RECEIVED
DEC 06 2007
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA	)	**Subcase 02-10169**
	)	
Case No. 39576	)	
	)	**STANDARD FORM 1 OBJECTION**
	)	
	)	

NAME AND ADDRESS OF PERSON OBJECTING

Name: Howard J. Field
Address: HC 85, Box 221
Grand View, ID 83624

Daytime Phone: 208-834-2132

Name & Address of Attorney, if any:

Josephine P. Beeman
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
(208) 331-0954 (fax)

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Howard J. Field
Address: 23608 Field Lane
Grand View, ID 83624-5054

I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**
2. ☐ **Source**
3. ☒ **Quantity** – See below.
4. ☐ **Priority Date**
5. ☐ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☒ **Place of Use** – See below.
10. ☒ **Other** – See below.
11. **I object because:**

    ☐ This water right should not exist.

    ☐ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

Recommendation 2-10169 is based on a split of claim 2-7357.

As recommended, 2-10167, 2-10169, 2-10171, and 2-10298 have the same 430.4 acre permissible place of use. Common to the objections to these 4 rights is the circumstance that when SRBA claim 2-53 was amended and at the same time SRBA claim 2-10298 was filed, this was done with the indication that SRBA claim 2-10009 should be withdrawn. When 2-10009 was recommended as 2-10171 and 2-10172, this created problems with the recommendations of 2-10167 (split from 2-53), 2-10169 (split from 2-7357), and 2-10298.

The elements, remarks, and conditions for 2-10169 should be recommended in accordance with claim 2-7357, amended claim 2-53, and claim 2-10298 (all attached).

VERIFICATION

State of Idaho)
) ss.
County of Ada)

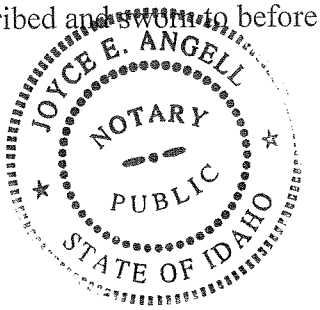
I, Josephine P. Beeman, being duly sworn, upon oath, depose and say:

That I am the attorney for the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6), and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Josephine P. Beeman

Josephine P. Beeman

Subscribed and sworn to before me on: December 5, 2007



Joyce E. Gell

Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: July 29, 2008

CERTIFICATE OF MAILING

I certify that on December 5, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

   Clerk of the District Court
   Snake River Basin Adjudication
   253 Third Avenue North
   P0 Box 2707
   Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

   Howard J. Field
   HC 85, Box 221
   Grand View, ID 83624

3. Copies to:

   IDWR Document Depository
   PO Box 83720
   Boise, ID 83720-0098

   Chief, Natural Resources Division
   Office of the Attorney General
   State of Idaho
   P. O. Box 44449
   Boise, ID 83711-4449

   United States Department of Justice
   Environment and Natural Resource Division
   550 West Fort Street, MSC 033
   Boise, ID 83724

Josephine P. Beeman

Josephine P. Beeman, Attorney

Form No. 42-1409(2) a 1/88 (Internet)

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 A02-00053
Date Received
Receipt Number

RECEIVED
JAN 04 2006
DEPARTMENT OF WATER RESOURCES

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) Howard J. Field Phone 208-834-2793
   Mailing Address Box 342
   Grand View, ID 83624
2. Date of Priority May 2, 1967
3. Source of water supply (a) Snake River
   Which is tributary to (b) Columbia River
4. a. Location of point of diversion is: Township 05S Range 04E Section 34,
   NW ¼ of SW ¼, Govt. Lot 10, B.M., County of OWYHEE.
   Point of diversion is on line dividing T05S, R04E, S33, and S 34.
   Additional points of diversion if any:

   b. If instream flow, beginning point of claimed instream flow is:
   Township _____ Range _____ Section _____, _____ ¼ of _____ ¼ of _____ ¼, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 03/15 to 10/31 amount 5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5 cfs and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
05S	03E	23										6	39	17					62*
05S	03E	26		16	10		40	38	37	40	38	29	6	18		4	2		278*
				+3	+2								+3	+3		+4	+2		17***
05S	03E	23										24.5		11.5					36**
05S	03E	26		15	25									4		15			59**

Total number of acres irrigated 340

*These 340 acres are a PPU for 245 irrigated acres. ** These 95 acres are adjacent to, but outside the 340 acre PPU.

*** These 17 acres in Section 26, T5S, R3E, not listed in original claim, are represented in the 278 acre figure.

11. In which county (ies) are lands listed above as place of use located? OWYHEE

12. Do you own the property listed above as place of use? Yes
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
See remarks _____ or None (____)

14. Remarks: Other Rts: Sources outside Basin. 12/06/1966 Agreement.
This amended claim 02-00053 (1967 priority) for 3 cfs and a new 1959 priority claim for 2 cfs together provide 350 inches for irrigation of 340 acres. 245 acres are located within a 340 permissible place of use in common with the place of use for license 02-7357 (1981 priority). The other 95 acres are adjacent to, but not part of the 340 acre place of use for license 02-7357.

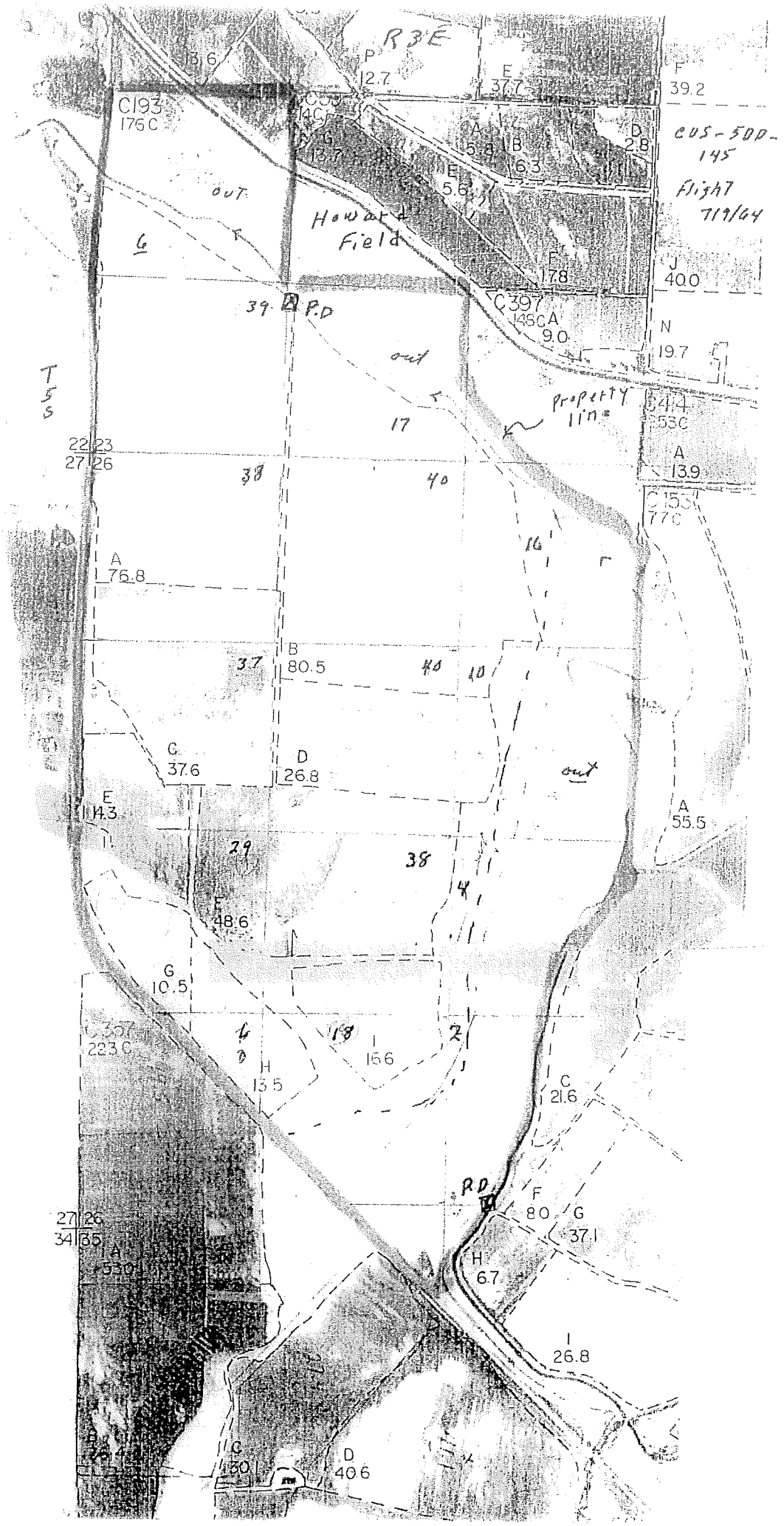
Last Name _____Field_____ Ident. Number A02-00053

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile.

(Insert Grid for Map of Project from Original Claim Form

Please refer to attached map from page 5 of the electronic IDWR license file 02-7357 for the location of the 340 acre permissible place of use. This same map can then be used to locate the 95 acres that are not within the 340 acre PPU.


R3E
T5S
Howard Field
COS-500D-145
Flight 7/9/64
Property line
C193
176C
C397
148C
C153
77C
C307
223C
C214
53C
C330
P.D
out

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

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

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date 1-3-06

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____
Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 3rd day of January 20 06

JOYCE E. ANGELL NOTARY PUBLIC STATE OF IDAHO SEAL

Notary Public Joyce E. Angell

Residing at Boise Idaho

My Commission Expires 7-29-2008

17. Notice of Appearance:

Notice is hereby given that I, _____ (Please Print Name) will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Field _____ Ident. Number A02-00053

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: A02-07357
Date Received: 12/07/1988
Receipt No: C003791
Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: HOWARD J. FIELD 208-834-2793
   Address: BOX 342
   GRAND VIEW, ID 83624

2. Date of Priority: JUL 15, 1981

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	Lot	County
05S	04E	34	NW	SW	10	OWYHEE

5. Description of diverting works:
   IDAHO POWER DAM AT C.J. STRIKE DAM, RELIFT MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.800		1700.00

7. Total Quantity Appropriated is:
   6.800 C.F.S. (and/or) 1700.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	23	NW	SW		IRR	6.0
			SW	SW		IRR	39.0
			SE	SW		IRR	17.0
					Section Acres		62.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	26	NW	NE		IRR	16.0
			SW	NE		IRR	10.0
			NE	NW		IRR	40.0
			NW	NW		IRR	38.0
			SW	NW		IRR	37.0
			SE	NW		IRR	40.0
			NE	SW		IRR	38.0
			NW	SW		IRR	29.0
			SW	SW		IRR	6.0
			SE	SW		IRR	18.0
			NW	SE		IRR	4.0
			SW	SE		IRR	2.0
						Section Acres	278.0
						Total Acres	340.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:
THIS RT. WHEN COMBINED WITH RT. 02-0053 SHALL PROVIDE NO MORE THAN A TOTAL DIVERSION OF 6.8 CFS NOR MORE THAN 0.02 CFS/AC FOR THE LANDS ABOVE.
WATER SHALL NOT BE DIVERTED UNDER THIS LICENSE UNLESS THE FLOW OF THE SNAKE RIVER AT THE U.S. GEOLOGICAL SURVEY STREAM GAGING STATION AT MURPHY EXCEEDS 3300 CFS AND AT WEISER EXCEEDS 4750 CFS.

15. Basis of Claim: LICENSE

5. 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: _____

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): Howard Field Date: Dec 7, 1988

_____ Date: _____

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 7th day of December 19 88

Helen Harrington
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires Dec. 1, 1994

Claim 02-10298

The attached original claim was filed without a number but was later assigned 02-10298

Form No. 42-1409(2) a 1/88 (Internet)

COPY

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JAN 04 2006
DEPARTMENT OF WATER RESOURCES

Please type or print clearly

1. Name of Claimant(s) Howard J. Field Phone 208-834-2793

   Mailing Address Box 342

   City, State, Zip Grand View, ID 83624

2. Date of Priority : April 15, 1959

3. Source of water supply (a) Snake River
   Which is tributary to (b) Columbia River

   a. Location of point of diversion is: Township 05S Range 04E Section 34,

   NW ¼ of SW ¼, Govt. Lot 10, B.M., County of OWYHEE.

   Point of diversion is on line dividing T05S, R04E, S33, and S 34.

   Additional points of diversion if any:

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____ Range _____ Section _____, _____ ¼ of _____ ¼ of _____ ¼, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 03/15 to 10/31 amount 2 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2 cfs and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
05S	03E	23										6	39	17					62*
05S	03E	26		16	10		40	38	37	40	38	29	6	18		4	2		278*
05S	03E	23										24.5		11.5					36**
05S	03E	26		15	25									4		15			59**

Total number of acres irrigated 340

*These 340 acres are a PPU for 245 irrigated acres. ** These 95 acres are adjacent to, but outside the 340 acre PPU.

11. In which county (ies) are lands listed above as place of use located? OWYHEE

12. Do you own the property listed above as place of use? Yes
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
See remarks _____ or None (____)

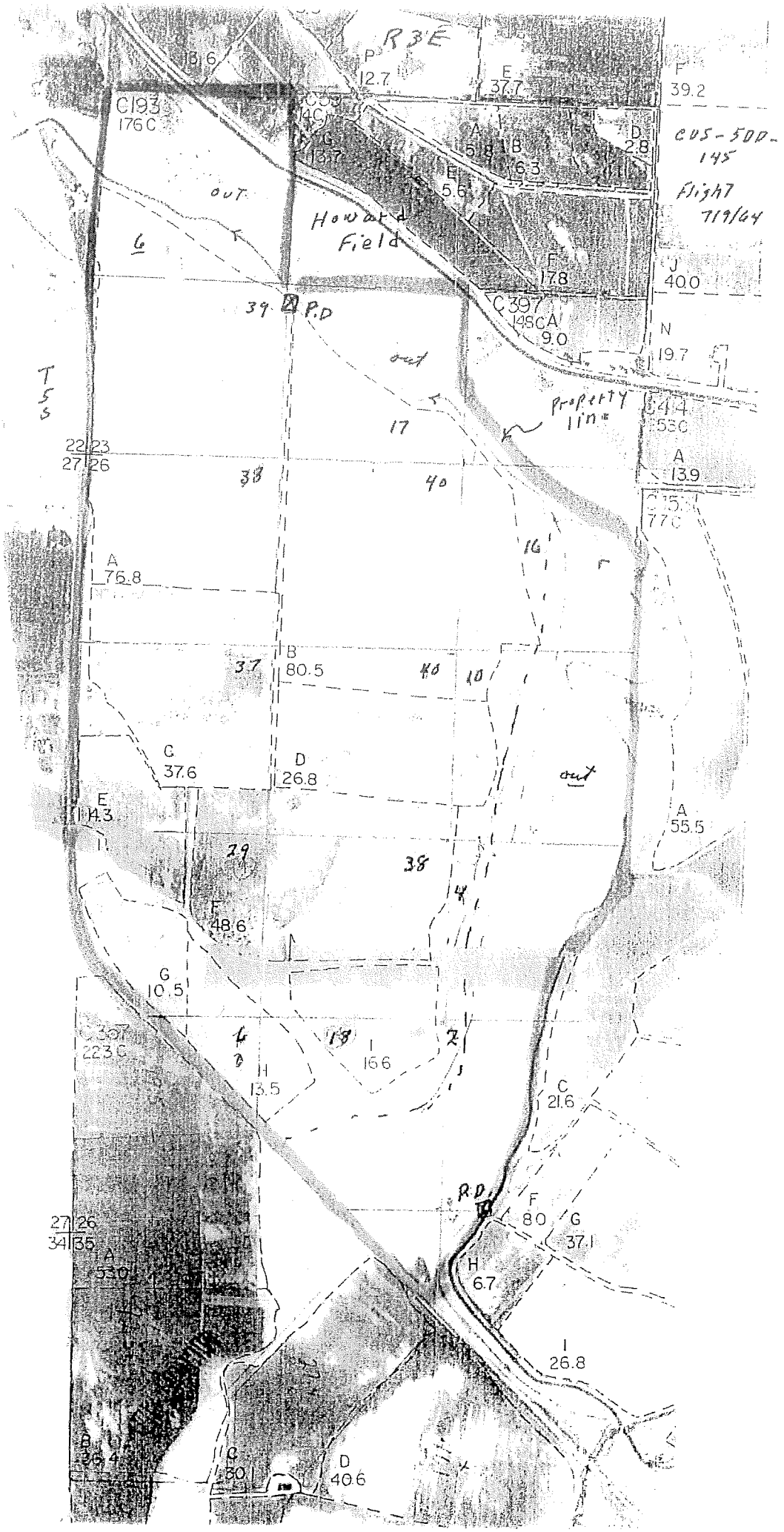
14. Remarks: This 1959 priority claim for 2 cfs and amended claim 02-00053 (1967 priority) for 3 cfs together provide 350 inches for irrigation of 340 acres. 245 acres are located within a 340 permissible place of use in common with the place of use for license 02-7357 (1981 priority). The other 95 acres are adjacent to, but not part of the 340 acre place of use for license 02-7357.

Last Name _____ Field _____ Ident. Number _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.
Scale: 2 inches equals 1 mile.

(Insert Grid for Map of Project from Original Claim Form)

Please refer to attached map from page 5 of the electronic IDWR license file 02-7357 for the location of the 340 acre permissible place of use. This same map can then be used to locate the 95 acres that are not within the 340 acre PPU.


R3E
T5S
C193
176C
18.6
P
12.7
E
37.7
F
39.2
G
13.7
A
5.8
B
6.3
D
2.8
E
5.6
CUS-500-145
Flight 7/9/64
out
Howard Field
6
F
17.8
J
40.0
39
P.D
C397
148C
A
9.0
N
19.7
out
Property line
17
22 23
27 26
38
40
A
13.9
16
A
76.8
B
80.5
37
40
10
C
37.6
D
26.8
out
E
14.3
A
55.5
29
38
4
F
48.6
G
10.5
6
18
I
16.6
2
H
13.5
C
21.6
R.D.
F
8.0
G
37.1
27 26
34 35
A
53.0
H
6.7
I
26.8
B
36.4
C
30.1
D
40.6

5-9-69

073
577-253
9-6-77

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

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

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) [signature] Date 1/3/06

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____
Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 3rd day of January 20 06

JOYCE E. ANGELL NOTARY PUBLIC STATE OF IDAHO SEAL

Notary Public Joyce E. Angell

Residing at Boise Idaho

My Commission Expires 7-29-2008

17. Notice of Appearance:

Please Print Name

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____Field_____ Ident. Number _____

SUMMARY STATEMENT
HOWARD FIELD'S APRIL 15, 1959 PRIORITY CLAIM

Howard Field owns property in Section 23 and 26, Township 5 South, Range 3 East, which has Snake River water rights delivered through a carriage contract with the Grand View Mutual Canal Company. The water used by Mr. Field and delivered by the Grand View Mutual Canal Company is Snake River water which Idaho Power Company delivers through the C. J. Strike Dam. The Idaho Power Canal is the canal that delivers water into the Grand View Mutual Canal. When the C. J. Strike Dam was constructed by the Idaho Power Company, certain diversions from the Snake River and tributaries of the Snake River had to be moved because of inundation from C. J. Strike Reservoir. Consequently, IPCo entered into contracts over a period of years with individuals to deliver their Snake River water rights through the C. J. Strike Dam.

This 1959 priority claim for 2 cfs (100 inches) is one of three SRBA claims for Mr. Field's Snake River water rights which are delivered through a carriage contract with the Grand View Mutual Canal Company. The three claims are for a total of 455 inches for the irrigation of 435 acres: amended claim 02-00053[1], this 1959 claim, and claim 02-7357. The three claims reflect the status of Mr. Field's land ownership in December 1988 when he originally filed 3 SRBA claims for irrigation of the 435 acres. Claim 02-10009 originally filed in December 1988 is to be withdrawn.

The origin of the 455 inches delivered to Mr. Field was examined by IWR in the early 1980's, and Mr. Field does not dispute those investigations. They are discussed here for background purposes.

In the early 1980's, IDWR made an extensive review of flow records at the C.J. Strike Power Plant, contracts between Idaho Power Company (IPCo) and Snake River water users whose rights are delivered through the C. J. Strike Dam, and information from Kay Garsja who, for many years, was the secretary for the Grand View Mutual Canal Company and the Grand View Irrigation District. Based on those IDWR investigations, Howard Field's 455 inches delivered through the Grand View Mutual Canal Company are based upon 455 inches for Shoofly Grazing, dating from a 1952 Agreement. IDWR also examined eight different contracts from 1952 through 1966 regarding Idaho Power Canal water deliveries. At the time of these IDWR investigations, the calculations of the individual rights delivered through the Grand View Mutual Canal, in addition to the water rights that the Grand View Mutual Canal Company holds, were less than the consistent flows from C. J. Strike Dam through IPCo's canal to the Grand View Mutual Canal during the years 1963 to 1981.

---

[1] Amended Claim 02-00053 now has remarks stating its combined use with the 1959 claim; it also shows the addition of 17 acres to more accurately reflect historical irrigated acreage. Both the 1959 claim and amended claim 02-00053 limit irrigation to 340 acres, 95 of which are an accomplished transfer, and the remaining 245 acres have a common 340 acre permissible place of use (PPU). The 340 acre PPU is also the place of use for claim 02-7357.

The purpose of this summary is to establish that 100 inches of the 455 inches has a priority date of April 15, 1959. 250 inches of the 455 inches are already claimed and have a preliminary recommendation from IDWR based SRBA claim A02-00053 which has a priority of May 2, 1967. The third claim is based on a 1981 license, SRBA claim 02-7357.

The use of 100 inches (2 cfs) from the Snake River delivered through the system of the Grand View Mutual Canal for irrigation on land now owned by Howard Field, dates from Desert Land Entries (DLE) by Verlin Roberts and Ellen M. Roberts, husband and wife.

There were additional Snake River rights (of the Grand View Mutual Canal Company) and ground water rights (of the Roberts) and additional lands involved with the Roberts DLE entries. This summary focuses on 100 inches of Snake River water (not owned by, but delivered by the Grand View Mutual Canal Company) used on the land now owned by Mr. Field.

Copies of the National Archive documents for the DLE entries are attached and confirm that land now owned by Howard Field (and within the 340 acre permissible place of use on the 1959 and 1957 SRBA claims) began to be irrigated April 15, 1959: 123 acres in the SW quarter of Section 26 and 150 acres in the NW quarter of Section 26.

Copies of 1964, 1969, and 1977 aerial photos are attached to show continued irrigation of lands in the SW quarter and NW quarter of Section 26 (first associated with the Roberts DLE entries) as well as continued irrigation of the 340 acre permissible place of use listed on this claim and amended claim 02-00053. Based on the rainfall in this part of Owyhee County, tilled land is presumed to be irrigated land.

The combination of these 100 inches of Snake River water (1959 priority) and the 250 inches of Snake River water from 02-00053 (1967 priority) together provided 350 inches of Snake River water, delivered through the Grand View Mutual Canal Company system, for irrigation of 340 acres, now listed as the permissible place of use for both claims. 95 of the original 340 acres are now claimed on adjacent lands through an accomplished transfer in 1982; the remaining 245 acres are used within the 340 acre permissible place of use. License 02-7357, issued in 1981, is for the 340 acres historically irrigated with only the 1959 and 1967 priority claims, and thus overlaps with these earlier priority claims.

IDWR aerial photograph confirms the irrigation of all 435 acres prior to the commencement of the SRBA in November 1987.