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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68967

This is to certify that ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 83303
(208)734-5333

has requested a change to the water right(s) listed below This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
51-134	AJC/Decreed	08/25/1908	2 30 cfs		202 8	202 8	DEADWOOD CREEK
51-135	AJC/Decreed	08/25/1908	1 90 cfs		202 8	202 8	DEADWOOD CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
51-134	NO	NO	YES	NO	NO	NO
51-135	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
51-134	51-134	2.30 cfs	709 8 af	202 8	202.8		N/A	N/A	N/A	N/A
51-135	51-135	1 90 cfs	565 4 af	160 0	202 8		N/A	N/A	N/A	N/A
TOTALS		4.06 cfs	715 2 af	202.8	202.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of October, 2001

Acting  Chief, Water Allocation Bureau

MEL

WATER RIGHT NO. 51-134
As Modified by Transfer No. 68967

In accordance with the approval of Transfer No 68967, Water Right No 51-134 is now described as follows

Right Holder: ASLETT RANCHES PARTNERSHIP
PO BOX B
TWIN FALLS ID 83303

Priority Date: 08/25/1908

Source: DEADWOOD CREEK **Tributary:** BRUNEAU RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/23	to 10/31	2.30 CFS	709.8 AF
			2.30 CFS	709.8 AF

LOCATION OF POINT(S) OF DIVERSION:

DEADWOOD CREEK NWSESW Sec 4 Twp 16S Rge 12E OWYHEE County

DEADWOOD CREEK SENESW Sec 32 Twp 15S Rge 12E OWYHEE County
(Rediversion)

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 12E 29									7.9	27.9							35.8
15S 12E 30																16.3	16.3
15S 12E 32					15.4	12.1	16.6	22.0	11.1			19.0			28.3		124.5
16S 12E 5	8.1	18.0		1													26.2

Total Acres 202.8

CONDITIONS OF APPROVAL

- 1 Rights 51-134 and 51-135 when combined shall not exceed a total diversion rate of 4.06 cfs, a total annual maximum diversion volume of 715.2 af at the field headgate, and the irrigation of 202.8 acres
- 2 Rights 51-134, 51-135 and 51-2442 when combined shall not exceed the irrigation of 240.2 acres
- 3 Use of water under this water right will be regulated by the watermaster of State Water District No 47C, Cedar, Devil and Deadwood Creeks
- 4 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion

WATER RIGHT NO. 51-134
As Modified by Transfer No. 68967

CONDITIONS OF APPROVAL

- 5 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above
- 6 All water rights within Basin 51 are from connected sources of water in the Snake River Basin and shall be administered conjunctively
- 7 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval
- 8 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 9 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources

Dated this 3rd day of October, 2001

Acting 
Chief, Water Allocation Bureau

WATER RIGHT NO. 51-135
As Modified by Transfer No. 68967

In accordance with the approval of Transfer No 68967, Water Right No 51-135 is now described as follows

Right Holder: ASLETT RANCHES PARTNERSHIP
 PO BOX B
 TWIN FALLS ID 83303

Priority Date: 08/25/1908

Source: DEADWOOD CREEK

Tributary: BRUNEAU RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/23	to 10/31	1 90 CFS	560 0 AF
STOCKWATER	01/01	to 12/31	0 09 CFS	5 4 AF
			1 90 CFS	565 4 AF

LOCATION OF POINT(S) OF DIVERSION:

DEADWOOD CREEK NWSESW Sec 4 Twp 16S Rge 12E OWYHEE County

DEADWOOD CREEK SENESW Sec 32 Twp 15S Rge 12E OWYHEE County
 (Rediversion)

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 12E 29									7 9	27 9							35 8
15S 12E 30															16 3		16 3
15S 12E 32					15 4	12 1	16 6	22 0	11 1			19 0			28 3		124 5
16S 12E 5	8 1	18 0		1													26 2

Total Acres 202 8

CONDITIONS OF APPROVAL

- 1 Right 51-134 is limited to the irrigation of 160 0 acres within the place of use described above in a single irrigation season
- 2 Rights 51-134 and 51-135 when combined shall not exceed a total diversion rate of 4 06 cfs, a total annual maximum diversion volume of 715 2 af at the field headgate, and the irrigation of 202.8 acres
- 3 Rights 51-134, 51-135 and 51-2442 when combined shall not exceed the irrigation of 240 2 acres
- 4 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day

WATER RIGHT NO. 51-135
As Modified by Transfer No. 68967

CONDITIONS OF APPROVAL

- 5 Use of water under this water right will be regulated by the watermaster of State Water District No 47C, Cedar, Devil and Deadwood Creeks
- 6 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion
- 7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above
- 8 All water rights within Basin 51 are from connected sources of water in the Snake River Basin and shall be administered conjunctively
- 9 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval
- 10 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
- 11 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources

Dated this 3rd day of October, 2001

Acting 
Chief, Water Allocation Bureau

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File 410
51-A
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA.

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GRANDVIEW IRRIGATION DISTRICT,
Plaintiff,

-vs-

D-E-C-R-E-E

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

see Attachment
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 independant 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-

JUN 19 1926

X SAMUEL C. DUNN (Sometimes known as Crandall C. Dunn and as Crandall Dunn): $S\frac{1}{2}$ $SE\frac{1}{4}$, Sec. 20, $NW\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 28, $NE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 29, all in Township 15 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described:

51 0133 40 inches as of January 21, 1911.

X HARRY W. NOH:- $W\frac{1}{2}$ $NW\frac{1}{4}$, $SW\frac{1}{4}$ $SE\frac{1}{4}$ Sec. 32, Township 15 South, Range 12 East, Boise Meridian, $E\frac{1}{2}$ $NE\frac{1}{4}$, $NW\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 5, Township 16 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described:

51 0134 115 inches as of August 25, 1908.

X LINCOLN CURTIS:- $SW\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 32, Township 15 South, Range 12 East, Boise Meridian, and $E\frac{1}{2}$ $NE\frac{1}{4}$, $NW\frac{1}{4}$ $NE\frac{1}{4}$ Sec. 5, Township 16 South, Range 12 East, Boise Meridian in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion at or near the land above described:

51 0135 95 inches as of August 25, 1908.

X W. R. WALSH:- $E\frac{1}{2}$ $NE\frac{1}{4}$, $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 15, Township 14 South, Range 10 East, Boise Meridian, $NW\frac{1}{4}$ $NW\frac{1}{4}$, $SW\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 18, Township 14 South of Range 11 East, Boise Meridian, containing 168.75 acres in Owyhee County, Idaho, out of the waters of the East Fork of Bruneau River, a tributary of the Bruneau River; said waters to be diverted at or near the subdivision of land above described:

51 0136 2 cubic feet of water per second of time for the

SOLOMAN A. NEWMAN: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 4, Township 16 South, Range 11 E. B.M. containing 160 acres out of the waters of Cherry Creek, tributary to Three Creek, tributary to Bruneau River; 83 inches as of April 1st, 1893.

Land described in the decree as S. A. Gillette: W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 16 South Range 11 E. B.M. containing 200 acres out of the waters of Three Creek, tributary to to Bruneau River; 144 inches as of April 1st, 1885. Should be added to this description SE $\frac{1}{4}$ NW $\frac{1}{4}$. This part of the decree is amended to read:

S. A. GILLETTE: W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, Township 16 South, Range 11 E. B.M. containing 240 acres out of the waters of Three Creek, tributary to Bruneau River; 144 inches as of April 1st, 1885.

Dated this 8 day of December, 1925.

Clinton H. Hartson
Judge - - District Court

The above corrections are acceptable to the undersigned.

Oppenheim & Lampert
Attorney's for Plaintiff

Edwin Snow
Atty for Idaho Farm
Development Co.
Attorneys for Defendants.

(Endorsed)

No. 10604

DISTRICT COURT THIRD JUDICIAL DISTRICT COUNTY OF ADA,
STATE OF IDAHO

Grandview Irrigation Dist.
Plaintiff

vs.

Buckaroo Co-op Ditch Co.
Defendant

AMENDMENT OF DECREE

Entered & Filed December 8, 1925.

Stephen Utter Clerk

By Otto F. Peterson
Deputy Clerk

Attorney for Plaintiff - -

JUN 19 1925

MEMORANDUM

TO: FILE 51-00135

FROM: VAULT

RE: TRANSFER # 68967

DATE: 10.3.01

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 51-00134

MICROFILMED

11/11/2001