S26 T13S R05E SWSE SESE S27 T13S R05E FOR 100 AC

Means: DIVERSION DAM, HEADGATES AND DITCHES

MIC

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nussel
on September 21, 1978 and September 28, 1978.

RECEIVED
SEP 28 1978
IDaho DEPARTMENT OF WATER RESOURCES