

MEMORANDUM

RECEIVED

JUN 14 1995

Department of Water Resources

June 7, 1995

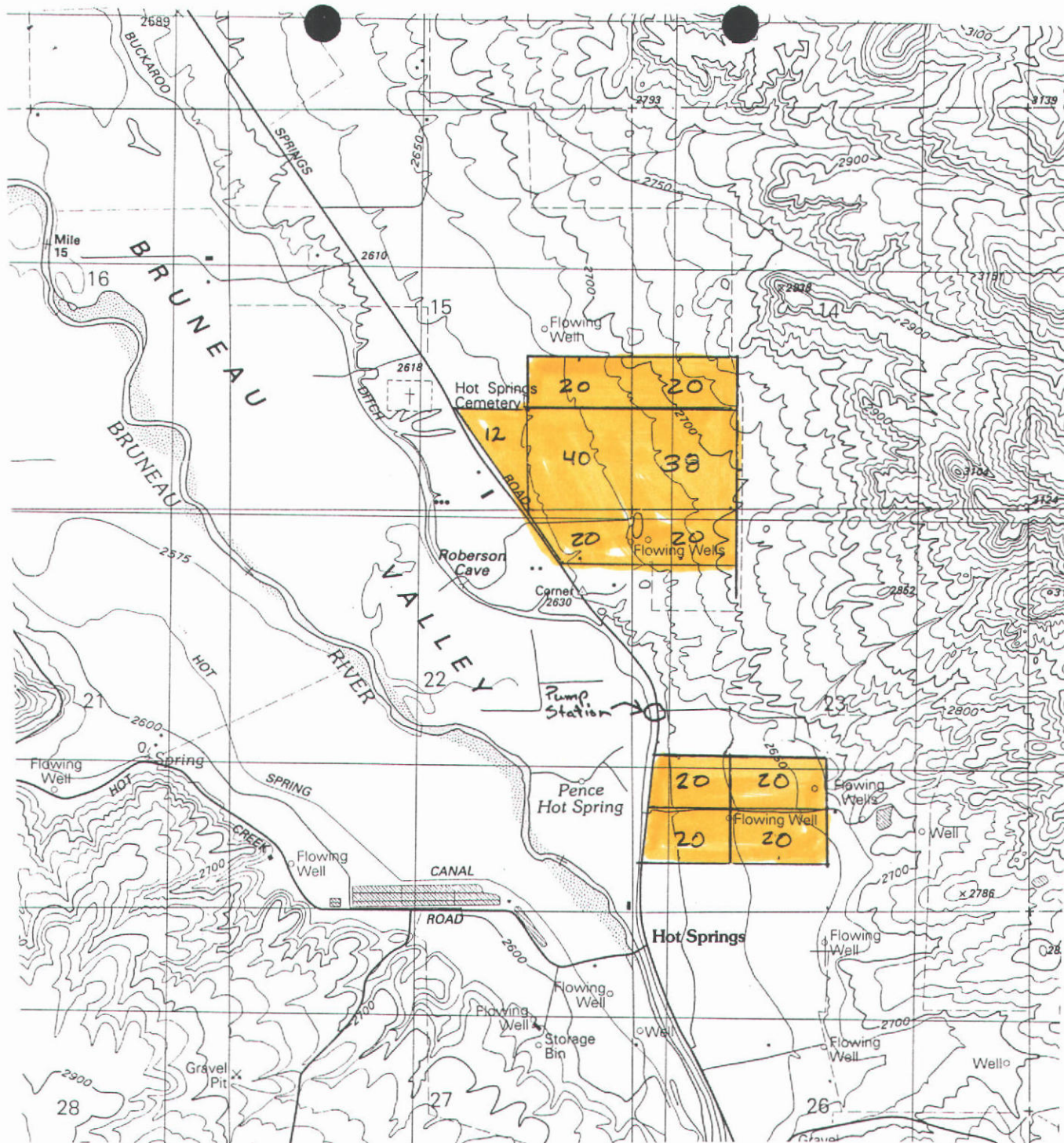
TO: Transfer file 4265, Right No. 51-00005
FROM: Cindy Hodges *CH*
RE: Condition of Approval No. 6

On June 6, 1995, I conducted a field examination for a related water right (51-7293) on this system. While on site, I did a field verification of measuring device condition no. 6 under transfer 4265.

As indicated in Terry Scanlon's letter of May 11, 1994, there was installed at the Bruneau Buckaroo pump station in NWSW Sec 23, T07S R06E, a Grainland model FM-4002 totalizing flow meter, SN # 15972. At the time of inspection, the pump was operating at an approximate rate of flow of 2000 gpm (4.4 cfs or 220 inches). Total volume log for 6-5-95 was 7,999,999,000 gallons. This includes last season's diversions. Frank Bachman did not know who had recorded the beginning of season volume.

This system may be regulated at either the pump valve or at the isolation junction immediately across the road.





1994 PLACE OF USE FOR WATER RIGHT 51-00005

**(BUCKAROO DITCH COMPANY CERTIFICATE
NUMBERS 357, 358, 359, AND 360)**

OWEN RANCHES

Pence flow meter display

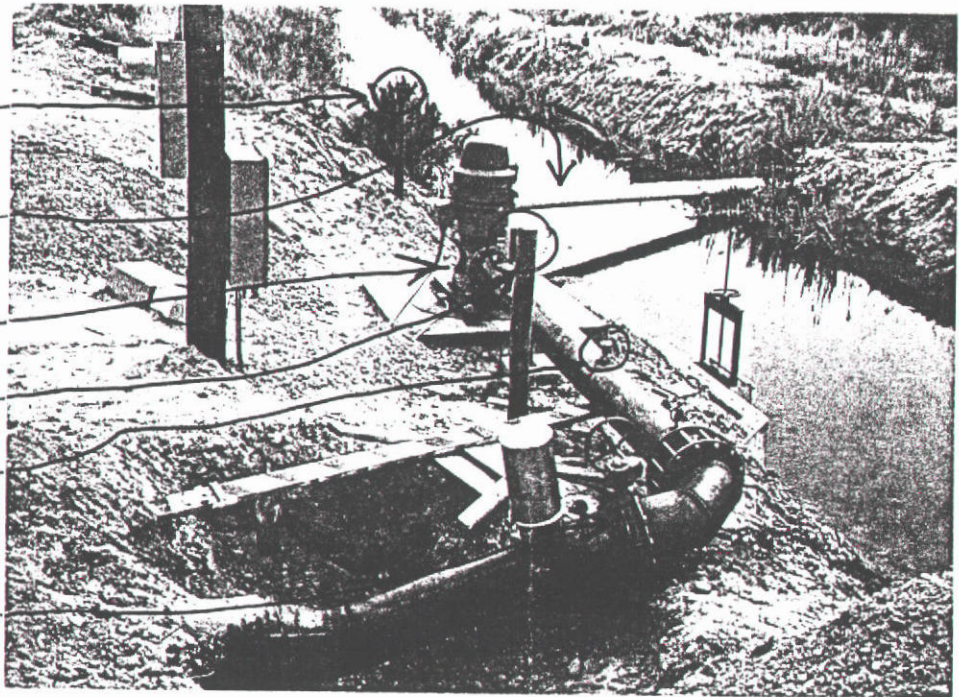
pipeline from Pence Hot Spring

Buckaroo Ditch pump (75 hp)

Buckaroo pump flow meter display

Buckaroo pump flow meter

Buckaroo pump throttling valve



Buckaroo Ditch pump (75 hp)

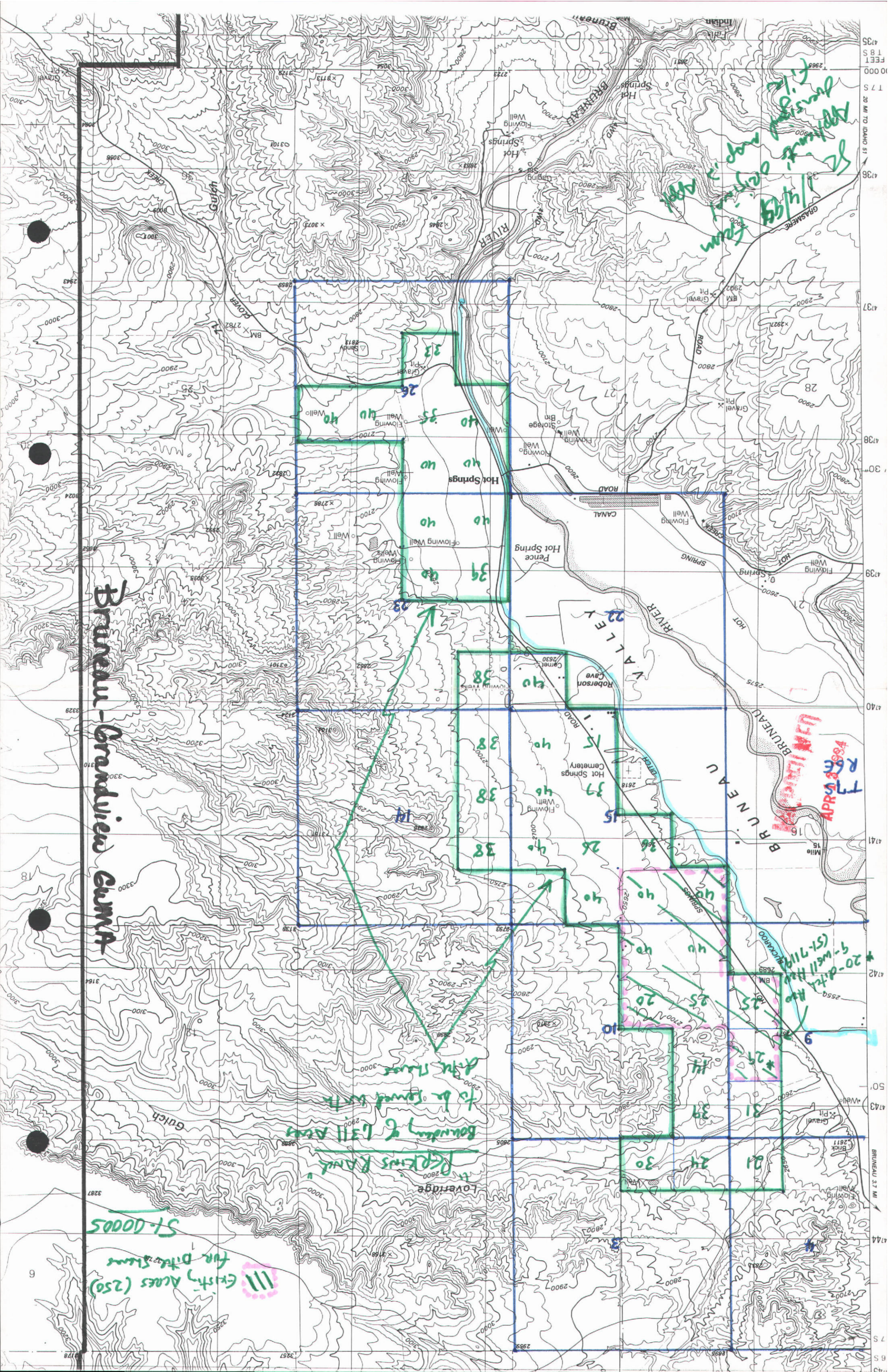
Pence pump isolation valve
(to Flat Ranch)

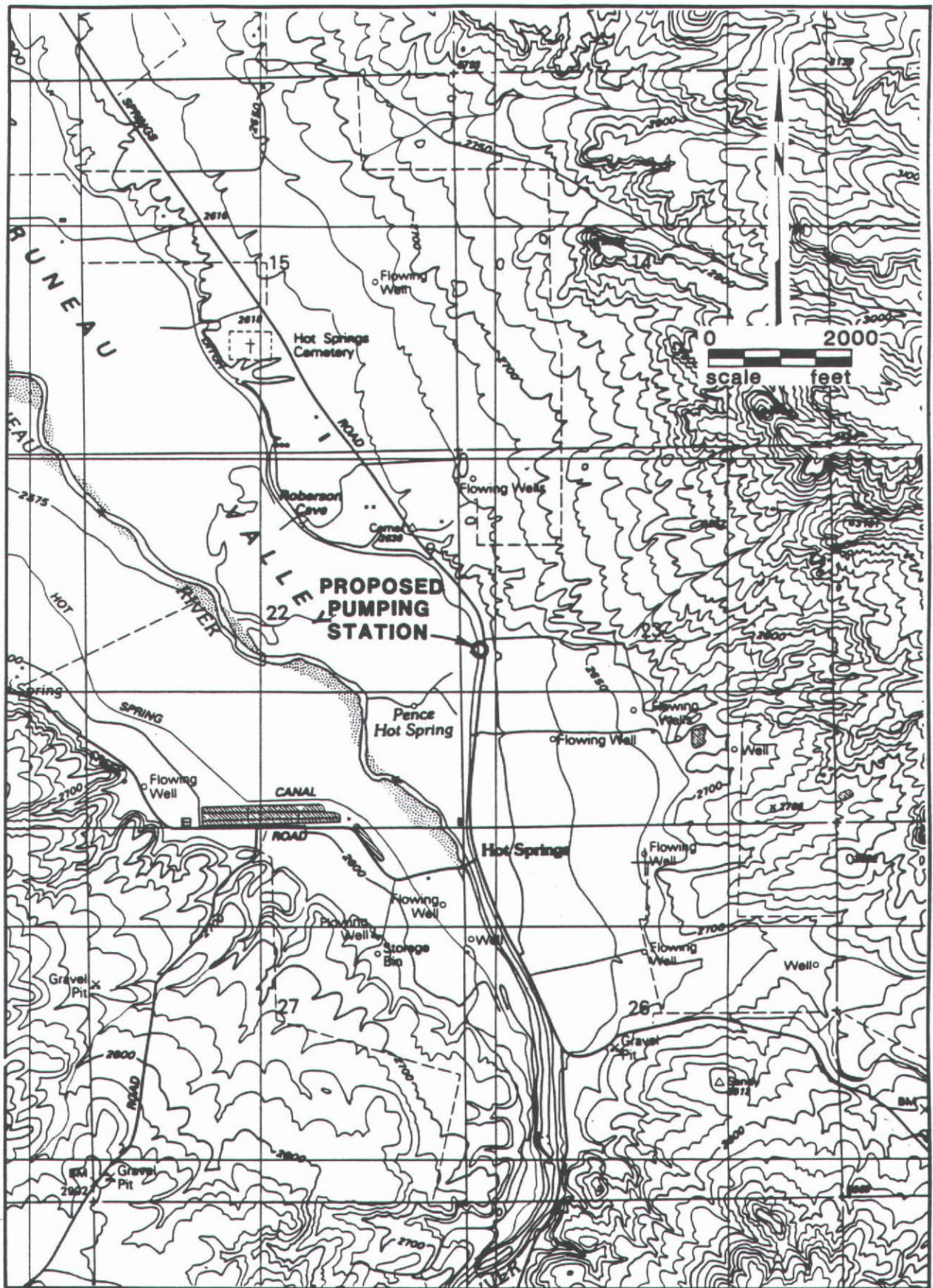
Pence pump isolation valve
(to Upper Ranch)

Buckaroo pump isolation valve
(to Flat Ranch)

Buckaroo pump isolation valve
(to Upper Ranch)

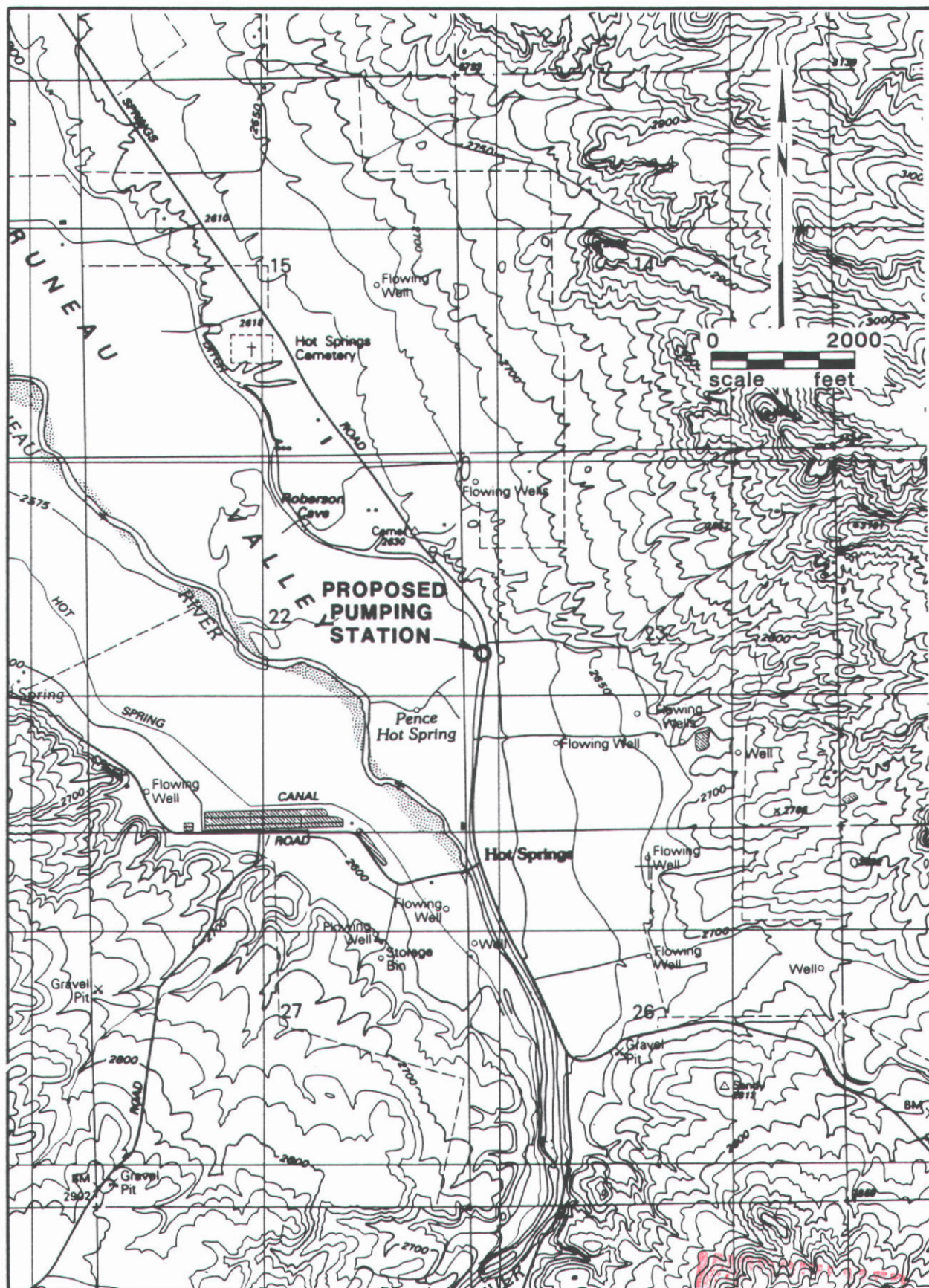




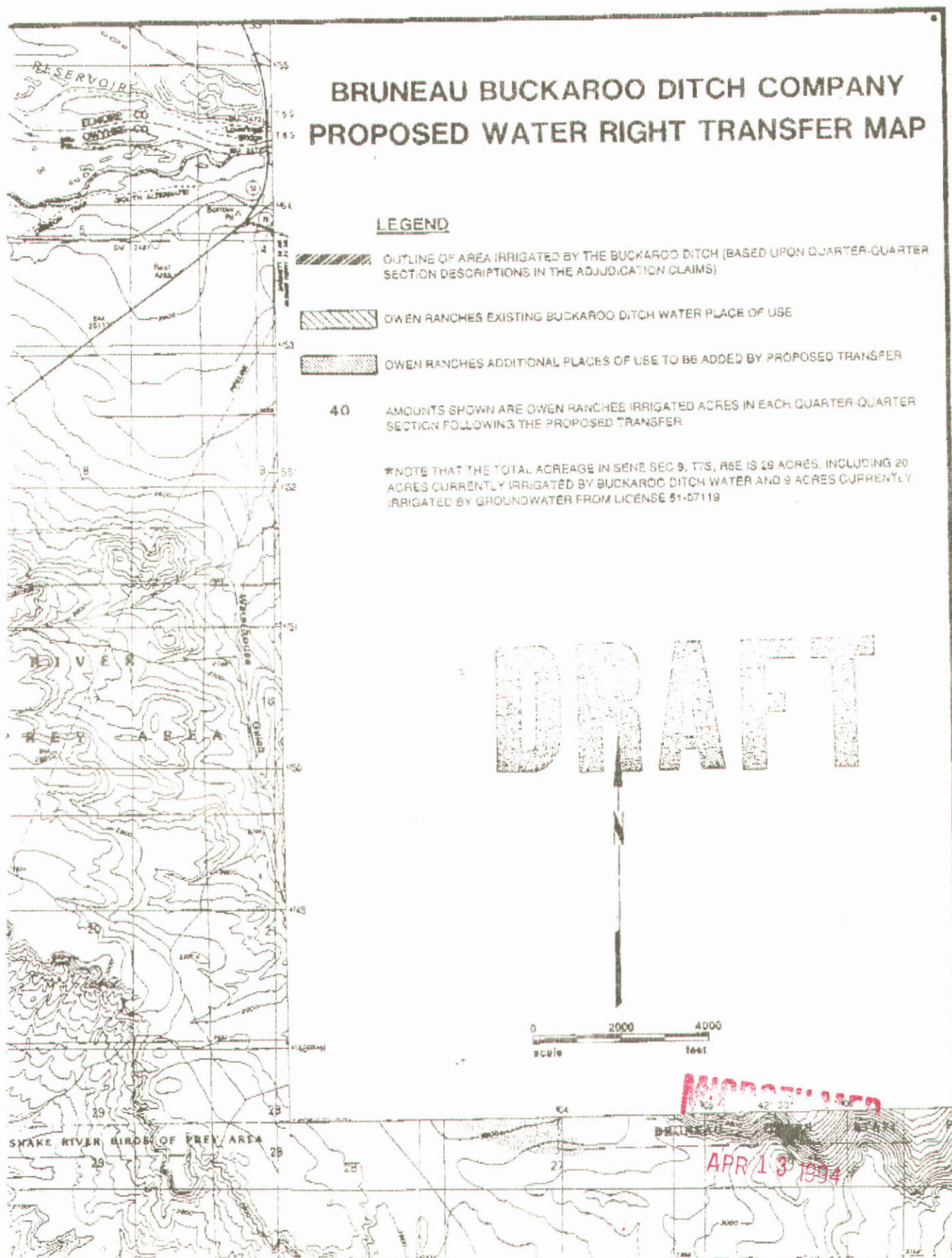


OWEN RANCHES
 PROPOSED PUMPING STATION LOCATION
 FIGURE 2

APR 13 1994



OWEN RANCHES
 PROPOSED PUMPING STATION LOCATION APR 13 1994
 FIGURE 2



NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT NO. 51-00005

Notice is hereby given
that Bruneau Buckaroo
Coop. Ditch Co. of Bru-
neau, Idaho, has applied
to the Department of Wa-
ter Resources to Change
of Place of Use of the fol-
lowing described water
right(s) to be changed pur-
suant to Section 42-222 of
Idaho Code:

WATER RIGHT AS RE-
CORDED

Basis Decree (1905)
Date of Priority: April 1,
1995 *Nat. Forest Div.*
Source: Bruneau River
tributary to Snake River
Amount: 16.40 cfs
Use: Irrigation, Stockwater
& Domestic
Point of Div: SWSW, S.26,
T7S, R6E, Owyhee
County

Place of Use: Listed in de-
cree as lands of stock-
holders.

TO BE CHANGED AS
FOLLOWS

Place of Use: 5,500
shares (4.40 cfs) of this
third priority water will be
used on no more than 250
acres per year within a
1,311 acre area of Owen
Ranches. The Owen
shares are currently used
on 250 acres in S. 9, 10 &
15 but will be used on ro-
tation basis on 250 acres
within S. 3, 4, 9, 10, 14,
15, 22, 23 & 26.

All of the Owen Ranches
land involved is above the
ditch. A pumping station
will be installed in the ditch
at NWSW, S. 23 about
1.25 miles downstream
from the head of the ditch.
All lands involved in this
proposal are currently irri-
gated by Owens shares or
other sources, therefore
no new lands will be put
into production. All loca-
tions are in T7S, R6E.

Any protest against ap-
proval of the proposed
change of water right ap-
plication must be filed with
the Department of Water
Resources, Western Re-
gion, 2735 Airport Way,
Boise, ID 83705 on or be-
fore January 24, 1994.

R. Keith Higginson
Director

PUBLISH: Wednesday,
January 5 and 12, 1994.

Invitation of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

Linda Capps McSwine being first duly sworn upon oath, depose
that I am *Gene Clark* of the TIMES-NEWS, published daily, at
Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
ing attached, was published in the regular and entire issue of said newspaper, and not in
supplement thereof, for *Two* consecutive *weeks*,

beginning with the issue dated *January 5*, 19*94*,

ending with the issue dated *January 12*, 19*94*.

and I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Sunday, both of which newspapers prior to consolidation had been published under said names in said city and
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
News, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
the time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

and I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

I, *Gene Clark*, on the *27* day of *January* in the year of *1994*, before me,

Notary Public, personally appeared *Linda Capps McSwine*,
known and identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps McSwine
Notary Public for Idaho

Residing at *Twin Falls*

My commission expires: *5/19/94*

APR 13 1994

No 25550

THE OWYHEE AVALANCHE

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

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

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

2. That during the time of 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 2 (two)

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

January 5 and 12, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 12th day of January A.D., 1994

Cornelia B. Blevins

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 51-00005 ✓

Notice is hereby given that Bruneau Buckaroo Corp. Ditch Co. of Bruneau, Idaho, has applied to the Department of Water Resources to Change the Place of use of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho code:

WATER RIGHT AS RECORDED

Basis Decree
Date of Priority April 1, 1905
Source Bruneau river
tributary to Snake River
Amount 16.40 cfs
Use Irrigation, Stockwater & Domestic
Point of Div SWSW, S.26, T7S, R6E, Owyhee County
Place of Use Listed in decree as lands of stockholders
TO BE CHANGED AS
FOLLOWS

Place of Use: 5,500 shares (4.40 cfs) of this third priority water will be used on no more than 250 acres per year within a 1,311 acre area of Owen Ranches. The Owen shares are currently used on 250 acres in S. 9, 10, & 15 but will be used on rotation basis on 250 acres within S. 3, 4, 9, 10, 14, 15, 22, 23, & 26.

All of the Owen Ranches land involved is above the ditch. A pumping station will be installed in the ditch at NWSW, S. 23 about 1.25 miles downstream from the head of the ditch. All lands involved in this proposal are currently irrigated by Owens shares or other sources, therefore no new lands will be put into production. All locations are in T7S, R6E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before January 24, 1994.

R. Keith Higginson
Director

Publish January 5 & 12, 1994

APR 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4265
WATER RIGHT NO. 51-00005

This is to certify that: **BRUNEAU BUCKAROO COOPERATIVE DITCH CO**
C/O FRANK BACHMAN
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	16.40 CFS	6961.3 AF
STOCKWATER	01/01 to 12/31		
DOMESTIC	01/01 to 12/31		
	Totals	16.40 CFS	6961.3 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BRUNEAU RIVER	SNAKE RIVER

Priority: 04/01/1905

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 26, Township 07S, Range 06E
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>
06S	05E	14	SWNW 8	NESW 30	NWSW 28	
			SWSW 40	SESW 40	NWSE 5	
			SWSE 35	SESE 15		201
	15		SWNE 29	SENE 27	NENW 26	
			SENW 5	NESE 15	NWSE 3	
			SESE 30			135
	22		NENE 7			7
	23		NWNE 37	NENW 40	NWNW 37	
			SWNW 28	SENW 40		182
	24		SESW 40			40
	25		NENE 39	NWNE 40	SWNE 30	
			SENE 40	NENW 30	NWNW 20	
			SENW 10	NESE 28	NWSE 6	
			SESE 19			262
06E	19		SWSW 21			21
	30		NWNW 27	SWNW 39	NESW 30	
			NWSW 30	SWSW 25	SESW 10	161
	31		NENE 40	NWNE 20	SWNE 15	

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TRANSFER NO. 4265
WATER RIGHT NO. 51-00005

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>
			SENE 40	NENW 23	NWNW 5	
			NESE 30	NWSE 10		183
	32		NWNW 25	SWNW 40	SENE 26	
			NESW 35	NWSW 40	SWSW 20	
			SESW 40	NWSE 15	SWSE 30	271
07S 06E	3		SWSW 24	SESW 30		54
	4		NESW 10	NWSW 20	SWSW 35	
			SESW 15	SESE 21		101
	5		SWNE 15	NESE 40	SESE 40	95
	9		NENE 31	NWNE 5	SWNE 10	
			SENE 29	NENW 20	SENE 40	
			NESE 25			160
	10		NWNW 39	SWNW 14	NESW 20	
			NWSW 25	SWSW 40	SESW 40	178
	14		SWNW 38	NWSW 38	SWSW 38	114
	15		NWNE 40	SWNE 26	SENE 40	
			NENW 40	NWNW 40	SENE 36	
			NESW 5	NWSW 35	NESE 40	
			NWSE 37	SWSE 15	SESE 40	394
	16		SENE 40	NESE 10		50
	22		NENE 40	NESE 20	SESE 20	80
	23		NWNW 38	NESW 40	NWSW 39	
			SWSW 40	SESW 40		197
	26		SWNE 40	SENE 40	NENW 40	
			NWNW 40	SWNW 40	SENE 35	
			NESW 33			268
Total number of acres irrigated:						3154

PLACE OF USE: STOCKWATER, same as IRRIGATION use**PLACE OF USE:** DOMESTIC, same as IRRIGATION use**CONDITIONS/REMARKS:**

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

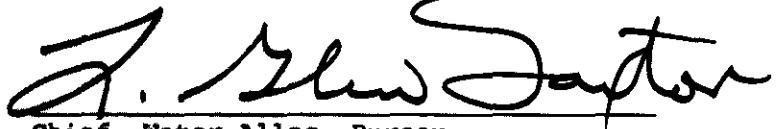
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TRANSFER NO. 4265
WATER RIGHT NO. 51-00005

CONDITIONS/REMARKS:

4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The place of use for the 4.4 cfs portion of this water right utilized by Owen Ranches or its successors or assigns is limited to 250 acres within the 1,311 acres located above the Bruneau Buckaroo ditch during any irrigation season. Each year prior to the irrigation season Owen Ranches or its successors or assigns shall advise this Department and the Bruneau Buckaroo Cooperative Ditch Company as to the specific 250 acres to be receiving water under this right during the irrigation season that year.
6. The water right holder shall install and maintain a totalizing measuring device and a lockable control structure at the point where water is pumped from the Bruneau Buckaroo ditch by Owen Ranches or its successors or assigns for use on the 250 acres identified in the preceding condition. Access shall be provided to a Watermaster or other Department representative to review the measurements of this diversion to ensure that expansion of the water right does not occur as a result of this transfer.
7. The land list which describes the place of use for this water right is currently being revised under the Snake River Basin Adjudication. The land list under this water right will be corrected in accordance with the outcome of the SRBA revisions.
8. Right No. 51-00005 is limited to the irrigation of 2,093 acres in the place of use described above in a single irrigation season.

Dated this 9th day of March, 1994.


Chief, Water Alloc. Bureau

APR 13 1994

Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4265RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT
MAR 02 1994 PART 1Department of Water Resources
Name of applicant

Bruneau Buckaroo Cooperative Ditch Co.

Phone 845-2110

Post Office address

c/o FRANK BACHMAN Whiteside, Bruneau, ID 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. The changes will allow the consolidation of several Owen Ranches (a Buckaroo Ditch stockholder) irrigation systems into a single more efficient system with a comprehensive permissible place of use.

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

1. Right Number 51-00005 Priority April 1, 1905 Amount 16.400 (cfs/acre-ft)
Nature of Use irrigation Period of Use March 1 to November 1
stockwater January 1 to December 31
_____ to _____
_____ to _____
2. Total amount of water being transferred 16.400 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Bruneau River tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Bruneau Buckaroo Dam

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	
6S	5E	14						8		5	30	28	40	40		5	35	15	201
6S	5E	15			29	27	26								15	3		30	135
6S	5E	22	7																7
6S	5E	23		37			40	37	28	40									182
6S	5E	24											40						40
6S	5E	25	39	40	30	40	30	20		10					28	6		19	262
6S	6E	19											21						21
6S	6E	30						27	39		30	30	25	10					161
6S	6E	31	40	20	15	40	23	5							30	10			183
6S	6E	32						25	40	26	35	40	20	40		15	30		271
7S	6E	3											24	30					54
7S	6E	4									10	20	35	15				21	101
7S	6E	5			15										40			40	95
7S	6E	9	31	5	10	28	20			40					25				160
7S	6E	10						39	14		20	25	40	40					178
7S	6E	14						38			36	36							114
7S	6E	15		40	28	40	40	40		36	5	35			40	37	15	40	394
7S	6E	16				40									10				50
7S	6E	22	40												20			20	80
7S	6E	23						38			40	39	40	40					197
7S	6E	26			40	40	40	40	40	35									268

Total acres 3154

Acres Added by Transfer 120

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 51-00005

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	16.40 CFS
STOCKWATER	to	
DOMESTIC	to	
Totals		16.40 CFS

SOURCE

BRUNEAU RIVER

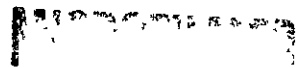
TRIBUTARY OF

SNAKE RIVER

Priority: 04/01/1905

LOCATION OF POINT(S) OF DIVERSION:SWSW , Sec. 26, Township 07S, Range 06E
OWYHEE CountyPLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. LANDS OF STOCKHOLDERS.



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PART 1

6. General Information:

- a. **Description of diversion system.** Diversion from the Bruneau River to the Buckaroo Ditch occurs at Buckaroo Dam. The transfer will allow stockholder (Owen Ranches) to irrigate lands above the Buckaroo Ditch by pumping from the Buckaroo Ditch into an existing sprinkler irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
No change, see remarks

- d. Remarks:
See attached (pg. 7)

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 _____.

RECORDED

APR 13 1934

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. 51-00005 Decreed to Bruneau Buckaroo Cooperative Ditch Co.
in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
dated 2/14/1925 in Owyhee county of Idaho
- 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority April 1, 1905

5. Water is used for the following purpose:

amount 16.400 cfs for irrigation purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for stock water purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for domestic purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 16.400 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations

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 51-00002, 51-00003,
51-00004, 51-00039, A51-10271

10. To your knowledge, has any portion of this water right undergone a period of 0 or more consecutive years of non-use?

no

If yes, describe _____

NOTE: Not splitting right into 2 ownerships; this just shows where OWENS currently use the shares

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.) ON 250 ACRES.

1. amount 4.400 for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for stock water purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

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	
7S	6E	9				20									25				45
7S	6E	10									20	25	40	40					125
7S	6E	15					40	40											80

OWEN'S shares used here → Total acres 250

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

1. amount 12.000 for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for stock water purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

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3. Lands irrigated or place of use (based upon adjudication claim)

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	
6S	6E	14							8		30	28	40	40		5	35	15	201
6S	6E	15			28	27	28		5						15	3		30	135
6S	6E	22	7																7
6S	6E	23		37			40	37	28	40									182
6S	6E	24											40						40
6S	6E	25	30	40	30	40	30	20		10					28	6		19	282
6S	6E	19										21							21
6S	6E	30					27	39			30	30	25	10					181
6S	6E	31	40	20	15	40	23	5					20	40	30	10			183
6S	6E	32					25	40	28		35	40	20	40		15	30		271
7S	6E	4									10	20	35	15					80
7S	6E	5			15										40			40	85
7S	6E	9		5	10		20		40										75
7S	6E	15									5	35							40
7S	6E	16				40									10				50
7S	6E	22													20			20	40

* BALANCE OF shares in company used here →

Total acres 1843

12/22/93

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.

see attached map

Attachment A

RECEIVED

APR 13 1994

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

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

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

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.

Bureau Brothers Ditch Co.
by: Frank L. Bachman
 (Signature of Applicant)

Subscribed and sworn to before me this 20th day of December, 19 93.

Loi Guarnier
 (Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 1 attachments

Received by g Date 12/20/93 Protest filed by _____

Prelim. check by SL Fee \$50

Receipted by g # W017042 Date 12/20/93

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Statewide Advertising

RECORDED

APR 13 1994

Attachment - Remarks on Buckaroo Ditch Company Water Right Transfer

The Perkins Ranch Unit of Owen Ranches has 5,500 shares (220 inches) of third priority Bruneau Buckaroo Ditch Company water (decreed right 51-00005). Owen Ranches seeks to add additional permissible places of use to the Buckaroo third priority right which will allow Owen Ranches to utilize Buckaroo Ditch water in a comprehensive sprinkler irrigation system which will irrigate a portion of approximately 1,311 acres located above the Buckaroo Ditch. Water will be diverted from the Buckaroo Ditch at a new pumping station located in NWSW Sec. 23, T7S, R6E. The 1,311 acres are presently irrigated using several separate sprinkler irrigation systems with water from a combination of the following sources:

- groundwater (648 acres from each of 12 separate licenses involved in Transfer 3324, 190 acres from 51-07082, 168 acres from 51-07119)
- surface water from the Buckaroo Ditch (250 acres from 51-00005), and
- surface water from Pence Hot Springs (55 acres from 51-07293).

The proposed place of use transfer will allow Owen Ranches to utilize the third priority Buckaroo Ditch water on any 250 acre parcel within the 1,311 acre area. The place of use irrigated by this transfer each year will not exceed 250 acres, and the amount diverted will not exceed to 220 inches. Owen Ranches will notify the Buckaroo Ditch Company as to which 250 acre parcel will be irrigated each year; the 250-acre area will be identified on a map or marked in the field.

Owen Ranches will not develop new irrigation lands under this transfer and will not exceed the total quantities appropriated by these rights. This transfer is not expected to result in an impacts to return flows or other water rights.

APPROVED

APR 13 1994

November 1, 1993

A meeting of the Shareholders of the Bruneau Buckaroo Ditch Company was held at the Bruneau American Legion Hall on November 1, 1993. Terry Scanlan, Hydrogeologist for Owen Ranches and Bill Ingert legal council for the Ditch Company were also present.

President Bachman called the meeting to order at 7:00 p.m.

A roll call was taken to establish a quorum. The 2/3 majority needed is 45,889.16. Roll was taken and 50,912.5 shares were present. Asa Black arrived at 7:15 p.m. bringing the total to 51,213.75

New Business

Frank stated the purpose of the meeting was to review the proposal from Owen Ranches to move the Pump Station on the Perkins Place upstream by Bill Rose's driveway. He then turned the meeting over to Terry Scanlan to explain the proposal on behalf of Owen Ranches to the shareholders. He explained the proposal was to expand the permissible place of use for 220 inches of 3rd water right that is currently used on the Perkins Property which irrigates 250 acres of land to a new point of diversion upstream by Bill Rose's driveway.

After much discussion Dick Owen moves to allow transfer of 220 inches, 1905 water right, from the Perkins property, to a new point of diversion with the following stipulations:

1. Mixing water over additional land would have to be approved by the Water Resources.
2. Pumps would have to be designed to not exceed 220 inches of water.
3. A Flow-Meter would have to be installed at the pump.
4. When a shortage of 3rd water occurs and the water drops below 27,80 inches of decreed water, this pump will be shut off and remain off until the ditch water comes back and levels off to a steady flow.
5. No expense of this change will be incurred by the Shareholders at any time, now, or in the future.

Terry Black seconded the motion. Discussion was held. It was recommended that the 250 acres that the 220 inches of water is used on needs to be identified. Terry Black moved to amend the motion to include the following item:

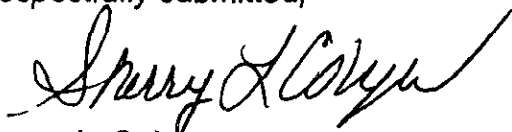
6. The 250 acres that the water is to be applied to must be identified prior to the beginning of each annual irrigation season.

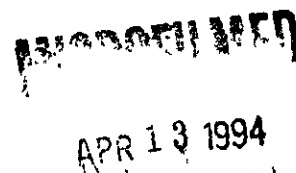
Seconded by Dick Strickland. Amendment carried by voice vote. Discussion on the main motion was held. A ballot vote was taken. Motion carries.

Frank explained that the other item of business was the water application filed by Owen Ranches, No. 51-07346. He stated the ditch company had submitted a letter of protest to IDWR so answers to questions identified in the letter could be answered.

Bob Black moved to adjourn. Cindy Bachman seconded. Motion carried unanimously. Meeting adjourned 8:15 p.m.

Respectfully submitted,


Sherry L. Colyer
Acting Secretary



①

FILE 12

51-A

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA.

.....0.....

GRANDVIEW IRRIGATION DISTRICT,
Plaintiff,

-vs-

D-E-C-R-E-E

BRUNEAU BUCKAROO CO-OPERATIVE
DITCH COMPANY, et al,
Defendants

ment
51-A-1

.....0.....

This cause having come on to be heard this 14
day of February, 1925, upon the complaint of the plaintiff and
the answers and cross-complaints of the appearing defendants,
the default of non-appearing defendants having heretofore been
entered, and upon the stipulation of all the parties appearing
herein,

IT IS HEREBY ORDERED, ADJUDGED and DECREED,
during the irrigation season, Dry Creek, (sometimes referred
to as Jack's Creek) is an independent stream not tributary to
the Bruneau River, for the reason that all the water of said
Dry Creek in low water season many miles above its flood water
junction with Bruneau River sinks into underground reservoirs
and if permitted to run unobstructed and unappropriated, would
never reach Bruneau River either on the surface or by under-
ground flow.

RECORDED

APR 13 1924

IT IS FURTHER ORDERED, ADJUDGED and DECREED, that the plaintiff and the several defendants and cross-complainants hereinafter named have a right to use the water of Bruneau River and its tributaries situate in Owyhee County, State of Idaho, to the extent of their needs for irrigation and domestic use and the watering of livestock, upon the lands described after each appropriation, respectively, for the number of inches of water (measured under a four inch pressure) set opposite each name, each fifty inches thereof to be equivalent to a flow of a cubic foot per second, as prescribed by the law of Idaho, the priorities of said appropriations to be fixed as of the time set opposite each name, respectively:

51-0001
02-0203 The plaintiff, Grandview Irrigation District 150 cubic feet of water per second of time from the Bruneau River with priority as of February 22, 1904, appurtenant to the lands within the Grandview Irrigation District, as shown by a map thereof attached to the stipulation on file herein, to which reference is hereby made.

The defendants and cross-complainants as follows:

RIGHTS IN BRUNEAU VALLEY.

BRUNEAU BUCKAROO COOPERATIVE DITCH COMPANY, A DOMESTIC CORPORATION OF THE STATE OF IDAHO: Appurtenant to that certain canal in Townships 6 and 7 South, Range 6 East, and Township 6 South, Range 5 East, Boise Meridian, known as the "Buckaroo Ditch", with its point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 7 South, Range 6 East, Boise Meridian, for use on lands of its stockholders under said ditch. Out of the waters of the Bruneau River:

APR 13 1994

51 0002	548 inches as of January 2, 1883.
51 0003	1,000 inches as of February 20, 1888.
51 0004	632 inches as of April 1, 1897.
51 0005	820 inches as of April 1, 1905.
	<u>3,000</u>

The decree of such waters to the Bruneau Buckaroo Co-operative Ditch Company as appurtenant to its canal shall be without prejudice to the right of any stockholder thereof to assert any claim as to the amount of water to which he is entitled either as against the corporation itself or against his co-stockholders; it being the intention of this decree to define the stockholders' rights, as represented by said corporation, in the aggregate, but not to define their individual rights as among themselves.

SOUTH SIDE BRUNEAU CANAL COMPANY LIMITED, A DOMESTIC CORPORATION OF THE STATE OF IDAHO: Appurtenant to that certain canal in Townships 6 and 7 South, Range 6 East, and Township 6 South, Range 5 East Boise Meridian, known as the "South Side Canal", with its point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, of Section 5, Township 7 South, Range 6 East, Boise Meridian, for use on the lands of its stockholders under said ditch: Out of the waters of the Bruneau River:

51 0006	612 inches as of March 23, 1896.
51 0007	96 inches as of April 1, 1897.
51 0008	492 inches as of April 1, 1905.
	<u>1200</u>

The decree of such waters to the South Side Canal Company, Limited, as appurtenant to its canal shall be without prejudice to the right of any stockholder thereof to assert any claim as to the amount of water to which he is entitled either as against the corporation itself or against his

MEMORANDUM

RECEIVED
JUN 14 1995

Department of Water Resources

June 7, 1995

TO: Transfer file 4265, Right No. 51-00005
FROM: Cindy Hodges *CH*
RE: Condition of Approval No. 6

On June 6, 1995, I conducted a field examination for a related water right (51-7293) on this system. While on site, I did a field verification of measuring device condition no. 6 under transfer 4265.

As indicated in Terry Scanlon's letter of May 11, 1994, there was installed at the Bruneau Buckaroo pump station in NWSW Sec 23, T07S R06E, a Grainland model FM-4002 totalizing flow meter, SN # 15972. At the time of inspection, the pump was operating at an approximate rate of flow of 2000 gpm (4.4 cfs or 220 inches). Total volume log for 6-5-95 was 7,999,999,000 gallons. This includes last season's diversions. Frank Bachman did not know who had recorded the beginning of season volume.

This system may be regulated at either the pump valve or at the isolation junction immediately across the road.



SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

MAY 13 1994

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 20 1994

Department of Water Resources

May 11, 1994

Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Transfer No. 4265, Water Right No. 51-00005

Dear Steve:

I spoke with Mr. Richard Owen today regarding the 1994 irrigation place of use on his land associated with the above referenced water right and transfer. As you suggested might be the case in your May 2, 1994 letter, it appears that a mistake was made in identifying the proper land for 1994 irrigation use. This letter provides the corrected place of use.

Owen Ranches plans to pump from the Buckaroo Ditch into the overall ranch irrigation system. In pumping from the ditch, the water can travel either north (to the Upper Ranch pond) or southeast (to the Flat Ranch booster pump). Water pumped to the Upper Ranch pond is commingled in the pond with groundwater pumped from the Upper Ranch wells. The water pumped to the Flat Ranch booster pump is commingled with groundwater from the Flat Ranch wells.

Place of use for Buckaroo Ditch water on the Upper Ranch will include a total of 170 acres. Place of use on the Flat Ranch will include a total of 80 acres. Specific locations are listed below and identified on the attached map.

		~~Attached~~ ^{Listed} ~~Per~~ ^{T. 4265}
NW 1/4, SW 1/4, Section 14, T7S, R6E	20 acres	38
SW 1/4, SW 1/4, Section 14, T7S, R6E	38 acres	38
NE 1/4, SE 1/4, Section 15, T7S, R6E	20 acres	40
SW 1/4, SE 1/4, Section 15, T7S, R6E	12 acres	15
SE 1/4, SE 1/4, Section 15, T7S, R6E	40 acres	40
NE 1/4, NE 1/4, Section 22, T7S, R6E	20 acres	40
NW 1/4, NW 1/4, Section 23, T7S, R6E	20 acres	38
NW 1/4, SW 1/4, Section 23, T7S, R6E	20 acres	39
NE 1/4, SW 1/4, Section 23, T7S, R6E	20 acres	40
SW 1/4, SW 1/4, Section 23, T7S, R6E	20 acres	40
SE 1/4, SW 1/4, Section 23, T7S, R6E	20 acres	40
Total	250 acres	408

Regarding condition No. 6 of the transfer, I understand that Owen Ranches has installed a Grainland totalizing flow meter at the Buckaroo Ditch pump station located in the NW 1/4, SW 1/4, Section 23. Lockable control of pumping capacity can be achieved by chaining either the throttling valve at the pump or the two isolation valves located in the valve vault across the road

OK for #5
condition
limited
irrigation to
250 ac.

May 11, 1994

from the pump station. Valve and flow meter locations are identified on the attached photographs.

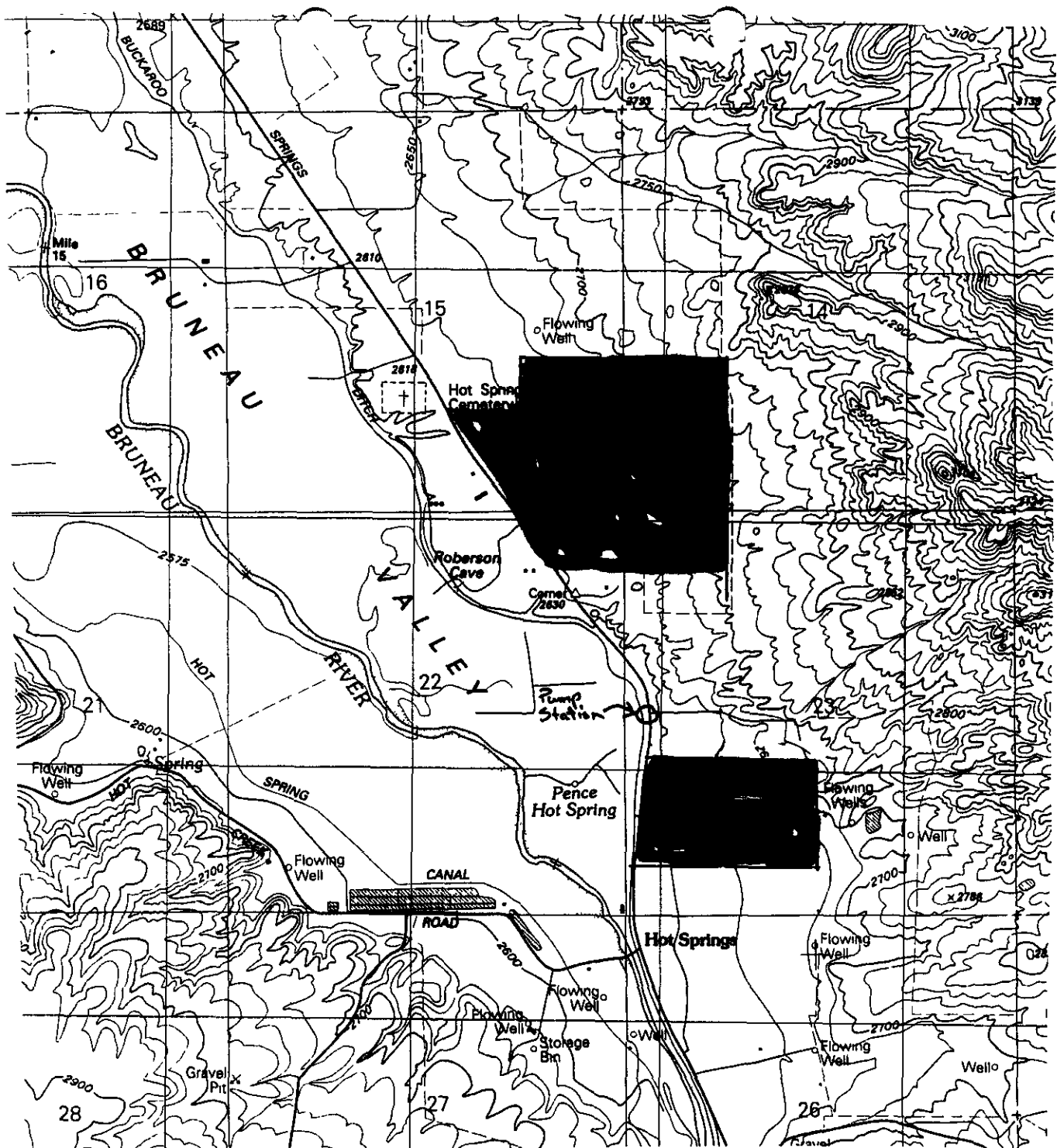
Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Terry M. Scanlan".

Terry M. Scanlan, P.E.

cc: Frank Bachman
Richard Owen
Scott Cambell



**1994 PLACE OF USE FOR
WATER RIGHT 51-00005**

**(BUCKAROO DITCH COMPANY CERTIFICATE
NUMBERS 357, 358, 359, AND 360)**

OWEN RANCHES



Pence flow meter display

pipeline from Pence Hot Spring

Buckaroo Ditch pump (75 hp)

Buckaroo pump flow meter display

Buckaroo pump flow meter

Buckaroo pump throttling valve



Buckaroo Ditch pump (75 hp)

Pence pump isolation valve
(to Flat Ranch)

Pence pump isolation valve
(to Upper Ranch)

Buckaroo pump isolation valve
(to Flat Ranch)

Buckaroo pump isolation valve
(to Upper Ranch)



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 2, 1994

Mr. Richard L. Owen
Owen Ranches
P.O. Box 590
Bruneau, ID 83604

RE: Transfer No. 4265, Water Right No. 51-00005

Dear Mr. Owen:

The department recently received a copy of your letter dated March 2, 1994, to Mr. Frank Bachman of the Bruneau Buckaroo Ditch Company regarding use of your shares in the above-referenced transfer.

The approved transfer contains two conditions of approval relative to your operation. Condition No. 5 states that a maximum of 250 acres per year above the ditch can be irrigated within a year. Also, the acres to be irrigated must be identified. Your letter lists what appears to be no more than 114 acres in the W 1/2 of SW 1/4 and in the SE 1/4 of Section 14, T7S, R6E.

Seventy-six (76) acres in the W 1/2 of SW 1/4 Section 14 are acceptable. The only other acres in the section are the 38 in SWNW. The total acreage allowed in Section 14 is 114. Therefore, your letter only identifies 76 acres for approved use. This is highlighted on the attached copy of the transfer.

Perhaps a mistake was made in identifying the proper land. If so, please provide a corrected list to Mr. Bachman with a copy sent to me. If not, then your use of water under right no. 51-00005 must be limited to the 76 approved acres for the 1994 irrigation season.

Regarding Condition No. 6 for a lockable control structure with a totalizing measuring device, please identify the type of device and its location, as well as directions of how to find it, in your response. Department staff will make a field inspection of the device sometime in the near future. Be sure that a proper device is in use prior to diverting any water under this transfer for the acres in question for 1994 to remain within the limits defined by this condition.

Mr. Richard Owen
May 2, 1994
Page 2

It should be noted that a maximum diversion rate based on the number of acres receiving water is implied by the transfer as follows:

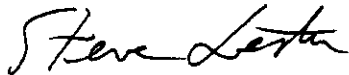
$$16.40 \text{ cfs} / 3154 \text{ acres} = .0052 \text{ cfs/acre};$$

Implied for S. 14 --

- a) 76 acres X .0052 cfs/ac = .40 cfs can be diverted; or
- b) 114 acres X .0052 cfs/ac = .59 cfs can be diverted; thus
- c) from .40 to .59 cfs can be diverted in 1994 for S. 14
depending on the total number of irrigated acres identified.

A response to this office is requested by May 13, 1994. Please contact me if you have any questions or concerns.

Sincerely,



Steve Lester
Water Rights Supervisor

c: Mr. Frank Bachman
encl: T. 4265



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1994

Mr. Richard L. Owen
Owen Ranches
PO Box 590
Bruneau, ID 83604

Re: Transfer No. 4265, Water Right No. 51-00005

Dear Mr. Owen:

I need to correct an error in my letter to you dated May 2, 1994. I refer to the rate of flow discussed on the second page of that letter. The information therein is incorrect. Your consultant, Terry Scanlan, identified this mistake and properly brought it to my attention.

Please disregard any language that refers to the total diversion rate and the total acres in the transfer. Also, for your acres served by the transfer, note that condition no. 5 defines the proper rate of flow as follows: 4.40 cfs for no more than 250 acres per year, or .0176 cfs per acre for your property.

The balance of water in the transfer serves other land under a rate schedule determined by the ditch company, subject to the limits of the water right in question.

I hope this error has not unduly alarmed either you or Mr. Bachman for the ditch company.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

c: Terry Scanlan
Frank Bachman

Stevie -
Plz follow up w/
Mr. Owen. Let's
discuss if you wish.
Dave

MEMORANDUM

RECEIVED
APR 11 1994
WATER RESOURCES
WESTERN REGION

Date: April 8, 1994
From: Jim Johnson
To: Dave Tuthill *DT*
Subject: Buckaroo Ditch-Perkins Pump Transfer

=====

Dave, in follow-up to our telecon today I am sending you a copy of Mr. Owen's letter to the Buckaroo Ditch president, Mr. Bachman. The letter describes an apparent intent to use water within SE1/4 Section 14, T7S, R6E as well as W1/2, SW1/4 of same section. I am assuming the location of the latter is W1/2SW1/4 rather than as described. However, I am uncertain of the intention to irrigate the SE1/4.

In your contact with Mr. Owen he probably should be advised to list the number of acres to be irrigated in each 40 acre tract to be consistent with the acres listed on the approved transfer of water right 51-00005.

RECEIVED
APR 08 1994
Department of Water Resources

RECEIVED
APR 01 1994
WATER RESOURCES
WESTERN REGION

Jim Johnson ✓
For new Owen Transfer
OWEN RANCHES
P.O. BOX 580
BRUNEAU, IDAHO 83804
(208) 845-2001
(208) 845-2004 FAX

March 30, 1994

David Tuthill *DT*
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Subject: Buckaroo Ditch - Perkins Pump Transfer

Dear Mr Tuthill,

Per your request, via Scott Campbell, there is enclosed a copy of a letter to the President of the Buckaroo Ditch Company informing them of the location of the water usage from the new diversion location on the Buckaroo Ditch.

Yours truly,



Richard L. Owen

c.c. Scott Campbell - Elam & Burke
Terry Scanlan - Scanlan Engineering
Frank Bachman - Buckaroo Ditch Company

RECEIVED

APR 01 1994

WATER RESOURCES
WESTERN REGION

OWEN RANCHES

P.O. BOX 590
BRUNEAU, IDAHO 83604
(208) 845-2001
(208) 845-2004 FAX

March 2, 1994

Frank Bachman
President
Buckaroo Ditch
Bruneau, Idaho 83604

Subject: Perkins Water - Buckaroo Ditch

Dear Mr Bachman,

Per the board's direction, please be informed that we plan on irrigating the following described property from the Buckaroo Ditch in 1994.

W1/2, SW1/4 Sec 14, T7S, R6E, SE1/4

Yours truly,

A handwritten signature in black ink, consisting of a large, loopy 'R' followed by a horizontal line and a small upward tick at the end.

Richard L. Owen

[illegible]

51020895	BRUNEAU R1	:	:	:	38	38	38	:	:	03	29	:	:	29	38	38	:	:	01	:	14
51020898	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A51020898	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R51020898	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102091	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5102091	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5102091	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102120	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5102120	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5102120	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102123	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
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R5102123	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102127	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5102127	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5102127	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102150	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
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R5102150	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102165	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5102165	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5102165	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102169	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5102169	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5102169	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5102170	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5102170	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5102170	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
51022138	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A51022138	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R51022138	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5107047	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5107047	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5107047	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5107058	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
A5107058	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
R5107058	GROUNDWATE	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
5107346	BRUNEAU R1	:	:	:	38	38	38	:	:			:	:		38	38	:	:		14	
C73q-AA 63	:	:	:	:	03	29	:	:	:			:	:		29	38	:	:		100	



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 10, 1994

BRUNEAU BUCKAROO COOPERATIVE DITCH CO
C/O FRANK BACHMAN
BRUNEAU ID 83604

RE: Transfer of Water Right No. 51-00005

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4265). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

3 1994

MEMORANDUM

TO: FILE 51-00005

FROM: PAM SKAGGS^{cb}/STATE OFFICE

SUBJECT: TRANSFER NO. 4265

DATE: March 8, 1994

=====

Transfer No. 4265 was filed to change the place of use under Right No. 51-00005 to include a permissible place of use for Owen Ranches.

The Decree described the place of use as the stockholder's land appurtenant to Buckaroo Ditch. The SRBA Claim identified a specific land base of 2,093 acres irrigated under this right. This transfer adds 1,061 acres to the land base, but does not expand the total number of acres irrigated each season.

Specific conditions regarding Owen Ranches irrigation of 250 acres within 1,311 were recommended by the region office. Additional conditions were added to limit the Ditch Co. right in its entirety.

RECEIVED 1994

APR 13 1994

TRANSFER REVIEW SHEET

Transfer # 4265

Date Reviewed 3-7-94 28

Right(s) 51-00005 _____

B:Change P/D C:Add P/D (D):Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership NA - Ditch Co./Shareholders own P/U
Minutes from 11-01-93 shareholders mtg. agree to XFER

Transfer ✓ All of Right _____ Portion of Right (Part B _____)

Resulting Split(s) NONE

Check Transfer Against Right

(1) ✓ Priority (2) _____ Use (3) _____ Season (4) _____ Rate (5) _____ Volume
(6) ✓ Source (7) ✓ P/D (8) _____ P/U (9) ✓ Proof/Owner (10) ✓ Map
(11) NO Water District (12) NONE Pertinent Conditions (13) NO Expansion

(2) Decree has IRR, DOM + STOCK
(3) No Seasons on Decree - Standard (61) 4-1 to 10-31 (04+43) 01-01 to 12-31
(5) NO VOL on Decree $2093 \times 4.0 = 8372 > 116.4 \times 214 \times 19835 = 6961.3 \text{ afa}$
(8) Total Acres as currently used per SRBA claim 2093 Acres
P/U description includes expanded P/U for Owens 250/1311 TOTAL 3154

Transfer Remarks PP/U 2093 w/in 3154 Special Conditions Recommended

Conditions R31, T07, T09, T08

Database/Processing Notes T file
Database Updated 3-10-94
28

WR0749NP
No. T51-00005

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/07/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRUNEAU BUCKAROO COOPERATIVE DITCH CO C/O FRANK BACHMAN BRUNEAU ID 83604 (208) 845-2110	04/01/1905	IRRIGATION STOCKWATER DOMESTIC	04-01 10-31 01-01 12-31 01-01 12-31	16.40 CFS	6961.30 AFA
TOTAL DIVERSION:					16.40 CFS	6961.30 AFA

Water Source: BRUNEAU RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R06E S26 SWSW OWYHEE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				SUM
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06S	05E 14 :							08		30	28	40	40		05	35	15	201.0
06S	05E 15 :			29	27		26		05					15	03		30	135.0
06S	05E 22 :	07																7.0
06S	05E 23 :		37				40	37	28	40								182.0
06S	05E 24 :											40						40.0
06S	05E 25 :	39	40	30	40		30	20	10					28	06		19	262.0
06S	06E 19 :											21						21.0
06S	06E 30 :							27	39	30	30	25	10					161.0
06S	06E 31 :	40	20	15	40		23	05						30	10			183.0
06S	06E 32 :							25	40	26	35	40	20	40	15	30		271.0
07S	06E 3 :											24	30					54.0
07S	06E 4 :									10	20	35	15				21	101.0
07S	06E 5 :			15										40			40	95.0
07S	06E 9 :	31	05	10	29		20		40					25				160.0
07S	06E 10 :							39	14		20	25	40	40				178.0
07S	06E 14 :								38			38	38					114.0
07S	06E 15 :		40	26	40		40	40	36		05	35		40	37	15	40	394.0
07S	06E 16 :				40									10				50.0
07S	06E 22 :	40												20			20	80.0
07S	06E 23 :							38			40	39	40	40				197.0
07S	06E 26 :			40	40		40	40	40	35	33							268.0
TOTAL ACRES																		3154.0

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

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

Pou County: OWYHEE

Other Water Rights with Same Point(s) of Diversion and Source:

51-00002 51-00003 51-00004A 51-00004B 51-00005 51-00039 51-00040 51-00041 51-00063 51-00064
51-00065 51-07346

Other Water Rights Listing Overlapping Place(s) of use:

51-00004B 51-00012 51-00013 51-00014 51-00024 51-00025 51-00026 51-00027 51-00028 51-00029

Other Water Rights Listing Overlapping Place(s) of use:

51-00030	51-00031	51-00032	51-00033	51-00034	51-00035	51-00036	51-00042	51-00043	51-00044
51-00045	51-00054	51-00055	51-00056	51-00069	51-00070	51-02089B	51-02091	51-02120	51-02123
51-02127	51-02150	51-02165	51-02169	51-02170	51-02213B	51-04048	51-04049	51-07047	51-07058
51-07082	51-07092	51-07119	51-07268	51-07293	51-07318	51-07319	51-07341	51-07346	

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Remarks:

The place of use for the 4.4 cfs portion of this water right utilized by Owen Ranches or its successors or assigns is limited to 250 acres within the 1,311 acres located above the Bruneau Buckaroo ditch during any irrigation season. Each year prior to the irrigation season Owen Ranches or its successors or assigns shall advise this Department and the Bruneau Buckaroo Cooperative Ditch Company as to the specific 250 acres to be receiving water under this right during the irrigation season that year. The water right holder shall install and maintain a totalizing measuring device and a lockable control structure at the point where water is pumped from the Bruneau Buckaroo ditch by Owen Ranches or its successors or assigns for use on the 250 acres identified in the preceding condition. Access shall be provided to a Watermaster or other Department representative to review the measurements of this diversion to ensure that expansion of the water right does not occur as a result of this transfer. The land list which describes the place of use for this water right is currently being revised under the Snake River Basin Adjudication. The land list under this water right will be corrected in accordance with the outcome of the SRBA revisions. Right No. 51-00005 is limited to the irrigation of 2,093 acres in the place of use described above in a single irrigation season.

Dates:	App. Received:	Priority Date:	04/01/1905
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc:	Water District Number:	Field Exam Fee:
-------	------------------------	-----------------

WR0749NP
No. T51-00005

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/07/94
PAGE: 3

Comments: Date: 12/21/1993 User-ID: LESTER Subject: TRANSFER NO. 4265
Transfer seeks to use 4.40 cfs (5,500 shares for Owen Ranches) of
16.40 cfs right to allow use of these shares on no more than 250
acres per year within 1,311 acre Owen place of use.
Right represents third priority ditch company water.
Use will be supplemental within common Owen system combining
water from wells, Pence Hot Spring, and Bruneau River (other
sources already serve the 1,311 acres).

Audit: 12/21/93 LESTER 03/07/94 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEWIDE
ADVERTISING

TRANSFER ANALYSIS SHEET

Transfer # 4265

INITIAL REVIEW BY: _____

APPLICANT Bruneau Buckaroo Loop Ditch Co.

1. Right number 51-00005
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change of point of diversion ☐ Add diversion point(s) ☒ Change of place of use
☐ Change nature of use ☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ☒ SRBA claim
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant)
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer)
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. N/A
 - h. ☒ Check for expansion in use of right. Comments NEED control that assures no more than 250 acres/year & ≤ 4.40 cfs used in rotation plan
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NONE
 - j. ☒ SRBA claim. Comments AS1-00005 defines lands of stockholders for the right.
 - k. ☒ Is use within Water District? ☐ Yes ☒ No
If yes, what district? _____ Comment letter sent ☐ Yes ☐ No

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No Withdrawn

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* (See attached)
The place of use for Owen Ranches is limited to 250 acres within the 1311 acres located above the Bruneau-Buckaroo Ditch. Owen Ranches, or their successors or assigns, shall notify the Department and the Bruneau-Buckaroo Ditch Company
4. By DWR Date 2/28/94
each year regarding the 250 acres to be used irrigated under this water right during

*All uses within Water Districts require special conditions

the ensuing year.

Note: See these and the other recommended conditions of approval on an attached page.

Proposed Conditions of Approval

**Application for Transfer in the Name of
the Bruneau Buckaroo Cooperative Ditch Co.**

1. The place of use for the 4.4 cfs portion of this water right utilized by Owen Ranches or its successors or assigns is limited to 250 acres within the 1,311 acres located above the Bruneau Buckaroo ditch during any irrigation season. Each year prior to the irrigation season Owen Ranches or its successors or assigns shall advise this Department and the Bruneau Buckaroo Cooperative Ditch Company as to the specific 250 acres to be receiving water under this water right during the irrigation season that year.
2. The water right holder shall install and maintain a totalizing measuring device and a lockable control structure at the point where water is pumped from the Bruneau Buckaroo ditch by Owen Ranches or its successors or assigns for use on the 250 acres identified in the preceding condition. Access shall be provided to a Watermaster or other Department representative to review the measurements of this diversion to ensure that expansion of the water right does not occur as a result of this transfer.
3. The land list which describes the place of use for this water right is currently being revised under the Snake River Basin Adjudication. The land list under this water right will be corrected in accordance with the outcome of the SRBA revisions.

APR 13 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/20/93
PAGE: 1

WR5809NP
No. 51-00005

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRUNEAU BUCKAROO COOPERATIVE DITCH CO.	04/01/1905	IRRIGATION STOCKWATER DOMESTIC	00-00 00-00 00-00 00-00 00-00 00-00	16.40 CFS	

TOTAL DIVERSION: 16.40 CFS

Stage: DECREE

Water Source: BRUNEAU RIVER

Tributary to: SNAKE RIVER

Point(s) of Diversion:

T07S R06E S26 SW SW

Pou County:

Remarks: LANDS OF STOCKHOLDERS.

Dates: App. Received: 04/01/1905
Proof Due Date: 04/01/1905
Exam Made Date: 04/01/1905
Licensed Date: 04/01/1905

Misc: Water District Number: Field Exam Fee:

Audit: 02/11/86 04/30/88 CONVERT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRUNEAU BUCKAROO DITCH CO. C/O CHERYL WHITESIDE BRUNEAU ID 83604 (208) 845-2110	04/01/1905	IRRIGATION	03-15 11-15	16.40 CFS	
TOTAL DIVERSION:					16.40 CFS	

Water Source: BRUNEAU RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T07S R06E S26 SWSW 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		:	
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	Lt	Ac	Lt	Ac	:	SUM	
06S	05E	14	:									:					08				:	30	28		40	40	:			05		35		15		:	201.0		
06S	05E	15	:					29	27			:	26						05		:						:	15		03				30		:	135.0		
06S	05E	22	:			07						:									:						:										:	7.0	
06S	05E	23	:				37					:	40		37		28	40			:						:										:	182.0	
06S	05E	24	:									:									:					40	:										:	40.0	
06S	05E	25	:		39		40		30	40		:	30		20				10		:						:	28		06				19		:	262.0		
06S	06E	19	:									:									:				21		:										:	21.0	
06S	06E	30	:									:			27		39				:	30		30		25	10	:									:	161.0	
06S	06E	31	:		40		20		15	40		:	23		05						:						:	30		10							:	183.0	
06S	06E	32	:									:			25		40		26		:	35		40		20	40	:				15		30			:	271.0	
07S	06E	4	:									:									:	10		20		35	15	:									:	80.0	
07S	06E	5	:					15				:									:						:	40							40		:	95.0	
07S	06E	9	:				05		10	20		:	20						40		:						:	25								:	120.0		
07S	06E	10	:									:									:	20		25		40	40	:									:	125.0	
07S	06E	15	:									:	40		40						:	05		35				:									:	120.0	
07S	06E	16	:						40			:									:						:		10								:	50.0	
07S	06E	22	:									:									:						:		20						20		:	40.0	
TOTAL ACRES																																							2093.0

POU County: OWYHEE

Non-Irrigation Uses: INSTREAM STOCKWATER

Other Rights: A51-00002, A51-00003, A51-00004, A51-00039, AND A51-10271.

Remarks: DESCRIP. OF DIVERTING WORKS: CONCRETE DIVERSION DAM-110' LONG X 4' HIGH X 12' WIDE. FIRST BUILT IN 1955 AND THEN REBUILT IN 1988 100' APPROX. TO HEADGATE-REINFORCED WITH CONCRETE GUSSETS ON 8' CENTERS. AT POINT OF DIVERSION, CANAL IS APPROX. 25' WIDE AND 10' WIDE AT THE LOWER END. PLACE OF USE OWNED BY SHAREHOLDERS IN DITCH CO.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Acres in claims → 990
combined with 51.00063, see A51-10351 → 283 acres
3113



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 28, 1994

JOHN URQUIDI
HC BOX 85 BOX 135
BRUNEAU ID 83604

Re: Application for Transfer of Water Right No. 51-00005 in
the Name of Bruneau Buckaroo Cooperative Ditch Co.

Dear Protestant:

This letter is to acknowledge your withdrawal of protest
against the above-referenced application for transfer of a
water right.

The Department now will continue to process the application,
subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

CC: Bruneau Buckaroo Ditch Co.
Richard L. Owen
Scott Campbell

APR 13 1994

In The Matter of)
Application for Transfer)
No. 4265 in the)
Name of Bruneau Buckaroo)
Cooperative Ditch Co.)

Withdrawal of
Protest

I, the undersigned, hereby withdraw my protest to
App for Transfer No. 4265, contingent on the inclusion
of the following conditions of approval in the issuance
of the transfer:

1. A totalizing flow meter ~~shall~~ ^{shall} be installed
at the point of diversion from the Bruneau
Buckaroo ditch, to enable the ditch company and
the Department to ensure that expansion of
water diversion does not result from approval of
this transfer.
2. The 250 acres to receive water under this transfer
must be identified by Owen Ranch ^{or their successors} at the beginning
of each irrigation season.

APR 13 1994

If a water district is formed on the Bruneau River I
anticipate that the watermaster would monitor diversion under
this permissible transfer.

Dated this 17th day of February, 1994.
Shirley Virginia

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
2735 Airport Way, Boise, ID 83705

Re: Applicant: Bruneau Buckaroo Ditch Co. WR # 51-00005

Place: 150 S. 4th St. E., Mountain Home, Idaho 83647

Date: February 17, 1994

Conducted by: David R. Tuthill, Jr. P.E.

<u>NAME</u>	<u>ADDRESS</u>	
<i>John B. Ungeri</i>	HC 85 Box 135	Bruneau Id 83604
Richard L. Owen	P.O. Box 590,	Bruneau, Id. 83604
MARIE OWEN	P.O. Box 590	BRUNEAU IDAHO 83604
Terry Black	HC 85 Box 100	Bruneau Idaho 83604
~~Robert C. Black~~	~~HC 85 Box 101~~	~~Bruneau Id 83604~~
FRANK L. BACHMAN	BOX 186,	BRUNEAU, Id 83604
Terry Scanlan	600 E. River Park Lane #105,	Boise, ID 83706
Scott Campbell	702 W. Idaho P.O. Box 1539	Boise, Id 837081
Robert C. Black	P.O. Box 153	BRUNEAU IDAHO 83604-0153
Tony Black	HC 85 Box 102	Bruneau Id. 83604

APR 13 1994

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services
- Complete items 3, and 4a & b
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece, or on the back if space does not permit
- Write "Return Receipt Requested" on the mailpiece below the article number
- The Return Receipt will show to whom the article was delivered and the date delivered

I also wish to receive the following services (for an extra fee).

- 1 ☐ Addressee's Address
 - 2 ☐ Restricted Delivery
- Consult postmaster for fee

3 Article Addressed to

JOHN URQUIDI
HC 85 BOX 135
BRUNEAU ID 83604

4a Article Number

P 311 572 544

4b Service Type

- ☒ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-16-94

8 Addressee's Address (Only if requested and fee is paid)

5 Signature (Addressee)

6 Signature (Agent)

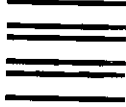
PS Form 3811, December 1991

*US GPO 1992-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



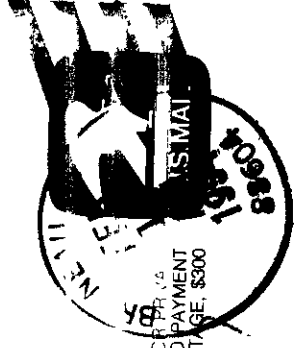
Official Business

RECEIVED

FEB 17 1994

WATER RESOURCES
WESTERN REGION

PENALTY FOR PR
USE TO AVOID PAYMENT
OF POSTAGE \$300



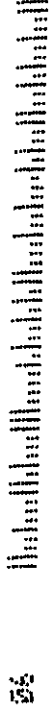
3 1994

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705



Is your RETURN ADDRESS completed on the reverse **e**

SENDER:

- Complete items 1 and/or 2 for additional services
- Complete items 3, and 4a & b
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece or on the back if space does not permit
- Write 'Return Receipt Requested' on the mailpiece below the article number
- The Return Receipt will show to whom the article was delivered and the date delivered

I also wish to receive the following services (for an extra fee)

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee

3 Article Addressed to

BRUNEAU BUCKAROO DITCH CO
C/O FRANK BACHMAN
PO BOX 186
BRUNEAU ID 83604

4a Article Number

P 311 572 543

4b Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

4c Date of Delivery

APR 2 - 2 94

5 Signature (Addressee)

Addressee's Address (Only if requested and fee is paid)

6 Signature (Agent)

Frank Bachman

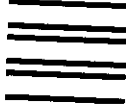
PS Form 3811, December 1991

☆ U.S. GPO 1982-323-402

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



Official Business

RECEIVED

FEB 10 1994

WATER RESOURCES
WESTERN REGION

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

APR 13 1994

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

P 317 572 543



**Receipt for
Certified Mail**

No Insurance Coverage Provided

**BRUNEAU BUCKAROO DITCH CO
C/O FRANK BACHMAN
PO BOX 186
BRUNEAU ID 83604**

Postage	\$ 29
Certified Fee	1 00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1 00
Return Receipt Showing to Whom Date and Addressee's Address	
TOTAL Postage & Fees	\$ 22
Postmark or Date	

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

- 1 If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge)
- 2 If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article
- 3 If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number
- 4 If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article
- 5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811
- 6 Save this receipt and present it if you make inquiry

P 311 572 544



**Receipt for
Certified Mail**

No Insurance Coverage Provided

JOHN URQUIDI
HC 85 BOX 135
BRUNEAU ID 83604

PS Form 3800, June 1991

Postage	\$ 29
Certified Fee	1-
Special Delivery Fee	-
Ristricted Delivery Fee	-
Return Receipt Showing to Whom & Date Delivered	1-
Return Receipt Showing to Whom Date and Addressee's Address	1
TOTAL Postage & Fees	\$ 32
Postmark or Date	

1
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12

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)**

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- 3 If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number
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- 5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811
- 6 Save this receipt and present it if you make inquiry

U S GPO 1991-302-946

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

Olsen Ranches

845-2001

845-2878 Home

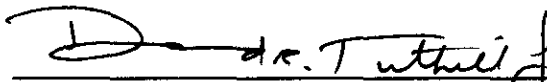
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
	)	
FOR TRANSFER OF WATER RIGHT	)	NOTICE OF CONFERENCE
	)	
NO. 51-00005 IN THE NAME OF	)	
	)	
<u>BRUNEAU BUCKAROO DITCH CO.</u>	)	

On December 20, 1993, Bruneau Buckaroo Ditch Co. filed with the Department of Water Resources an application for transfer of a decreed water right. The application was protested by John Urquidi.

The Department has set the matter of protest for a conference to be held on Thursday, February 17, 1994, at 2:00 p.m., at the Elmore County Courthouse, Commissioners Room, 150 S. 4th St. E., Mountain Home, ID 83647. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 8th day of February, 1994.



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

RECEIVED

APR 13 1994

I hereby certify that on the 9th day of February, 1994, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary-Office Coordinator

Certified Mail

BRUNEAU BUCKAROO DITCH CO
C/O FRANK BACHMAN
PO BOX 186
BRUNEAU ID 83604

JOHN URQUIDI
HC 85 BOX 135
BRUNEAU ID 83604

Non-Certified Mail

RICHARD L OWENS
PO BOX 590
BRUNEAU ID 83604

SCOTT CAMPBELL ESQ
ELAM & BURKE
702 W IDAHO ST
BOISE ID 83702

RECEIVED

APR 13 1994

**CONFERENCE AND HEARING PROCEDURE
APPLICATION FOR TRANSFER**

ISSUES

Section 42-222, Idaho Code, identifies the following potential issues that the department can consider in connection with an application for transfer

- 1) Will the proposed transfer injure other water rights?
- 2) Will the proposed transfer constitute an enlargement in use of the original right?
- 3) Is the proposed transfer in the local public interest, where local public interest is defined as the affairs of the people in the area directly affected by the proposed use?
- 4) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2 and 4 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 3 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure or at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

APR 13 1994

HEARING

The department will tape record the hearing. Copies of the hearing are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties by written stipulation, may waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

APR 13 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 31, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JOHN URIQUIDI
HC 85 BOX 135
BRUNEAU ID 83604

Re: Application for Transfer No. 51-00005 in the name of
Bruneau Buckaroo Cooperative Ditch Co.

Dear Protestant:

This office acknowledges receipt of your protest to the approval of the above-referenced application for transfer. The following are the principle items we can consider with respect to either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At the conference, the Department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If we may be of assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., R.E.
Manager, Western Regional Office

DRT:st

APR 13 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 31, 1994

CECIL D. ANDRUS
GOVERNOR

BRUNEAU BUCKAROO COOPERATIVE DITCH CO
C/O FRANK BACHMAN
PO BOX 186
BRUNEAU ID 83604

R. KEITH HIGGINSON
DIRECTOR

Re: Application for Transfer of Water Right No. 51-00005

Dear Applicant:

Enclosed please find a copy of the protest(s) filed against the above-referenced application. You should be aware that the following are the items we can consider at a conference in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?
4. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

The Department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At the conference, the Department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

If we may be of assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure

RECEIVED

APR 13 1994

I Protest Bruneau Beckaroo Cooperative
Ditch Companies Water transference as
a down stream Water User

It is an enlargement of water use
By all entities involved. It is not
in the Best Interest of the public for
~~it is not~~ there is no way to monitor
~~which~~ which waters are actually used.
The priority of the waters transference should
be compared to adjudicated claims being
made by involved entities to see that
no enlargement, or ^{& posttransferring} pretransfers or priority changing
occurs

I believe my protest could be with
drawn if further information ~~was~~ that
address these points & proper monitoring controls
can be implemented.

John Urquidí

John Urquidí

Hc 85 Box 135

Bruneau Id 83604

RECEIVED

JAN 24 1994

WATER RESOURCES
WESTERN REGION

FILED

APR 2 1994

MEMORANDUM

TO: JAN SHURTE

FROM: STEVE LESTER *SL*

DATE: JANUARY 4, 1994

SUBJECT: TRANSFER APPLICATION NO. 4265, BRUNEAU BUCKAROO COOP. DITCH
COMPANY FOR OWENS SHARES, RIGHT 51-00005

The ditch company recently filed a transfer application regarding Owens shares of right no. 51-00005 (220 inches of third priority water). Owens shares are currently used on 250 acres above (east of) the ditch in S. 9, 10 & 15, T7S, R6E. Owens wants to use the shares for no more than 250 acres per year within a 1,311 acre area above the ditch. These Owens acres are currently irrigated, at least according to the application, by rights listed in page 7 of the attached copy of the application.

In order to complete the transfer analysis, additional information related to SRBA is needed. Here is what is needed:

- 1) The acres to be recommended in A51-00005 for the ditch company.
- 2) The Owens acres to be recommended for the various Owens claims that cover the 1,311 acres described in page 7 of the transfer. I made a smaller copy (see attached) of applicant's map showing Owens 250 acres now served by this right and the 1,311 acre area in which 250 acres will be served per transfer.

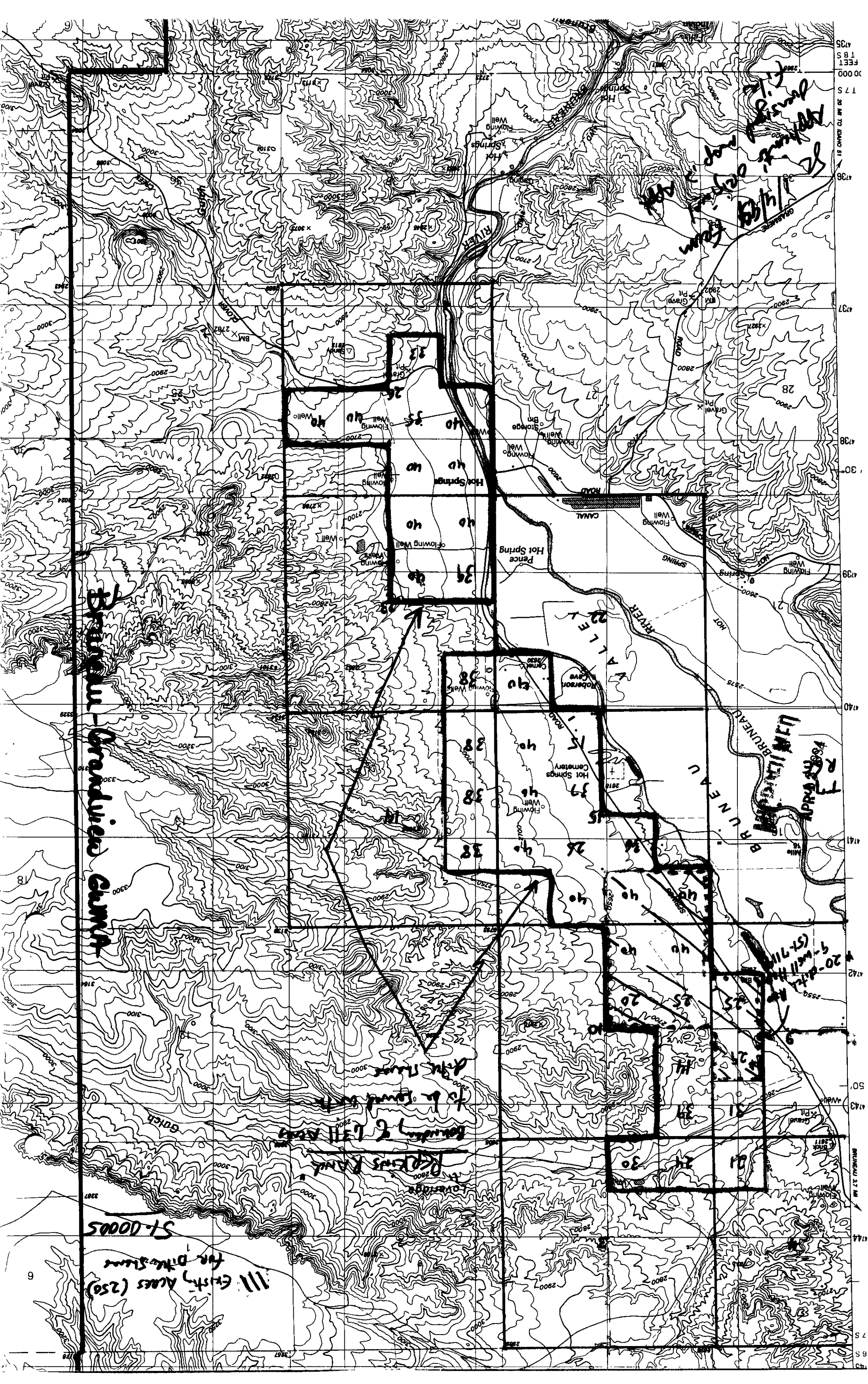
The above information is needed since application states that no new lands are being put into production and also since SRBA recommendations are in process. We need to be able to confirm the number & location of acres shown on page 1 of the application to see if that land list is correct and to see if the 1,311 acres are already irrigated by Owens.

I know that Ron is working on some if not all of Owens claims but am not sure who is working on ditch company rights. Can you have your staff provide this information? Is there an idea of when this information will be ready? Is one month a realistic time-frame?

Let me know if I can do anything in this.

[Handwritten signature]
APR 13 1994

Save this map
to make file copies
since original map is
oversized.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4265

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

COPY

Name of applicant Bruneau Buckaroo Cooperative Ditch Co. Phone 845-2110
Post Office address c/o Frank Bachman, Bruneau, ID 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. The changes will allow the consolidation of several Owen Ranches (a Buckaroo Ditch stockholder) irrigation systems into a single more efficient system with a comprehensive permissible place of use.

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

1. Right Number 51-00005 Priority April 1, 1905 Amount 16.400 (cfs/acre) Nature of Use irrigation Period of Use March 1 to November 1
stockwater January 1 to December 31
2. Total amount of water being transferred 16.400 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Bruneau River tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Bruneau Buckaroo Dam

Lands irrigated or place of use

Twp	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	6E	14							8		30	28	40	40		5	35	15	201
6S	6E	15			29	27	28			5					15	3		30	135
6S	6E	22	7																7
6S	6E	23			37		40	37	28	40									182
6S	6E	24												40					40
6S	6E	25	39	40	30	40	30	20		10					28	6		19	282
6S	6E	19											21						21
6S	6E	30						27	39		30	30	25	10					181
6S	6E	31	40	20	15	40	23	5							30	10			183
6S	6E	32						25	40	28	35	40	20	40		15	30		271
7S	6E	3											24	30					54
7S	6E	4									10	20	35	15				21	101
7S	6E	5			15										40			40	85
7S	6E	9	31	5	10	29	20			40					25				180
7S	6E	10						39	14		20	25	40	40					178
7S	6E	14							38			38	38						114
7S	6E	15		40	28	40	40	40		38	5	35			40	37	15	40	394
7S	6E	16				40									10				80
7S	6E	22	40												20			20	80
7S	6E	23						38			40	39	40	40					197
7S	6E	26			40	40	40	40	40	35	33								288

Ditch Co. land + Owens' Perkins Ranch area

Total acres APR 15 1994

PART 1

6. General Information:

- a. **Description of diversion system.** Diversion from the Bruneau River to the Buckaroo Ditch occurs at Buckaroo Dam. The transfer will allow stockholder (Owen Ranches) to irrigate lands above the Buckaroo Ditch by pumping from the Buckaroo Ditch into an existing sprinkler irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
No change, see remarks

- d. **Remarks:**
See attached (pg. 7)

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 _____.

APR 13 1994

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. 51-00005 Decreed to Bruneau Buckaroo Cooperative Ditch Co.
in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
dated 2/14/1925 in Owyhee county of Idaho
- 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority April 1, 1905

5. Water is used for the following purpose:

amount 16.400 cfs for irrigation purposes from _____ to _____
(cfs/acre-ft)
amount _____ for stock water purposes from _____ to _____
(cfs/acre-ft)
amount _____ for domestic purposes from _____ to _____
(cfs/acre-ft)

6. Total amount of water under right 16.400 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations

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	

APR 13 1994
Total acres _____

9. Describe any other water rights used for the same purpose as described above 51-00002, 51-00003,
51-00004, 51-00039, A51-10271

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

no

If yes, describe _____

NOTE: Not splitting right into 2 ownerships; this just show where OWENS currently use the shares
(If the entire right is to be changed by the applicant, omit part B and C.) ON 250 ACRES.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

1. amount 4.400 for irrigation purposes from _____ to _____
(cfs/acre-ft)
amount _____ for stock water purposes from _____ to _____
(cfs/acre-ft)
amount _____ for domestic purposes from _____ to _____
(cfs/acre-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

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	
7S	6E	9				20									25				45
7S	6E	10									20	25	40	40					125
7S	6E	15					40	40											80

OWEN'S shares used here → Total acres 250

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

1. amount 12.000 for irrigation purposes from _____ to _____
(cfs/acre-ft)
amount _____ for stock water purposes from _____ to _____
(cfs/acre-ft)
amount _____ for domestic purposes from _____ to _____
(cfs/acre-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

3. Lands irrigated or place of use (based upon adjudication claim)

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	
6S	6E	14							8		30	28	40	40		5	36	15	201
6S	6E	15			29	27	25		5						15	3		30	135
6S	6E	22	7																7
6S	6E	23		37			40	37	28	40									182
6S	6E	24												40					40
6S	6E	25	39	40	30	40	30	20		10				28	6		19		282
6S	6E	18											21						21
6S	6E	30					27	39			30	30	25	10					161
6S	6E	31	40	20	15	40	23	5							30	10			183
6S	6E	32					25	40	25	35	40	20	40		15	30			271
7S	6E	4								10	20	35	15						80
7S	6E	5			15										40			40	85
7S	6E	8		5	10		20			40									75
7S	6E	15									5	35							40
7S	6E	16				40									10				50
7S	6E	22													20		20		40

* Balance of shares in
claim used here →

Total acres 1848

2093
ACRES

*
12/24/94

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.

see attached map

Attachment A

APR 13 1994

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

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

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

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.

Bureau Brothers Ditch Co.
By: Frank J. Bachma

 (Signature of Applicant)

Subscribed and sworn to before me this 20th day of December, 19 93.

Loi Gnaner

 (Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 1 attachments

Received by g Date 12/20/93 Protest filed by _____

Prelim. check by SL Fee \$50 _____

Receipted by g #W017042 Date 12/20/93 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Statewide Advertising

APR 13 1994

Attachment - Remarks on Buckaroo Ditch Company Water Right Transfer

The Perkins Ranch Unit of Owen Ranches has 5,500 shares (220 inches) of third priority Bruneau Buckaroo Ditch Company water (decreed right 51-00005). Owen Ranches seeks to add additional permissible places of use to the Buckaroo third priority right which will allow Owen Ranches to utilize Buckaroo Ditch water in a comprehensive sprinkler irrigation system which will irrigate a portion of approximately 1,311 acres located above the Buckaroo Ditch. Water will be diverted from the Buckaroo Ditch at a new pumping station located in NWSW Sec. 23, T7S, R6E. The 1,311 acres are presently irrigated using several separate sprinkler irrigation systems with water from a combination of the following sources:

- groundwater (648 acres from each of 12 separate licenses involved in Transfer 3324, 190 acres from 51-07082, 168 acres from 51-07119)
- surface water from the Buckaroo Ditch (250 acres from 51-00005), and
- surface water from Pence Hot Springs (55 acres from 51-07293).

The proposed place of use transfer will allow Owen Ranches to utilize the third priority Buckaroo Ditch water on any 250 acre parcel within the 1,311 acre area. The place of use irrigated by this transfer each year will not exceed 250 acres, and the amount diverted will not exceed to 220 inches. Owen Ranches will notify the Buckaroo Ditch Company as to which 250 acre parcel will be irrigated each year; the 250-acre area will be identified on a map or marked in the field.

Owen Ranches will not develop new irrigation lands under this transfer and will not exceed the total quantities appropriated by these rights. This transfer is not expected to result in an impacts to return flows or other water rights.

APR 13 1994



MONTGOMERY WATSON

November 29, 1993

Mr. Frank L. Bachman
P.O. Box 186
Bruneau, ID 83604

Subject: Bruneau Buckaroo Ditch Company Water Right Transfer

Dear Frank:

Per your request, enclosed please find a copy of the application for transfer of water right 51-00005 that was discussed at the Buckaroo Ditch meeting of November 1, 1993. The processing fee for the transfer will be \$50. I spoke with Dick Owen today and he is sending you a check to cover the processing fee. The application and fee should be submitted to the attention of Steve Lester, Water Rights Supervisor at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705.

Please call me at 345-5865 if you have any questions.

Sincerely,

Terry M. Scanlan, P.E.
Supervising Hydrogeologist

Enclosures

cc: Richard Owen - Owen Ranches

RECEIVED
APR 13 1994

Previous info
received from
consultant Terry
Scanlon (Montgomery
Watson) leading up
to 12/93 Application



MONTGOMERY WATSON

October 6, 1993

RECEIVED
OCT 07 1993

Department of Water Resources
Western Regional Office

Mr. Frank L. Bachman, President
Bruneau Buckaroo Ditch Company
Bruneau, ID 83604

Subject: Change in Place of Use and Pumping Station Location for Perkins Ranch
Ditch Shares

Dear Mr. Bachman:

Per your meeting with Richard Owen and Scott Campbell on September 24, 1993, I am submitting a revised request for Owen Ranches. This revised request supersedes my previous request of July 20, 1993 which included transfer of all of Owen Ranches' Buckaroo Ditch water shares. The revised request consists of (1) a place of use transfer for only the Perkins Ranch portion of Owen Ranches' Buckaroo Ditch shares and (2) a change in pumping station location for the Perkins Ranch.

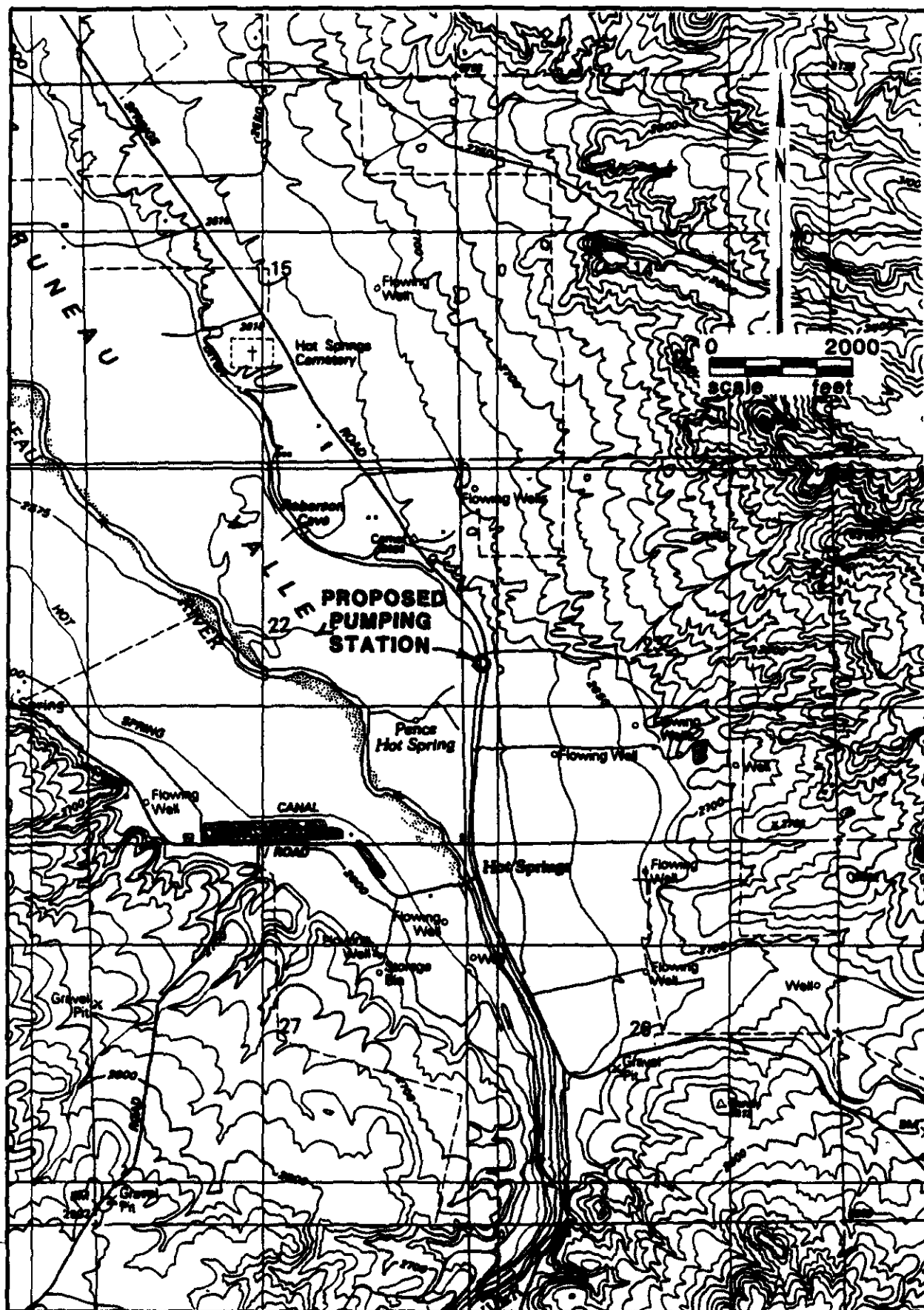
The purpose of the proposed transfer will be to increase the permissible place of use for the portion of Owen Ranches' Buckaroo Ditch water shares that are currently used to irrigate the Perkins Ranch. A copy of the transfer application is attached. The new permissible place of use is shown on Figure 1 (attached to the transfer application).

The Perkins Ranch portion of Owen Ranches' Buckaroo Ditch shares is 220 inches of third priority water based upon a total of 5,500 shares of the Buckaroo Ditch Company (certificates 357, 358, 359, and 360). The adjudication claim for the Buckaroo Ditch lists a total of 250 acres for Perkins Ranch place of use (as shown on Figure 1). For the purposes of this transfer, we will assume that the adjudication claim correctly reflects the current place of use for the Perkins Ranch shares of Buckaroo water.

The permissible place of use change will allow the use of the Perkins Ranch Buckaroo shares on any given 250 acres within the Perkins, Upper, and Flat Ranch areas of Owen Ranches as designated in a particular year by Owen Ranches. The water would only be available for irrigation of 250 acres in a single year, and the amount diverted would not exceed the 220 inches shown on the ditch share certificates.

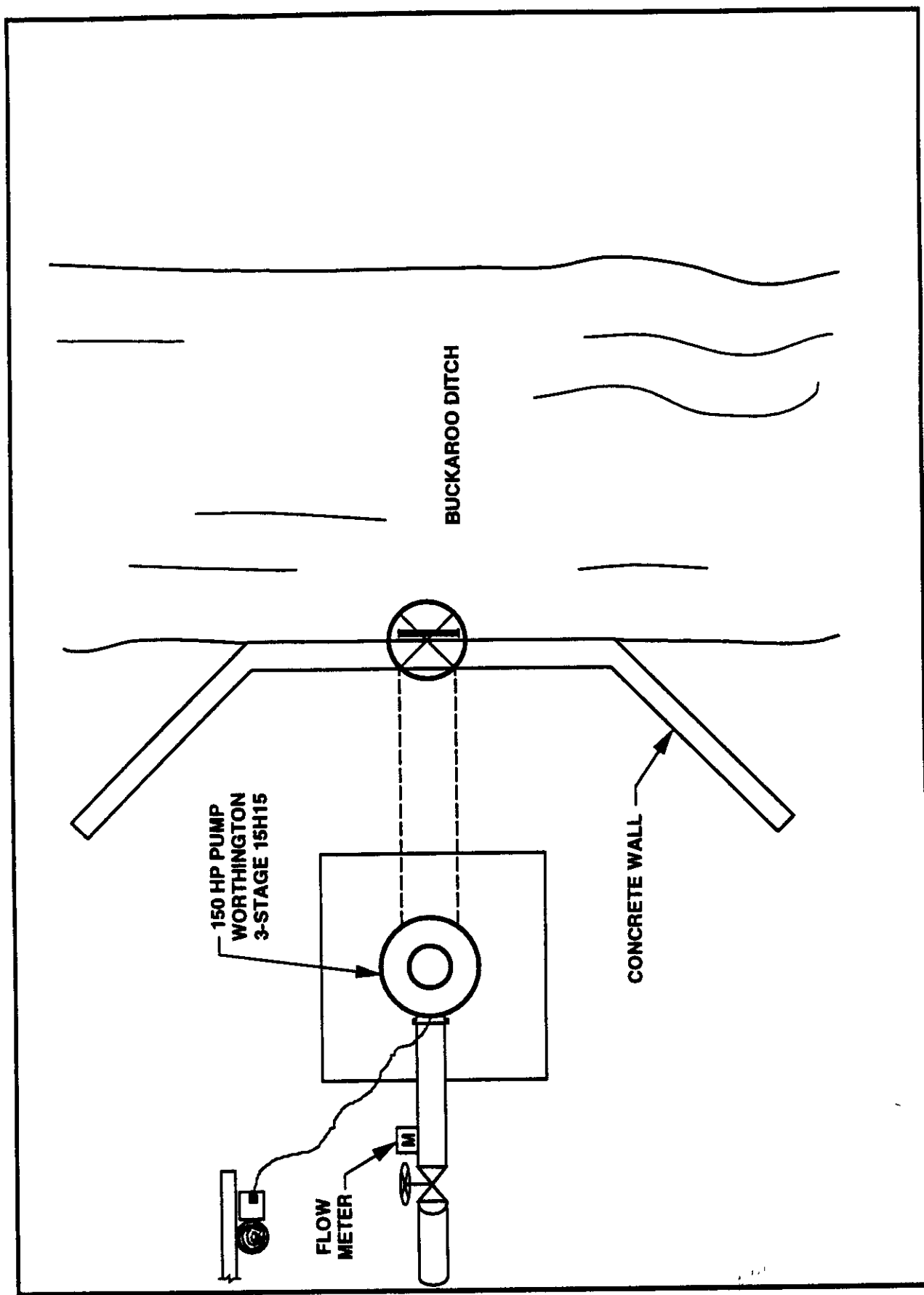
The pump change requested by Owen Ranches consists of moving the existing pump location for the Perkins Ranch upstream to a location in NWSW Sec. 23, T7S, R6E (Figure 2). Conceptual details of the new pumping station are shown on Figures 3 and 4. The purpose of this change is to connect the Perkins irrigation system into a common irrigation system for all of the Owen Ranches lands located above the Buckaroo Ditch. The Buckaroo Ditch water pumped at the new location will be co-mingled with water pumped from wells. The amount

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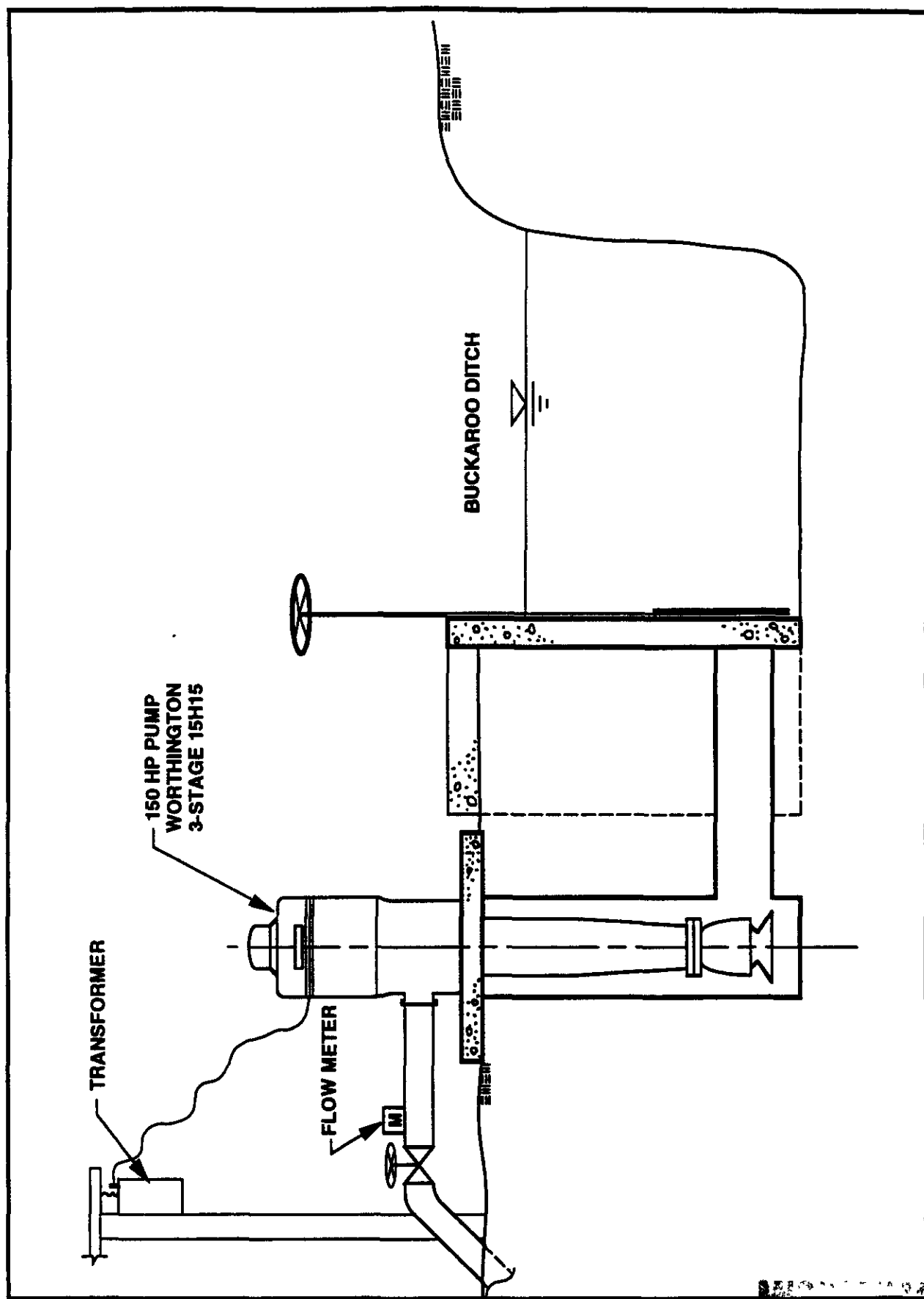
OWEN RANCHES
 PROPOSED PUMPING STATION LOCATION
 FIGURE 2

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OWEN RANCHES
BUCKAROO DITCH PUMP STATION - PLAN
FIGURE 3

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**OWEN RANCHES
BUCKAROO DITCH PUMP STATION - CROSS SECTION
FIGURE 4**

October 6, 1993

of water pumped from the ditch as a result of this change will not exceed the 220 inches of third priority water listed on the stock certificates for the Perkins Ranch.

I have discussed these plans with Mr. Steve Lester, Water Rights Supervisor for the Western Region of the Idaho Department of Water Resources (IDWR). Mr. Lester informed me that he expects that IDWR can approve the proposed transfer.

I assume that this request will be considered during the next meeting of the Buckaroo Ditch Board. Please contact me when a meeting date has been scheduled. In the meantime, feel free to call me at 345-5865 if you have any questions or comments concerning this request.

Sincerely,



Terry M. Scanlan, P.E.
Supervising Hydrogeologist

Enclosures

cc: Richard Owen - Owen Ranches
Scott Campbell - Davis Wright Tremaine
Steve Lester - IDWR

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Page 1 of 7STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Bruneau Buckaroo Cooperative Ditch Co. Phone 845-2110Post Office address c/o Cheryl Whiteside, Bruneau, ID 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. The changes will allow the consolidation of several Owen Ranches (a Buckaroo Ditch stockholder) irrigation systems into a single more efficient system with a comprehensive permissible place of use.

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

1. Right Number	Priority	Amount (cfs/acre)	Nature of Use	Period of Use
<u>51-00005</u>	<u>April 1, 1905</u>	<u>16.400</u>	<u>irrigation</u>	<u>March 1 to November 1</u>
_____	_____	_____	<u>stockwater</u>	<u>January 1 to December 31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 16.400 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Bruneau River tributary to Snake River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Bruneau Buckaroo Dam

Lands irrigated or place of use

Twp	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	5E	14							8		30	28	40	40		5	35	15	201
6S	5E	15			29	27	28			5					15	3		30	135
6S	5E	22	7																7
6S	5E	23			37		40	37	28	40									182
6S	5E	24												40					40
6S	5E	25	39	40	30	40	30	20		10					28	6		19	282
6S	6E	19											21						21
6S	6E	30						27	39		30	30	25	10					161
6S	6E	31	40	20	15	40	23	5							30	10			183
6S	6E	32						25	40	26	35	40	20	40		15	30		271
7S	6E	3											24	30					54
7S	6E	4									10	20	35	15				21	101
7S	6E	5			15										40			40	95
7S	6E	9	31	5	10	29	20			40					25				180
7S	6E	10						39	14		20	25	40	40					178
7S	6E	14							38			38	38						114
7S	6E	15		40	28	40	40	40		38	5	35			40	37			304
7S	6E	18				40									10				80
7S	6E	22	40												20			20	80
7S	6E	23						38			40	39	40	40					197
7S	6E	28			40	40	40	40	40	35	33								268

Total Acres 315994

PART 1

6 General Information:

- a. **Description of diversion system.** Diversion from the Bruneau River to the Buckaroo Ditch occurs at Buckaroo Dam. The transfer will allow stockholder (Owen Ranches) to irrigate lands above the Buckaroo Ditch by pumping from the Buckaroo Ditch into an existing sprinkler irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

No change, see remarks

- d. **Remarks:**

See attached

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 _____.

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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. 51-00005 Decreed to Bruneau Buckaroo Cooperative Ditch Co.
in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
dated 2/14/1925 in Owyhee county of Idaho
- 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority April 1, 1905

5. Water is used for the following purpose:

amount 16.400 cfs for irrigation purposes from _____ to _____
(cfs/ac-ft)
amount _____ for stock water purposes from _____ to _____
(cfs/ac-ft)
amount _____ for domestic purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 16.400 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations

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 16.400

9. Describe any other water rights used for the same purpose as described above 51-00002, 51-00003,

51-00004, 51-00039, A51-10271

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10. To your knowledge, has any portion of this water right undergone a period of _____ 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 4.400 for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for stock water purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for domestic purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

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	
7S	6E	9				20									25				45
7S	6E	10									20	25	40	40					125
7S	6E	15					40	40											80

Total acres 250

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

1. amount 12.000 for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for stock water purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for domestic purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

3. Lands irrigated or place of use (based upon adjudication claim)

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	
6S	6E	14							8		30	28	40	40		5	35	15	201
6S	6E	15			29	27	28		5						15	5		30	135
6S	6E	22	7																7
6S	6E	23		37			40	37	28	40									182
6S	6E	24											40						40
6S	6E	25	39	40	30	40	30	20		10					28	6		19	282
6S	6E	18											21						21
6S	6E	30					27	30			30	30	25	10					161
6S	6E	31	40	20	15	40	23	5					20	40	30	10			183
6S	6E	32					25	40	28		35	40	20	40		15	30		271
7S	6E	4									10	20	35	15					80
7S	6E	5			15										40				85
7S	6E	9		5	10		20		40										75
7S	6E	15									5	35							40
7S	6E	18				40									10				80
7S	6E	22													20			20	40

Total acres 1843

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.

see attached map

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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

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

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.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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Attachment - Remarks on Buckaroo Ditch Company Water Right Transfer

The Perkins Ranch Unit of Owen Ranches has 5,500 shares (220 inches) of third priority Bruneau Buckaroo Ditch Company water (decreed right 51-00005). Owen Ranches seeks to add additional permissible places of use to the Buckaroo third priority right which will allow Owen Ranches to utilize Buckaroo Ditch water in a comprehensive sprinkler irrigation system which will irrigate a portion of approximately 1,311 acres located above the Buckaroo Ditch. Water will be diverted from the Buckaroo Ditch at a new pumping station located in NWSW Sec. 23, T7S, R6E. The 1,311 acres are presently irrigated using several separate sprinkler irrigation systems with water from a combination of the following sources:

- groundwater (648 acres from each of 12 separate licenses involved in Transfer 3324, 190 acres from 51-07082, 168 acres from 51-07119)
- surface water from the Buckaroo Ditch (250 acres from 51-00005), and
- surface water from Pence Hot Springs (55 acres from 51-07293).

The proposed place of use transfer will allow Owen Ranches to utilize the third priority Buckaroo Ditch water on any 250 acre parcel within the 1,311 acre area. The place of use irrigated by this transfer each year will not exceed 250 acres, and the amount diverted will not exceed to 220 inches. Owen Ranches will notify the Buckaroo Ditch Company as to which 250 acre parcel will be irrigated each year; the 250-acre area will be identified on a map or marked in the field.

Owen Ranches will not develop new irrigation lands under this transfer and will not exceed the total quantities appropriated by these rights. This transfer is not expected to result in an impacts to return flows or other water rights.

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MONTGOMERY WATSON

July 20, 1993

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JUL 21 1993

**Bruneau Buckaroo Ditch Company
Bruneau, ID 83604**

**Department of Water Resources
Western Regional Office**

Attention: Mr. Frank L. Bachman, President

Subject: Water Right Transfers

Gentlemen:

Enclosed please find an application for transfer of water rights 51-00003, 51-00004A, 51-00005, and adjudication claim A51-10271. The application seeks to increase the permissible place of use for Bruneau Buckaroo Ditch water rights associated with lands irrigated by Owen Ranches. The transfer of Buckaroo Ditch rights will result in a more efficient irrigation system for Owen Ranches. It is important to note that the transfers will not allow Owen Ranches to divert more than the amount of water allocated to Owen Ranches' by their existing shares of Bruneau Buckaroo Ditch Company water. The transfers will simply allow the existing shares of water to be utilized over a larger area.

General Description of the Transfer

Owen Ranches owns 12,000 shares of Bruneau Buckaroo Ditch Company water, which is equivalent to 480.0 inches. These inches are divided by priority as follows: 137.0 inches first priority, 59.5 inches second priority, and 283.5 inches third priority. Owen Ranches seeks to add additional places of use to the following Buckaroo decreed rights and adjudication claim: 51-00003 (first priority), 51-00004A (second priority), 51-00005 (third priority), and A51-10271 (floodwaters only). According to the adjudication claims made by the Buckaroo Ditch Company, Owen Ranches does not own lands irrigated by the remaining Buckaroo rights.

The purpose of the proposed transfer is to consolidate irrigation of 1311 acres of irrigated land that is owned by Owen Ranches and located above the Buckaroo Ditch. The 1311 acres to be consolidated by the proposed transfer are presently irrigated (and will continue to be irrigated) by the following sources:

- groundwater (648 acres from each of 12 separate licenses involved in Transfer 3324, 190 acres from 51-07082, 168 acres from 51-07119)
- surface water from the Buckaroo Ditch (250 acres from 51-00005 and A51-10271), and
- surface water from Pence Hot Springs (55 acres from 51-0729)

APR 13 1994

161 Mallard Drive
Boise, Idaho
83706-3974

Tel 208 345 5865
Fax 208 345 5897

Serving the World's Environmental Needs

The lands involved in this transfer are shown on Figure 1. The additional places of use will allow Owen Ranches to utilize Buckaroo Ditch water in a comprehensive sprinkler irrigation system for the 1311 acres mentioned above. The transferred water will be diverted from the Buckaroo Ditch at a new pumping station located in NWSW Sec. 23, T7S, R6E (Figures 2 through 4). The pumping station will be equipped with a valve to control pumping rate and a totalizing flow meter to determine the total amount of water pumped from the ditch. The Idaho Power meter will provide additional documentation of the amount of water pumped from the ditch at this pump station.

Owen Ranches will use only a portion of its Buckaroo Ditch water currently irrigating lands below the Buckaroo Ditch to irrigate the 1311 acres of the ranch located above the Buckaroo Ditch. Owen Ranches will continue to irrigate the lands below the Buckaroo Ditch using the existing Buckaroo rights and various other rights. As such, there will be no elimination of places of use as part of this transfer.

Details of each water right or claim to be transferred are discussed below.

A51-10271. A51-10271 is a beneficial use adjudication claim with a priority date of 2/20/1888, listing all lands of the ditch company stockholders as the place of use. Although the claim has an early priority date, it is for floodwater only. Therefore, I assume that A51-10271 has a "fourth priority", and the shares are divided up equally among the stockholders. There are a total of 68,833.75 Buckaroo stock shares of which Owen Ranches owns 12,000 shares, or 17.433 percent. The Owen Ranches portion (17.433 percent) of the 30,000 cfs would be 5,230 cfs. A similar approach would be to take the total number of claimed acres and divide them by the acres owned by Owen Ranches. This would be 538 acres divided by 3113, or 17.282 percent. The Owen Ranches portion (17.282 percent) of the 30,000 cfs would be 5,185 cfs. Thus, using either approach, the Owen Ranches portion of adjudication claim A51-10271 is about 5.2 cfs (260 inches).

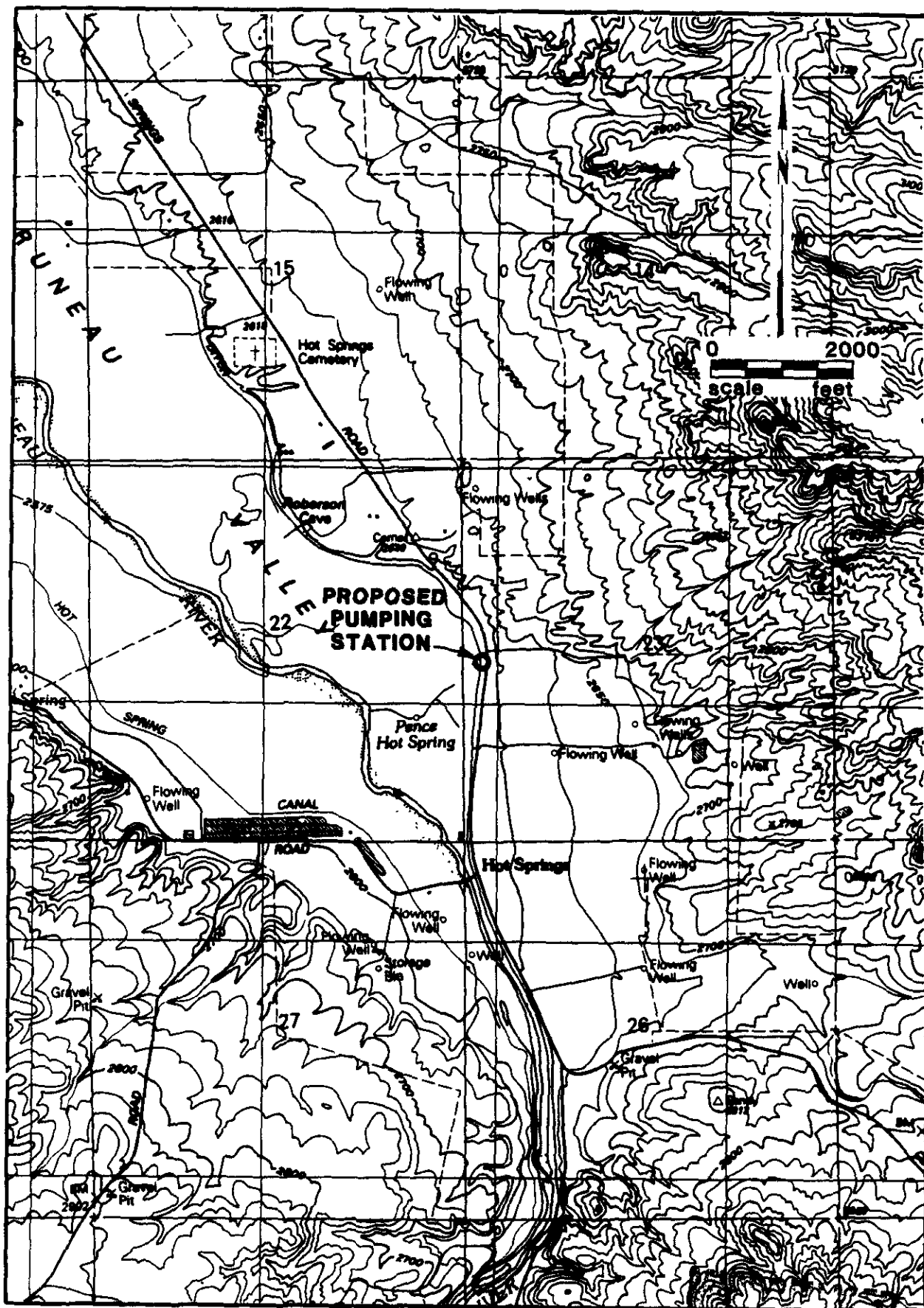
51-00003. Decreed water right 51-00003 has a first priority based upon the February 20, 1888 priority date. Owen Ranches owns 137.0 inches of first priority water out of a total of 1582.9 inches. The Owen Ranches portion of 51-00003 would be 137.0 inches, or 2.74 cfs.

51-00004. Decreed water right 51-00004A has a second priority based upon the April 1, 1897 priority date. There are a total of 532.45 inches of second priority water of which Owen Ranches owns 59.5 inches. The Owen Ranches portion of 51-00004A would be 59.5 inches or 1.19 cfs.

Note that license 51-00004A was split from 51-00004 when a small part of the license was transferred as 51-00004B. Licenses 51-00004A and 51-00004B were later combined with 51-000040 and 51-00064 into claim A51-10350. Place of use for 51-00004A was estimated

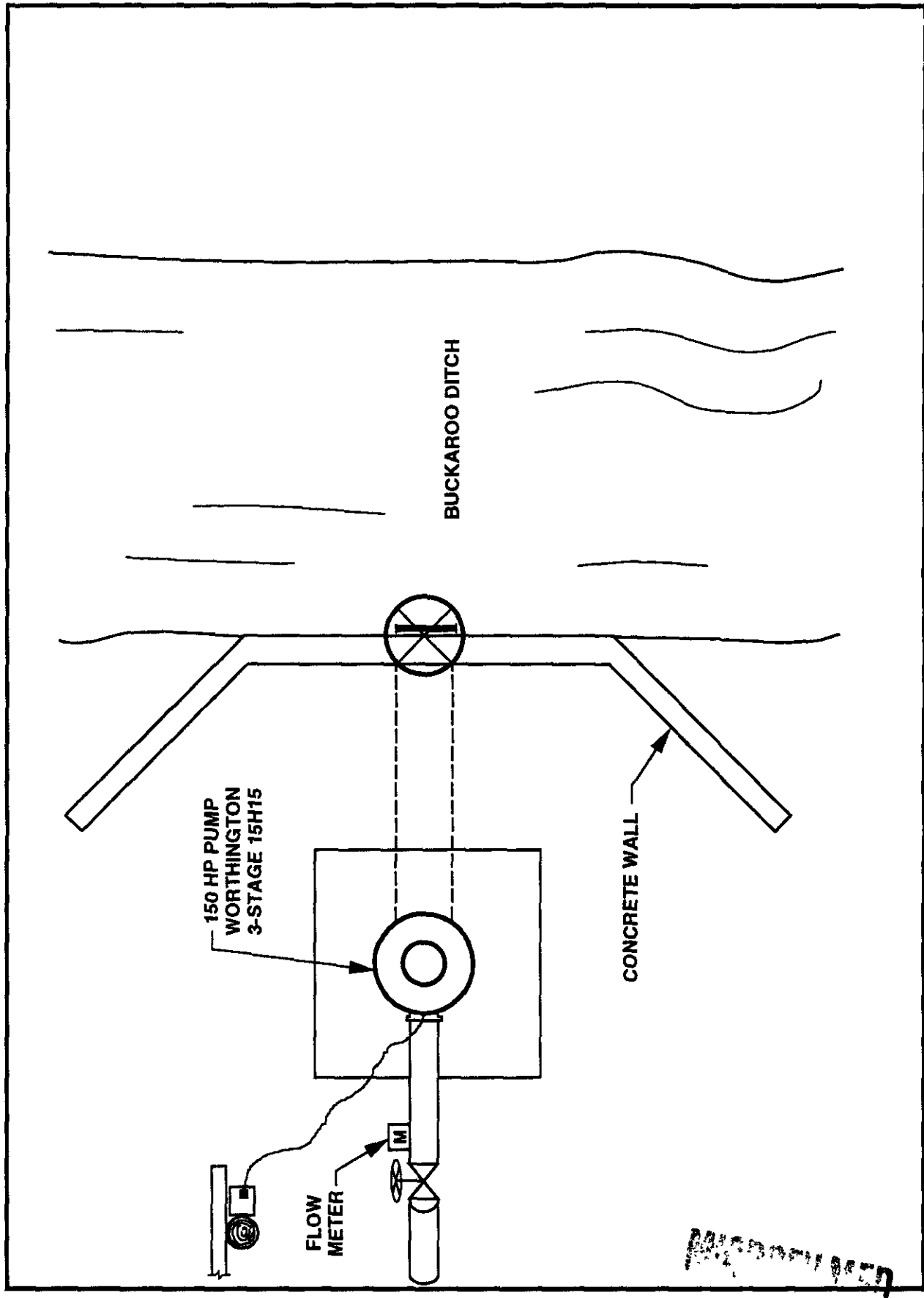
RECORDED

APR 13 1994



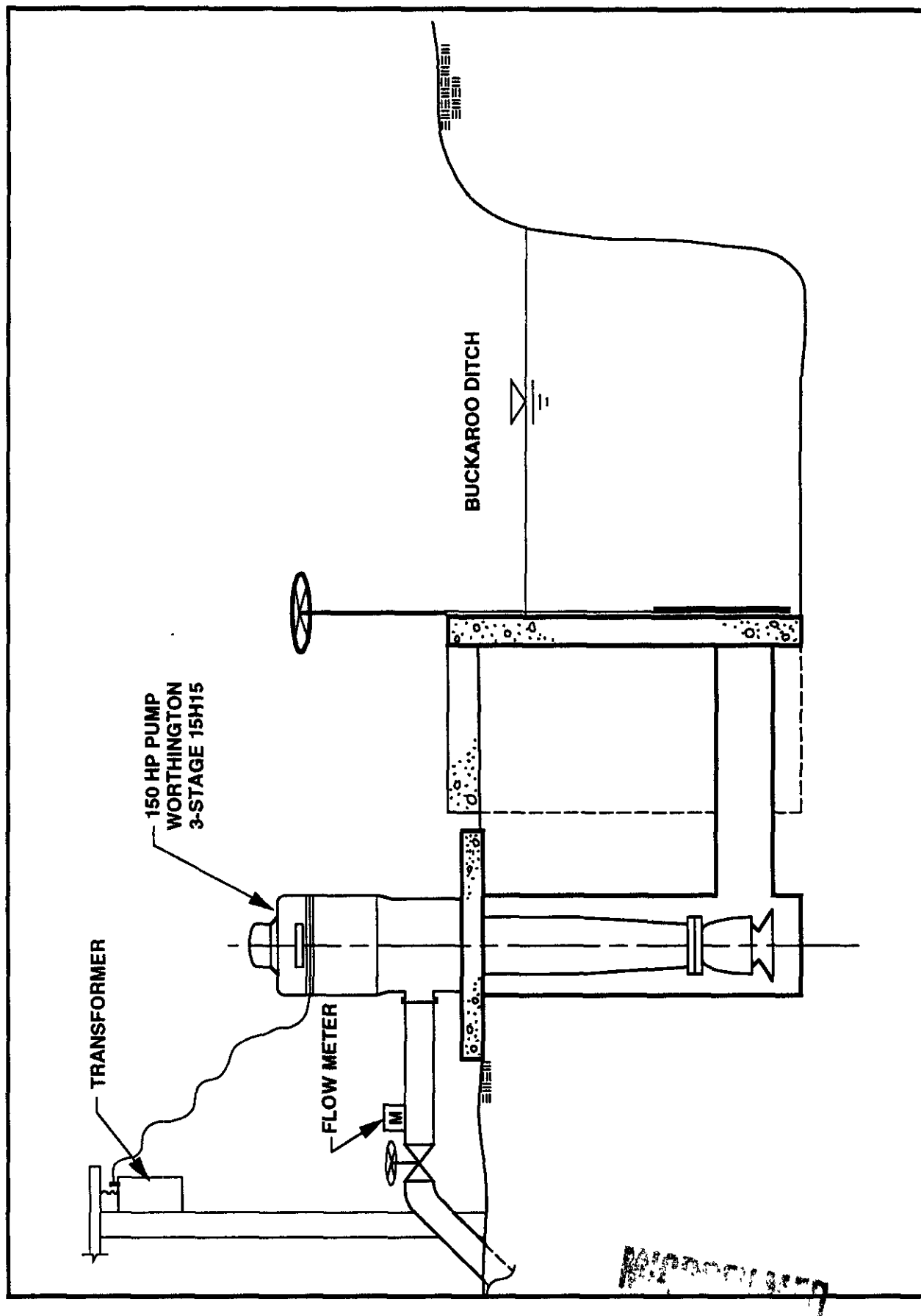
OWEN RANCHES
 PROPOSED PUMPING STATION LOCATION
 FIGURE 2

PR 13 1994



OWEN RANCHES
BUCKAROO DITCH PUMP STATION - PLAN
FIGURE 3

APR 13 1994



OWEN RANCHES
BUCKAROO DITCH PUMP STATION - CROSS SECTION
FIGURE 4

July 20, 1993

by subtracting 51-00004B lands from the A51-10350 adjudication claim. You might note that the lands originally irrigated by 51-00040 and 51-00064 are not included in the A51-10350 claim.

51-00005. Decreed water right 51-00005 has a third priority based upon the April 1, 1905 priority date. There are a total of 648 inches of third priority water of which Owen Ranches owns 283.5 inches. The Owen Ranches portion of 51-00005 would be 283.5 inches or 5.670 cfs.

Processing Fee

The IDWR processing fee for the transfer will be \$50. Upon approval of the proposed transfer by the Buckaroo Ditch Board, Owen Ranches will send you a check to cover the processing fee. The application and fee should be submitted to the attention of Steve Lester, Water Rights Supervisor at the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705.

I would be happy to meet with you to discuss any details of this transfer. Please call me at 345-5865 if you have any questions or comments.

Sincerely,



Terry M. Scanlan, P.E.
Supervising Hydrogeologist

Enclosures

cc: Richard Owen - Owen Ranches
Scott Campbell - Davis Wright Tremaine
Dave Tuthill - Idaho Department of Water Resources

[Handwritten signature]

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DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Bruneau Buckaroo Cooperative Ditch Co. Phone 845-2110
Post Office address c/o Cheryl Whiteside, Bruneau, ID 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. The changes will allow the consolidation of several Owen Ranches (a Buckaroo Ditch stockholder) irrigation systems into a single more efficient system with a comprehensive permissible place of use. It will allow the maximum utilization of surface water resources available to Owen Ranches to reduce the stress on local groundwater resources. This transfer should have a positive effect on aquifer water levels.

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

1. Right Number	Priority	Amount (cfs)	Nature of Use	Period of Use
A51-10271	2/20/1888	30.000	Irrigation	3/1 to 11/1
		4.400	Stockwater	1/1 to 12/31
51-00003	2/20/1888	20.000	Irrigation	3/1 to 11/1
			Stockwater	1/1 to 12/31
51-00004A	4/1/1897	12.380	Irrigation	3/1 to 11/1
			Stockwater	1/1 to 12/31
51-00005	4/1/1905	16.400	Irrigation	3/1 to 11/1
			Stockwater	1/1 to 12/31

2. Total amount of water being transferred 78.78 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Bruneau River tributary to Snake River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Bruneau Buckaroo Dam

5. Lands irrigated or place of use

Twp	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	6E	10									5		25			20	5		55
6S	6E	14						38		30	40	40	40		5	35	15		243
6S	6E	15	20	40	40	40	40		5					15	3		30		233
6S	6E	22	7																7
6S	6E	23	35	37		30	40	37	28	40				25					272
6S	6E	24					5	35	18	34	20	15	40		20	38	10		235
6S	6E	25	30	40	30	40	30	20	10					28	6		19		282
6S	6E	19										21							21
6S	6E	30				4	1	28	40	36	40	30	25	40	10	27	40	35	356
6S	6E	31	40	20	15	40	23	5						30	10				183
6S	6E	32					25	40	26	35	40	20	40		15	30			271
7S	6E	3										24	30						54
7S	6E	4								10	20	35	15					21	101
7S	6E	5	12	35	15	18											40		160
7S	6E	9	31	5	10	29	20	35	35	40	25	19		25	30	40	5		325
7S	6E	10						38	14		20	25	40	40					178
7S	6E	14							38		38	38							114
7S	6E	15		40	26	40	40	40		36	25	35	5	40	37	15	40		419
7S	6E	16		15		40	10										5		80
7S	6E	22	40	5	25		25		5					20			20		140
7S	6E	23						38			40	38	40						197
7S	6E	26			40	40	40	40	40	35	33								268

Total acres 4174

PART 1**6 General Information:**

- a. **Description of diversion system.** Diversion from the Bruneau River to the Buckaroo Ditch occurs at Buckaroo Dam. The transfer will allow stockholder (Owen Ranches) to irrigate lands above the Buckaroo Ditch by pumping from the Buckaroo Ditch into an existing sprinkler irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
No change, see remarks

d. **Remarks:**

See attached

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____.

APR 13 1994

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. 51-00003 Decreed to Bruneau Buckaroo Cooperative Ditch Co.
in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
dated 2/14/1925 in Owyhee county of Idaho
- 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority Feb. 20, 1888

5. Water is used for the following purpose:

amount 20.000 cfs for irrigation purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for stock water purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for domestic purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 20.000 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations

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	

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

51-00005, 51-00039, A51-10271

Total acres 51-00002, 350-00004,
15.94

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 2.74 for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for stock water purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

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	
6S	6E	25		40	30		30	20		10									130
7S	6E	22													20			20	40
																			0
																			0
																			0
																			0
																			0
																			0

Total acres 170

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

1. amount 17.26 for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for stock water purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

3. Lands irrigated or place of use (based upon adjudication claim)

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	
6S	6E	10										5		25			20	5	55
6S	6E	15		40	20			20											80
6S	6E	23	35	37		30									25				127
6S	6E	24						5	35	18	34	20	15	40		20	38	10	235
6S	6E	25	39			40									28	8		19	132
6S	6E	30			4		1	28	40	38	40	30	25	40	10	27	40	35	358
6S	6E	31			15	40	23	5							30	10			123
6S	6E	32						19	35	4	35	40	20	35	30	10			238
7S	6E	4									10	20	35	15					80
7S	6E	5	12	35		18									40			40	145
7S	6E	9		5	10		20	35	35	40	25	19			30	10		5	240
7S	6E	15									25	35	5						65
7S	6E	16		15		40	10								10			5	80
7S	6E	22		5	25		25			5									60

Total acres 2016

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. 51-00004A Decreed to Bruneau Buckaroo Cooperative Ditch Co.
 in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
 dated 2/14/1925 in Owyhee county of Idaho
- 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. T3933 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority Feb. 20, 1888

5. Water is used for the following purpose:

amount <u>12.380 cfs</u>	for <u>irrigation</u>	purposes from <u>3/15</u>	to <u>11/15</u>
(cfs/ac-ft)			
amount _____	for <u>stock water</u>	purposes from <u>1/1</u>	to <u>12/31</u>
(cfs/ac-ft)			
amount _____	for <u>domestic</u>	purposes from <u>1/1</u>	to <u>12/31</u>
(cfs/ac-ft)			

6. Total amount of water under right 12.380 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations.

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	

APR 13 1994 Total acres _____

9. Describe any other water rights used for the same purpose as described above 51-00002, 51-0003,
51-00005, 51-00039, A51-10271

Twp	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	5E	10									5		25			20	6	55	
6S	5E	14						38		30	40	40	40		5	35	15	243	
6S	5E	15	20	40	40	40	40		5					15	3		30	233	
6S	5E	22	7															7	
6S	5E	23	35	37		30	40	37	28					25				232	
6S	5E	24						5	35		20	15	40					115	
6S	5E	25	39			40								28	6		19	132	
6S	5E	30						27	39	30	30	25	10					181	
6S	5E	31		15	40	23	5							30	10			123	
6S	5E	32						19	35	4	35	40	20		15	39		238	
7S	5E	4									4	20	35	12				71	
7S	5E	5	12	35	15	18											40	180	
7S	5E	9		5	7		20		39									71	
7S	5E	15								5	35							40	

Total acres 1881

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. 51-00005 Decreed to Bruneau Buckaroo Cooperative Ditch Co.
in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
dated 2/14/1925 in Owyhee county of Idaho
- 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority Feb. 20, 1888

5. Water is used for the following purpose:

amount 16.400 cfs for irrigation purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for stock water purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for domestic purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 16.400 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations

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 APR 13 1994 51-00002, 51-00003,
51-00004, 51-00039, A51-10271

10. To your knowledge, has any portion of this water right undergone a period of one 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 5.670 for irrigation purposes from to
 (cfs/ac-ft)
 amount for stock water purposes from to
 (cfs/ac-ft)
 amount for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

3. Lands irrigated or place of use:

Owen Ranch Place of use

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	
6S	5E	25		40	30		30	20		10									130
7S	6E	9				20									25				45
7S	6E	10									20	25	40	40					125
7S	6E	15					40	40											80
7S	6E	22													20			20	40
Total acres																			420

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

1. amount 10.73 for irrigation purposes from to
 (cfs/ac-ft)
 amount for stock water purposes from to
 (cfs/ac-ft)
 amount for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

other stockholders place of use

3. Lands irrigated or place of use (based upon adjudication claim)

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	
6S	5E	14							8		30	28	40	40		5	35	15	201
6S	5E	15			29	27	26			5					15	3		30	135
6S	5E	22	7																7
6S	5E	23		37			40	37	28	40									182
6S	5E	24												40					40
6S	5E	25	39			40								28	6			19	132
6S	6E	19											21						21
6S	6E	30						27	39		30	30	25	10					181
6S	6E	31	40	20	15	40	23	5			35	40	20	40	30	10			183
6S	6E	32						25	40	26						15	30		271
7S	6E	4									10	20	35	15					80
7S	6E	5			15										40			40	95
7S	6E	9		5	10		20			40									75
7S	6E	15									5	35							40
7S	6E	16				40									10				50
Total acres																			1673

APR 13 1994

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. A51-10271 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority _____

5. Water is used for the following purposes:

amount 30.000 for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount 4.400 for stock water purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 30.000 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use

Twp	Rge	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	5E	10										5		25			20	5	55
6S	5E	14							38		30	40	40	40		5	35	15	243
6S	5E	15	20		40	40	40			5					15	3		30	233
6S	5E	22	7																7
6S	5E	23	35	37		30	40	37	28	40					25				272
6S	5E	24						5	35	18	34	20	15	40		20	38	10	235
6S	5E	25	39	40	30	40	30	20		10					28	6		19	262
6S	6E	19											21						21
6S	6E	30				4	1	28	40	36	40	30	25	40	10	27	40	35	356
6S	6E	31	40	20	15	40	23	5							30	10			183
6S	6E	32						25	40	28	35	40	20	40		15	30		271
7S	6E	4									10	20	35	15					80
7S	6E	5	12	35	15	18									40			40	180
7S	6E	9		5	10	20	20	35	35	40	25	19		6	25	30	10	5	285
7S	6E	10									20	25	40	40					125
7S	6E	15					40	40			25	35	5						145
7S	6E	16		15		40	10								10			5	80
7S	6E	22		5	25		25				5				20			20	100

Total acres 3113

See attached.

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

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

Other Water Rights Listing Overlapping Place(s) of use:

A51-00002	A51-00003	A51-00004B	A51-00005	A51-00006	A51-00007	A51-00008	A51-00009	A51-00010	A51-00011
A51-00012	A51-00013	A51-00014	A51-00015	A51-00016	A51-00017	A51-00018	A51-00019	A51-00020	A51-00021
A51-00022	A51-00023	A51-00024	A51-00024A	A51-00024B	A51-00025	A51-00025A	A51-00025B	A51-00026	A51-00026A
A51-00026B	A51-00027	A51-00027A	A51-00028	A51-00028A	A51-00029	A51-00029A	A51-00030	A51-00042	A51-00042A
A51-00043	A51-00043A	A51-00044	A51-00044A	A51-00045	A51-00045A	A51-00063	A51-00064	A51-00069	A51-02152
A51-02205	A51-04048	A51-04049	A51-04096	A51-07119	A51-07268	A51-10047	A51-10053	A51-10054	A51-10061
A51-10166	A51-10169	A51-10250	A51-10255	A51-10256	A51-10257	A51-10260	A51-10261	A51-10262	A51-10266
A51-10350	A51-10351	R51-00004B	R51-00024	R51-00025	R51-00026	R51-00064	R51-07092		

APR 13 1984

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

1	<u>New Nature of Use</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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

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

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.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

APR 13 1994

Attachment - Remarks on Buckaroo Ditch Company Water Right Transfers

Owen Ranches owns 12,000 shares of Bruneau Buckaroo Ditch Company water, which is equivalent to 480.0 inches. These inches are divided by priority as follows: 137.0 inches first priority, 59.5 inches second priority, and 283.5 inches third priority. Owen Ranches seeks to add additional places of use to the following Buckaroo decreed rights and adjudication claim: 51-00003 (first priority), 51-00004A (second priority), 51-00005 (third priority), and A51-10271 (floodwaters only). Owen Ranches does not own lands irrigated by the remaining Buckaroo rights.

The additional places of use will allow Owen Ranches to utilize Buckaroo Ditch water in a comprehensive sprinkler irrigation system which will irrigate approximately 1311 acres located above the Buckaroo Ditch. Water will be diverted from the Buckaroo Ditch at a new pumping station located in NWSW Sec. 23, T7S, R6E. The 1311 acres are presently irrigated using several separate sprinkler irrigation systems with water from a combination of the following sources:

- groundwater (648 acres from each of 12 separate licenses involved in Transfer 3324, 190 acres from 51-07082, 168 acres from 51-07119)
- surface water from the Buckaroo Ditch (250 acres each from 51-00005 and A51-10271), and
- surface water from Pence Hot Springs (55 acres from 51-07293).

The proposed place of use transfer will allow Owen Ranches to combine the separate irrigation systems into a single interconnected system for the 1311 acres of the ranch located above the Buckaroo Ditch. The transfer will allow Owen Ranches to more fully utilize surface water irrigation sources, and reduce the use of groundwater sources. This will have a positive effect on local aquifer water levels.

Owen Ranches will use some of its Buckaroo Ditch water currently irrigating lands below the Buckaroo Ditch to irrigate the 1311 acres of the ranch located above the Buckaroo Ditch. It will continue to irrigate the lands below the Buckaroo Ditch using the existing Buckaroo rights and various other rights. As such, there will be no elimination of places of use as part of this transfer.

Owen Ranches will not develop new irrigation lands under this transfer and will not exceed the total quantities appropriated by these rights. This transfer is not expected to result in significant impacts to return flows or other water rights.

APR 13 1994

Dave

CONT. on
Back

9/29/93

Terry Scanlon asked for
comments on this proposal.

Utilize 220" ditch water
currently used on ≈ 250 AC
Above the ditch,

prepare to have P.P.U. in 1,311
AC. area above the ditch.

Looks like a better proposal
than creating P.P.U. with ditch
water used below the ditch
as had previously suggested?

What do you think?

+ 10/12/94

They just filed new OPOL for the
1,311 AC. for "Floodwater Right".

Steve -

What kind of realistic
mechanism will ensure that
this water is used on only
250 acres during a given year?

Dave

I don't know - what has
the dept. Required in other
transfers of this nature? Or have
there been others involving surface
water? I know we have approved
some for ground water where the
other acres in rotation scheme
remain non-irrig. during a season.

??

APR 12 1994

**MONTGOMERY WATSON**161 E. Mallard Drive
Boise, Idaho 83706-3974Tel: 208 345-5865
Fax: 208 345-5897

Date: September 27, 1993

To: Steve Lester

Fax No: 334-2348

From: Terry Scanlan

Reference:

Subject: Buckaroo Ditch Transfer

No. of Pages: 9
(including cover)

Steve -

Attached is a draft of the water right transfer that we discussed this morning. Please review it call me at 345-5865 with your comments. Thanks.

Terry

TUES &
WED - he'll be there until 2:00

Discussed 10/4 - will be sending actual
appl. sometime

If you do not receive all pages, or if there are any problems with this transmission, please call at 208 345-5865.

RECEIVED

APR 13 1994

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Bruneau Buckaroo Cooperative Ditch Co. Phone 845-2110
 Post Office address c/o Cheryl Whiteside, Bruneau, ID 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. The changes will allow the consolidation of several Owen Ranches (a Buckaroo Ditch stockholder) irrigation systems into a single more efficient system with a comprehensive permissible place of use.

DRAFT

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

1. Right Number	Priority	Amount (cfs/acre-ft)	Nature of Use	Period of Use
51-00005	April 1, 1905	16.400	irrigation	March 1 to November 1
			stockwater	January 1 to December 31
				to
				to

2. Total amount of water being transferred 16.400 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Bruneau River tributary to Snake River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Bruneau Buckaroo Dam

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	
65	SE	14							8		30	28	40	40		5	36	18	201
65	SE	15			20	27	28			5					15	3		30	126
65	SE	22	7																7
65	SE	23			37		40	37	28	40									182
65	SE	24												40					40
65	SE	25	30	40	30	40	30	20		10					20	6		18	282
65	SE	19											21						21
65	SE	30					27	39			30	30	25	10					161
65	SE	31	40	20	18	40	28	5					20		20	10			193
65	SE	32					25	40	35	35	40	20	40			15	30		371
75	SE	3											24	30					54
75	SE	4									10	20	35	15				21	101
75	SE	5			15										40			40	85
75	SE	9	31	5	10	20	20			40					25				180
75	SE	10					30	14			20	25	40	40					178
75	SE	14						35			30	30							114
75	SE	15		40	20	40	40	40	20	5	35				40	37	15	40	394
75	SE	16				40									10				30
75	SE	22	40												20			20	80
75	SE	23					30				40	30	40	40					197
75	SE	26			40	40	40	40	35	30									205
Total																			3154

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PART 1

6. General Information:

- a. **Description of diversion system.** Diversion from the Bruneau River to the Buckaroo Ditch occurs at Buckaroo Dam. The transfer will allow stockholder (Owen Ranches) to irrigate lands above the Buckaroo Ditch by pumping from the Buckaroo Ditch into an existing sprinkler irrigation system.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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
No change, see remarks

d. Remarks:

See attached

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:

DRAFT

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

APR 13 1994

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. 51-00005 Decreed to Bruneau Buckaroo Cooperative Ditch Co.
in case of Grandview Irrigation District vs. Bruneau Buckaroo Co-op Ditch Co.
dated 2/14/1925 in Owyhee county of Idaho
- 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 N/A

3. Source of water Bruneau River tributary to Snake River

4. Date or priority April 1, 1905

5. Water is used for the following purpose:

amount 16.400 cfs for irrigation purposes from _____ to _____
(cfs/ac-ft) _____ for stock water purposes from _____ to _____
(cfs/ac-ft) _____ for domestic purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 16.400 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

8. Lands irrigated or place of use: Lands of Stockholders. See adjudication claim for locations

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	

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

51-00004, 51-00039, A51-10271

Total acres _____

51-00005

APR 13 1994

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 4.400 for irrigation purposes from to
 (cfs/ac-ft)
 amount for stock water purposes from to
 (cfs/ac-ft)
 amount for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

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	
7S	6E	9				20									25				45
7S	6E	10								20	25	40	40						125
7S	6E	15					40	40											80

Total acres 250

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

1. amount 12.000 for irrigation purposes from to
 (cfs/ac-ft)
 amount for stock water purposes from to
 (cfs/ac-ft)
 amount for domestic 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
		SW	SW	26	7S	6E	Owyhee	Buckaroo Dam

3. Lands irrigated or place of use (based upon adjudication claim)

APR 13 1994

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	
6S	6E	14						8			30	28	40	40		5	35	15	201
6S	6E	15			20	27	26			5					15	3		30	186
6S	6E	22	7																7
6S	6E	23		37			40	37	28	40									182
6S	6E	24												40					40
6S	6E	25	30	40	30	40	30	20		10					28	6		19	262
6S	6E	10											21						21
6S	6E	30					27	30			30	30	25	10					161
6S	6E	31	40	20	15	40	23	5							30	10			183
6S	6E	32					25	40	26		35	40	20	40		15	30		271
7S	6E	4									10	20	35	15					80
7S	6E	5			15										40			40	95
7S	6E	9		5	10		20			40									75
7S	6E	15									5	35							40
7S	6E	16				40									10				50
7S	6E	22													20			20	40

Total acres 1843

Page 5 of 6

Transfer No _____

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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

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

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

DRAFT

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.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

APR 13 1994

Page 6 of 6

Attachment - Remarks on Buckaroo Ditch Company Water Right Transfer

The Perkins Ranch Unit of Owen Ranches has 5,500 shares (220 inches) of third priority Bruneau Buckaroo Ditch Company water (decreed right 51-00005). Owen Ranches seeks to add additional permissible places of use to the Buckaroo third priority right which will allow Owen Ranches to utilize Buckaroo Ditch water in a comprehensive sprinkler irrigation system which will irrigate approximately 1,311 acres located above the Buckaroo Ditch. Water will be diverted from the Buckaroo Ditch at a new pumping station located in NWSW Sec. 23, T7S, R6E. The 1,311 acres are presently irrigated using several separate sprinkler irrigation systems with water from a combination of the following sources:

- groundwater (648 acres from each of 12 separate licenses involved in Transfer 3324, 190 acres from 51-07082, 168 acres from 51-07119)
- surface water from the Buckaroo Ditch (250 acres from 51-00005), and
- surface water from Pence Hot Springs (55 acres from 51-07293).

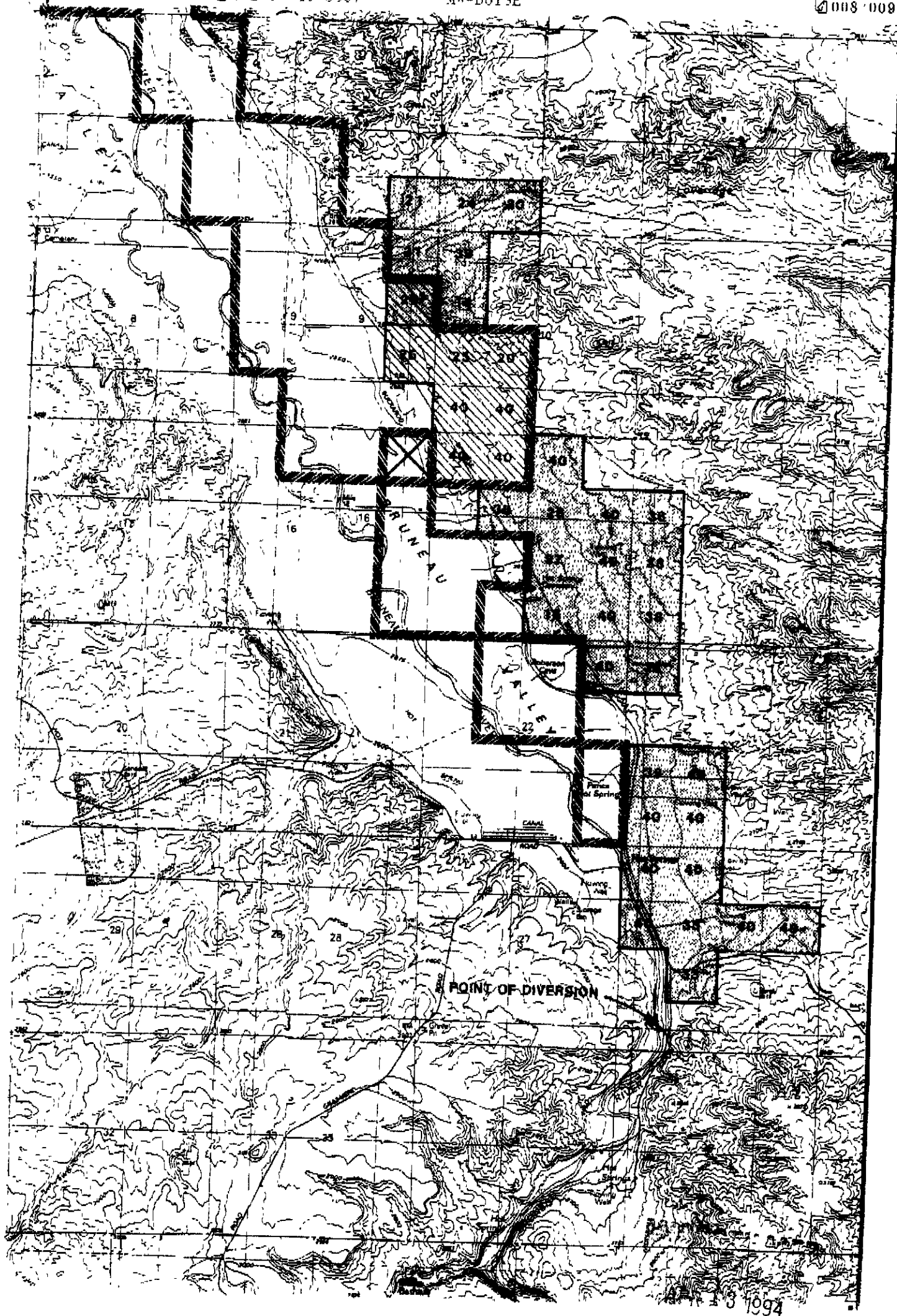
The proposed place of use transfer will allow Owen Ranches to utilize the third priority Buckaroo Ditch water on any 250 acre parcel within the 1,311 acre area. The place of use irrigated by this transfer each year will not exceed 250 acres, and the amount diverted will not exceed to 220 inches.

Owen Ranches will not develop new irrigation lands under this transfer and will not exceed the total quantities appropriated by these rights. This transfer is not expected to result in an impacts to return flows or other water rights.

DRAFT

APPROVED

APR 13 1994



BRUNEAU BUCKAROO DITCH COMPANY PROPOSED WATER RIGHT TRANSFER MAP

LEGEND

 OUTLINE OF AREA IRRIGATED BY THE BUCKAROO DITCH (BASED UPON QUARTER-QUARTER SECTION DESCRIPTIONS IN THE ADJUDICATION CLAIMS)

 OWEN RANCHES EXISTING BUCKAROO DITCH WATER PLACE OF USE

 OWEN RANCHES ADDITIONAL PLACES OF USE TO BE ADDED BY PROPOSED TRANSFER

40 AMOUNTS SHOWN ARE OWEN RANCHES IRRIGATED ACRES IN EACH QUARTER QUARTER SECTION FOLLOWING THE PROPOSED TRANSFER

*NOTE THAT THE TOTAL ACREAGE IN SENE SEC 9, T7S, R6E IS 29 ACRES INCLUDING 20 ACRES CURRENTLY IRRIGATED BY BUCKAROO DITCH WATER AND 9 ACRES CURRENTLY IRRIGATED BY GROUNDWATER FROM LICENSE 51-07119

DRAFT

0 2000 4000
scale feet

APR 19 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 51-00005

Notice is hereby given that Bruneau Buckaroo Coop. Ditch Co. of Bruneau, Idaho, has applied to the Department of Water Resources to Change the Place of Use of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED

Basis	Decree
Date of Priority	April 1, 1905
Source	Bruneau River tributary to Snake River
Amount	16.40 cfs
Use	Irrigation, Stockwater & Domestic
Point of Div	SWSW, S.26, T7S, R6E, Owyhee County
Place of Use	Listed in decree as lands of stockholders

TO BE CHANGED AS FOLLOWS

Place of Use: 5,500 shares (4.40 cfs) of this third priority water will be used on no more than 250 acres per year within a 1,311 acre area of Owen Ranches. The Owen shares are currently used on 250 acres in S. 9, 10, & 15 but will be used on rotation basis on 250 acres within S. 3, 4, 9, 10, 14, 15, 22, 23, & 26.

All of the Owen Ranches land involved is above the ditch. A pumping station will be installed in the ditch at NWSW, S. 23 about 1.25 miles downstream from the head of the ditch. All lands involved in this proposal are currently irrigated by Owens shares or other sources, therefore no new lands will be put into production. All locations are in T7S, R6E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before

January 24, 1994.

R. Keith Higginson
Director

Published in the Owyhee Avalanche ✓
on 1-5 and 12, 1994

Id. Stateman ✓ Time News ✓ Post Reg. ✓
Lewiston Morn. Trib. ✓

APR 13 1994

**PUBLISHED: Wednesday,
January 8 and 12, 1964.**

APR 13 1994

THE OWYHEE AVALANCHE

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

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

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

2. That during the time of 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 2 (two)

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

January 5 and 12, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 12th day of January A.D., 1994

Corinne Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

APR 13 1994

RECEIVED

JAN 18 1994

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P O BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

86.25

Account Number 10056400		Identification NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 51-00005	
Ordered By Sue Taylor	P.O Number	Rate NT	Run Dates January 6, 13, 1994
STATE OF IDAHO Department of Water Resources (Western Region) 2735 Airport Way Boise, Idaho 83705-5082		Estimated Inches.	Real Inches
		# Affidavits 1	Legal Number 6629

CAROL PAYNE-CULPAN

_____, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of JANUARY 6, 1994

and ending with the issue of JANUARY 13, 1994

Carol Payne-Culpan

STATE OF IDAHO)

ss

COUNTY OF ADA)

On this 13TH day of JANUARY in the year of 1994
before me, a Notary Public, personally appeared
CAROL PAYNE-CULPAN, known or identified to
me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at BOISE, ID

My commission expires: 11-27-99

APR 13 1994

RECEIVED

JAN 18 1994

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P O BOX 40 BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

86.25

Account Number 10056400		Identification NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 51-00005	
Ordered By Sue Taylor	P O Number	Rate NT	Run Dates January 6, 13, 1994
STATE OF IDAHO Department of Water Resources (Western Region) 2735 Airport Way Boise, Idaho 83705-5082		Estimated Inches # Affidavits 1	Real Inches Legal Number 6629

CAROL PAYNE-CULPAN

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT NO. 51-00005

Notice is hereby given that Bruneau Buckaroo Coop. Ditch Co. of Bruneau, Idaho, has applied to the Department of Water Resources to change the Place of Use of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED

Basis Decree
Date of Priority April 1, 1905
Source Bruneau River tributary to Snake River
Amount 16.40 cfs
Use Irrigation, Stockwater & Domestic
Point of Div SWSW, S.26, T7S, R6E, Owyhee County
Place of Use Listed in decree as lands of stockholders

TO BE CHANGED AS FOLLOWS

Place of Use: 5,500 shares (4.48 cfs) of this third priority water will be used on no more than 250 acres per year within a 1,311 acre area of Owen Ranches. The Owen shares are currently used on 250 acres in S.9, 10, & 15 but will be used on rotation basis on 250 acres within S.3, 4, 9, 10, 14, 15, 22, 23, & 26.

All of the Owen Ranches land involved is above the ditch. A pumping station will be installed in the ditch at NWSW, S.23 about 1.25 miles downstream from the head of the ditch. All lands involved in this proposal are currently irrigated by Owens shares or other sources, therefore no new lands will be put into production. All locations are in T7S, R6E.

Any protest against approval of the proposed change of water right, application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before January 24, 1994.

R. Keith Higginson
Director

Pub. January 6, 13, 1994

, being duly

That she is the Principal Clerk of The newspaper printed and published at Boise, and having a general circulation therein has been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho with Section 60-108, Idaho Code as

consecutive daily ☐ single ☐ odd skip

the issue of JANUARY 6, 19 94

of JANUARY 13, 19 94

Carol Payne-Culp
Carol Payne-Culp

SS

6629 day of JANUARY in the year of

CAROL PAYNE-CULPAN

a Notary Public, personally appeared me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same

Notary Public for Idaho

Residing at BOISE, ID

My commission expires 11 27 99

JAN 13 1994

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 011394 INVOICE No. 100390+30

Account No. 764760 1 00025

Description 90430NOTIC

Times 2 Lines 31

Tab Lines

**LEGAL ADVERTISING
INVOICE**

\$ 77.50

SOLD TO:

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

RECEIVED

JAN 21 1994

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis, being duly sworn,
deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF PROPOSED CHANGE
attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 010694, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 010694, and the last pub-
lication thereof being on the 011394, and said
NOTICE OF PROPOSED CHANGE

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 18

day of January 1994

Sheryl M. Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

APR 13 1994

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date Jan 1994 INVOICE No. 1113147
Account No. 766760 0001
Description WATER RESOURCES
Times 11 Lines 31
Tab Lines 1
\$ 1.50

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

RECEIVED

JAN 21 1994

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

**NOTICE OF PROPOSED CHANGE OF
WATER PERMIT NO. 51-90008**

Notice is hereby given that Bruneau Buckaroo Coop Ditch Co. of Bruneau, Idaho, has applied to the Department of Water Resources to Change the Place of Use of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Basis Decree
Date of Priority April 1, 1905
Source Bruneau River tributary to Snake River
Amount 16.40 cfs
Use Irrigation, Stockwater & Domestic
Point of Div SWSW S.26, T7S, R6E, Owyhee County
Place of Use Listed in decree as lands of stockholders

TO BE CHANGED AS FOLLOWS

Place of Use: 5,500 shares (4.40 cfs) of this third priority water will be used on no more than 250 acres per year within a 1,311 acre area of Owen Ranches. The Owen shares are currently used on 250 acres in S. 9, 10 & 15 but will be used on rotation basis on 250 acres within S. 3, 4, 9, 10, 14, 15, 22, 23 & 26. All of the Owen Ranches land involved is above the ditch. A pumping station will be installed in the ditch at NWSW S. 23 about 1.25 miles downstream from the head of the ditch. All lands involved in this proposal are currently irrigated by Owen shares or other sources, therefore no new lands will be put into production. All locations are in T7S, R6E.

Any protest against approval of the proposed changes of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before January 24, 1994.

R. Keith Higginson
Director

Published in the Lewiston Morning Tribune on January 6 and 13, 1994.

Karen J. Lewis, being duly sworn,

I depose and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period, that the

NOTICE OF PROPOSED CHANGE attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication began on 010694, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 010694, and the last publication thereof being on the 011394, and said NOTICE OF PROPOSED CHANGE

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 18 day of January 1994

Sherral M. Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, ... S. BOB BRIGHT or TED DELEZENE ..., first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for ... two ... consecutive weeks, first publication having been made on the ... 6th ... day of ... January ... , 19. 94 ., last publication having been made on the ... 13th ... day of ... January ... , 19.94 ., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this ... 19th ... day of ... January ... , 19. 94.

S. Bob Bright
.....
Susan Magrann
Notary Public

My commission expires July. 1. , 19... 97

B10

RECEIVED

APR 13 1994

**NOTICE OF
PROPOSED CHANGE OF
WATER RIGHT NO. 51-00005**

Notice is hereby given that Bruneau Buckaroo Coop. Ditch Co. of Bruneau, Idaho, has applied to the Department of Water Resources to Change the Place of Use of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED

Basis: Decree

Date of Priority: April 1, 1905

Source: Bruneau River tributary to Snake River

Amount: 16.40 cfs

Use: Irrigation, Stockwater & Domestic

Point of Div: SWSW, S.26, T7S, R6E,

Owyhee County

Place of Use: Listed in decree as lands of stockholders

TO BE CHANGED AS FOLLOWS

Place of Use: 5,500 shares (4.40 cfs) of this third priority water will be used on no more than 250 acres per year within a 1,311 acre area of Owen Ranches. The Owen shares are currently used on 250 acres in S. 9, 10, & 15 but will be used on rotation basis on 250 acres within S. 3, 4, 9, 10, 14, 15, 22, 23, & 26.

All of the Owen Ranches land involved is above the ditch. A pumping station will be installed in the ditch at NWSW, S. 23 about 1.25 miles downstream from the head of the ditch. All lands involved in this proposal are currently irrigated by Owens shares or other sources, therefore no new lands will be put into production. All locations are in T7S, R6E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before January 24, 1994.

R. Keith Higginson
Director

Published: January 6, 13, 1994

APR 13 1994

WR5812NP
SELECTION-FILE: ANDREGG-1437523

IDAHO DEPARTMENT OF WATER RES. .S
WATER RIGHTS SUMMARY REPORT

DATE: 02/
PAGE:

WR-NUMBER:
51-00005

CURRENT OWNER:
BRUNEAU BUCKAROO COOPERATIVE DITCH CO.

PRIORITY DATE:
04/01/1905

STAGE:
DECREE

COUNTY: Owyhee
SOURCE: BRUNEAU RIVER
WATER USE:
IRRIGATION
STOCKWATER
DOMESTIC

TRIBUTARY: SNAKE RIVER
DIVERSION RATE:
16.400
DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

TOTAL: 16.400

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	07S	06E	26	SW SW	

PLACE OF USE LOCATION FOR IRRIGATION IS THE SAME LOCATION AS DESCRIBED FOR:

PLACE OF USE LOCATION FOR STOCKWATER IS THE SAME LOCATION AS DESCRIBED FOR:

PLACE OF USE LOCATION FOR DOMESTIC IS THE SAME LOCATION AS DESCRIBED FOR:

DECREE PLAINTIFF: GRANDVIEW IRR. DIST.
DECREE DEFENDANT: BRUNEAU BUCKAROO CO-OP DITCH CO.

REMARKS: LANDS OF STOCKHOLDERS.

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END OF REPORT