

Idaho Department of Water Resources

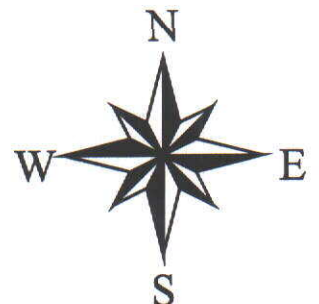
Water Right 31-11408, 31-11442

Township 7 North Range 36 East Section 25

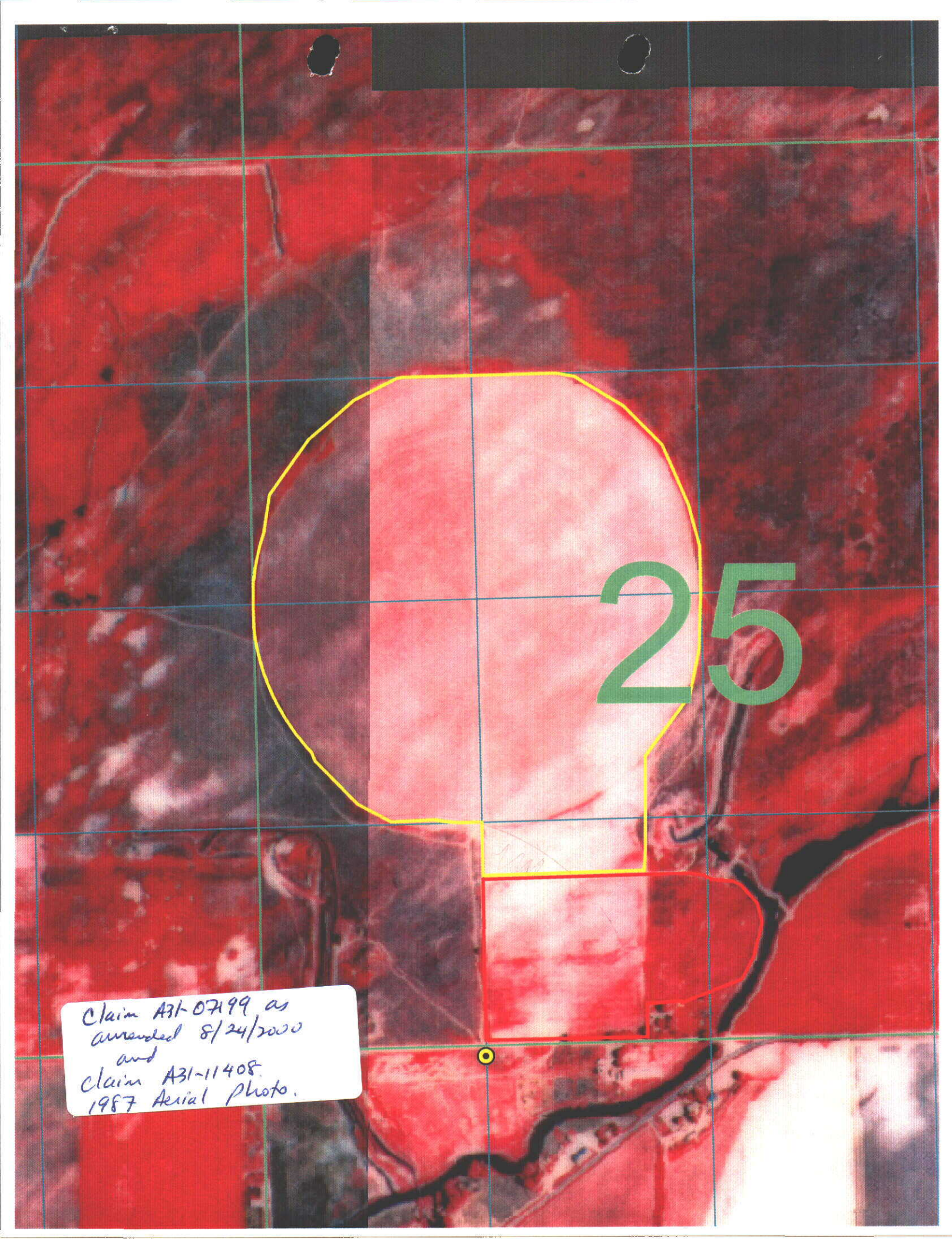


-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines
-  Township Lines

0 700 Feet



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

An aerial photograph of a landscape, possibly a wetland or marsh, with a grid of blue lines overlaid. A large, irregular yellow outline is drawn on the left side of the image. A large green number '25' is positioned on the right side, partially overlapping the yellow outline. A red outline is visible in the lower right quadrant. A small yellow circle is located near the bottom center of the image.

25

Claim A31-07199 as
amended 8/24/2000
and
Claim A31-11408
1987 Aerial Photo.

11/01/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11408

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT BYBEE
Current Owner	DONNA S BYBEE
	2014 E 1800 N
	TERRETON, ID 83450
	(208)662-5526

Priority Date: 04/01/1987
Basis: Beneficial Use
Status: Valid

Sources: No sources found for this right

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.12 CFS	22.1 AFA	
Total Diversion			0.12 CFS	22.1 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	35E	36	NE NW NW		JEFFERSON

IRRIGATION Use:
Acre Limit: 6.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	25		SWNW	33		SENW	34						
				NESW	35		SESW	3.3						

Total Acres: 105.3

Conditions of Approval:

- C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

- Explanatory THIS RIGHT IS FOR AN ENLARGEMENT OF 6.3 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
- General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-11442 PURSUANT TO SECTION 42-1426, IDAHO CODE.

3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-11442 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 105.3 ACRES IN A SINGLE IRRIGATION SEASON.
4. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-11442 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.98 CFS.

Dates:

Licensed Date:
 Claim Received Date: 08/24/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	11/1/00 12:58:30 PM	bcontor			In Process
POU	11/1/00 1:31:21 PM	bcontor			In Process
Priority Date	11/1/00 12:58:24 PM	bcontor			In Process
Quantity	11/1/00 1:35:43 PM	bcontor			In Process
Season	11/1/00 12:58:38 PM	bcontor			In Process
	11/1/00 1:33:37 PM	bcontor			In Process
	11/1/00 12:58:36 PM	bcontor			In Process
Source	11/1/00 12:58:32 PM	bcontor			In Process
Summary	11/1/00 1:36:18 PM		11/1/00 1:36:18 PM	bcontor	Complete
Use	11/1/00 1:32:18 PM	bcontor			In Process
	11/1/00 12:58:34 PM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector: OR
 Overall Max Diversion Rate: 0.12
 Overall Max Diversion Volume: 22.1
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	11/1/00 12:58:29 PM	bcontor	1. (YES) The basis is beneficial use.
POU	11/1/00 1:31:19 PM	bcontor	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: GIS less transfer 5693 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
Priority Date	11/1/00 12:58:22 PM	bcontor	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use. 9. (YES) The claim was for an expansion or enlargement under 42-1416B or

Quantity	11/1/00 1:35:41 PM	bcontor
Quantity	11/1/00 12:58:36 PM	bcontor
Season	11/1/00 1:33:36 PM	bcontor
Season	11/1/00 12:58:35 PM	bcontor
Source	11/1/00 12:58:31 PM	bcontor
Summary	11/1/00 1:36:17 PM	bcontor
Use	11/1/00 1:32:16 PM	bcontor
Use	11/1/00 12:58:33 PM	bcontor

42-1426.

10. (YES) The claim file contains sufficient evidence of priority date.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (YES) Priority condition was required.

1. (YES) The basis of claim is beneficial use.

5. (NO) A flow measurement was not required.

Comment for 5: Enlargement claim - Q will be limited to parent right.

6. (YES) The source is ground water and the purpose of use requires a diversion volume limit.

8. (YES) Irrigation is a purpose of use.

9. (YES) Quantity remark was required.

10. (NO) Quantity condition was not required.

1. (YES) The basis of claim is beneficial use.

1. (YES) The basis of claim is beneficial use.

4. (NO) There is not evidence that there has been a change to the period of use.

9. (YES) The file contains all the necessary information to verify the period of use.

11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.

13. (YES) Irrigation is the purposed use.

15. (NO) Period of Use remark was not required.

16. (NO) Period of Use condition was not required.

1. (YES) The basis of claim is beneficial use.

1. (YES) The basis is beneficial use.

1. (YES) The basis of the claim is beneficial use.

2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (NO) Additional condition was not required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (YES) The basis of claim is beneficial use.

4. (NO) There is not evidence that there has been a change to the purpose of use.

9. (YES) The file contains all the necessary information to verify the purpose of use.

11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

1. (YES) The basis of claim is beneficial use.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-11408
Date Received: 8/24/00
Receipt No:
Received By: *E026108*
Bac

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: DONNA S BYBEE Phone: (208)662-5526

Address: 2014 E 1800 N
TERRETON ID USA 83450

Name: ROBERT BYBEE Phone: (208)662-5526

Address: 2014 E 1800 N
TERRETON ID USA 83450

2. Date of Priority: 04/01/1987

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	35E	36	NE NW NW	JEFFERSON

5. Description of diverting works:

SOURCE IS GROUNDWATER. WELL TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.2	

7. Total Quantity Appropriated is:
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

A3111408



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	35E	25	SE	NW	IRRIGATION	34
			SW	NW	IRRIGATION	33
			NE	SW	IRRIGATION	35
			NW	SW	IRRIGATION	33
			SE	SW	IRRIGATION	7
					Section Acres	142
					Total Acres	142

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR AN ENLARGEMENT OF 10 ACRES OF LICENSE 31-07199. THIS RIGHT AND 31-07199 TOGETHER ARE CLAIMED FOR IRRIGATION OF 142 ACRES WITH 2.64 CFS.

CLAIMANTS OWN ALL OF WATER RIGHT AND 1/2 OF PLACE OF USE. OTHER HALF (WEST HALF) OF PLACE OF USE IS LEASED UNDER CONTRACT. CONTRACTS ADDRESS OWNERSHIP OF WATER RIGHT.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 photo

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Robert B. Byrue Date: 8-29-00

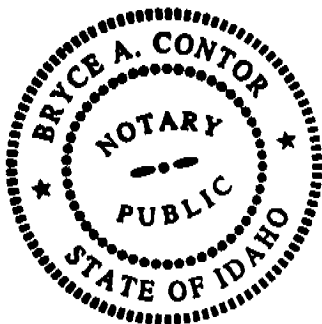
State of Idaho)
County of Bonneville) SS.

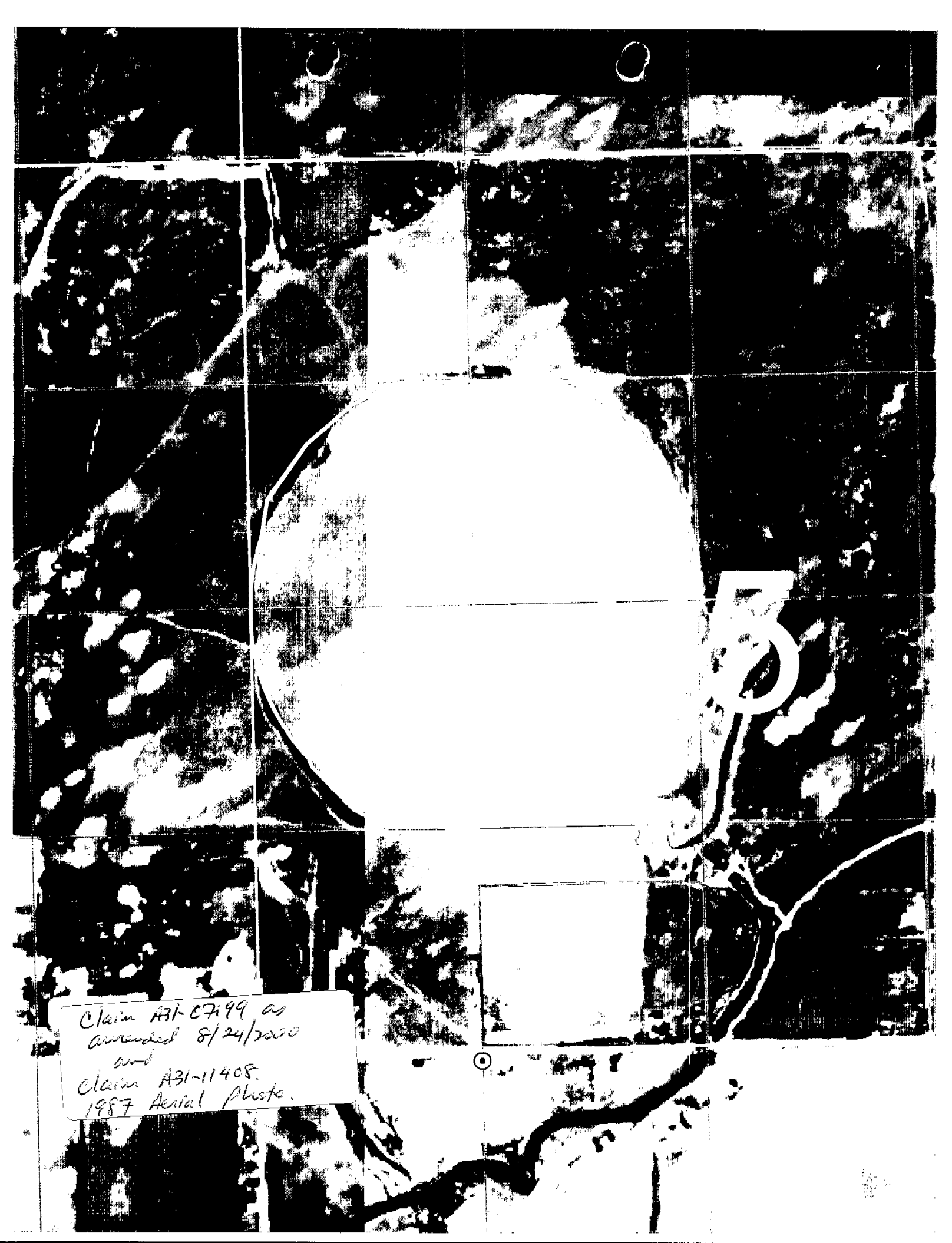
Subscribed and sworn (or affirmed) before me this 24th day
of August, 2000

Bryce A. Contor
Bryce A. Contor
Notary Public

Residing at Mud Lake, Idaho

My commission Expires October 14, 2000





Claim A31-07199 as
acquired 8/24/2000
and
Claim A31-11408.
1987 Aerial Photo.

Idaho Department of Water Resources

Water Right 31-11408, 31-11442

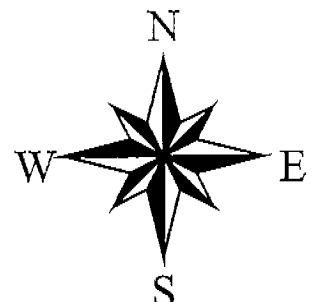
Township 7 North Range 36 East Section 25



0 700 Feet



-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines
-  Township Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000