

05/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-63
NAME AND ADDRESS: CELIA C DRAPER
24964 DRAPER LN
GRAND VIEW ID 83624-5034

CHARLES RAYMOND DRAPER
24964 DRAPER LN
GRAND VIEW ID 83624-5034

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.080 CFS

The rights listed below are limited to a total combined diversion rate of 14.55 cfs.
Combined Right Nos.: 02-02083, 02-02084, 02-02176A, 02-02176B, 02-04027, 02-02271, 02-02272, 02-02405A, 02-02405B, 02-07032, 02-00063, 2-10313.

PRIORITY DATE: 03/15/1970

POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.080 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R03E S27	NENE 3.00	T05S R03E S27	NWNE 1.00
---------------	-----------	---------------	-----------

4 ACRES TOTAL

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are diverted through point of diversion described above:
02-02083, 02-02084, 02-02176A, 02-02176B, 02-04027, 02-02271, 02-02272, 02-02405A, 02-02405B, 02-07032, 02-00063, 2-10313.

Idaho Department of Water Resources



Claim Number: 02-00063

Legal: T05S, R04E, S34 &
T05S, R03E, S27

Reviewed By: JLD 7/20/05

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-00063

Date: 7-22-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	5S	3E	27	3	1															4
GIS				16	4															20
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 3 (mapped one)
Sec. 34

Total Claimed Acres: 4

Overlapping FOU Claim #'s:

02-07032 A

Total GIS Acres: 20

COMMENTS:

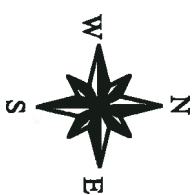
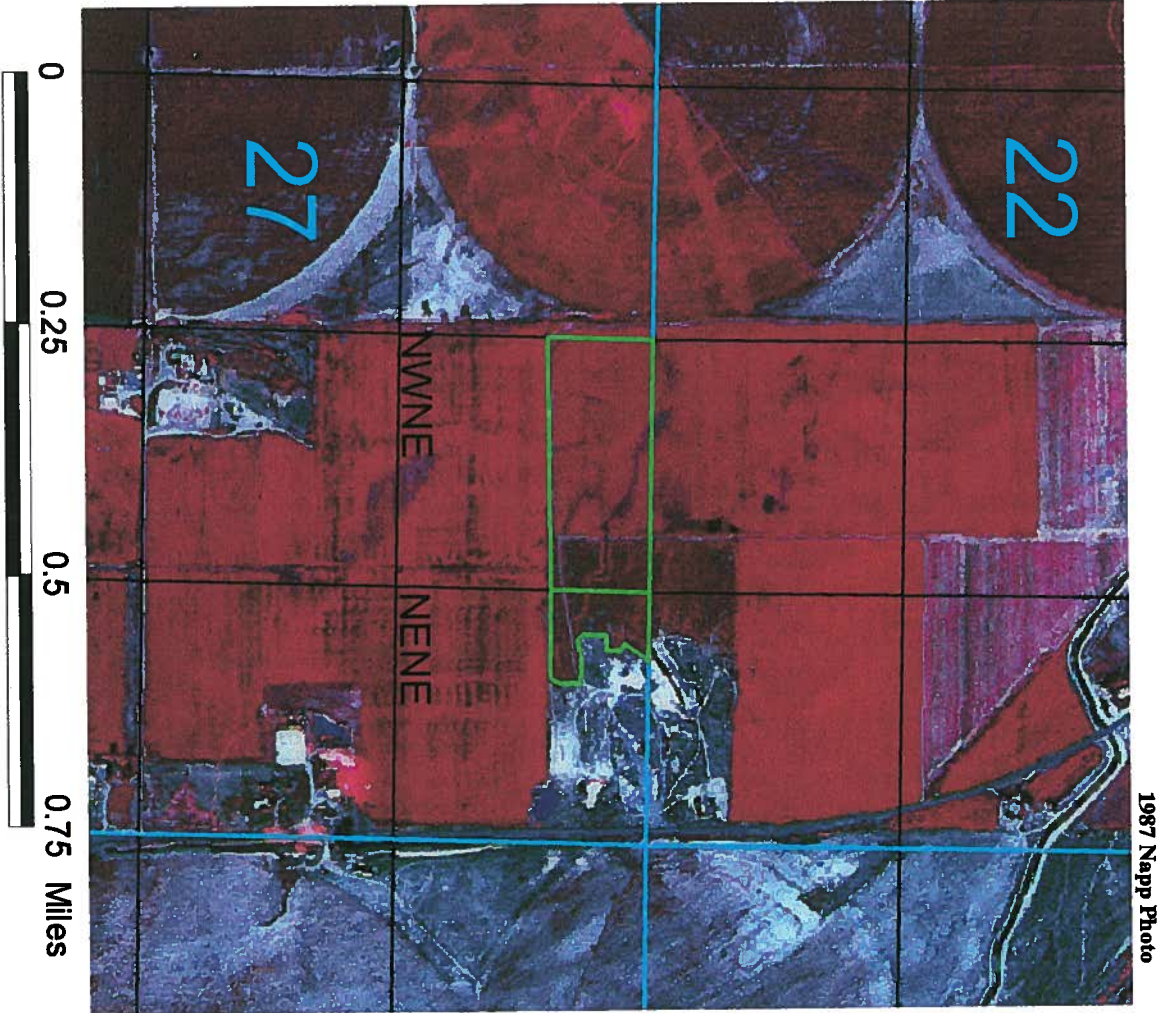
No County data available. Per claim map & overlapping claim.

POD: I mapped POD in section 34 as it was the only one on the source.

Idaho Department of Water Resources

Claim Number: 02-00063
Legal: T05S, R03E, S27
Reviewed By:

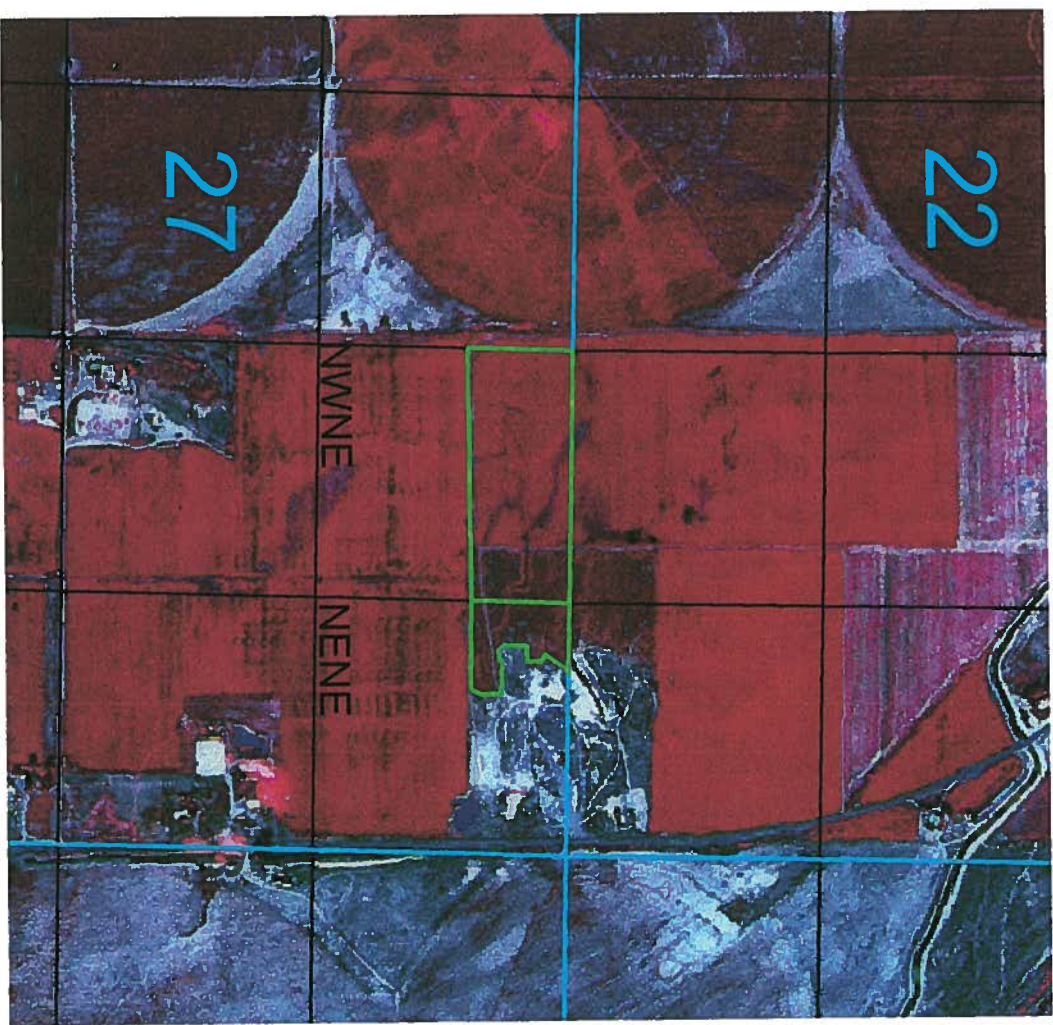
-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



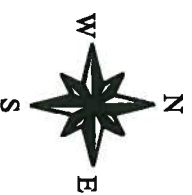
Idaho Department of Water Resources

Claim Number: 02-00063
Legal: T05S, R03E, S27
Reviewed By:

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



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: A02-00063
Date Received: 4/04/1989
Receipt No: W002530
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES RAYMOND DRAPER 208-834-2245
Address: HC 85 BOX 321
GRANDVIEW, ID 83624
OR
Name: CELIA DRAPER 208-834-2245
Address: HC 85 BOX 321
GRANDVIEW, ID 83624

2. Date of Priority: MAR 15, 1970

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	03E	22		NW	SE		OWYHEE
	04E	33		SE	SW		OWYHEE
		34		NW	SW	10	OWYHEE

5. Description of diverting works:
2 PUMPS, PIPELINE & CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		18.00

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 18.00 A.F.A.

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A02-00063

Page 1

Date: 04/12/89

MICROFILMED

AUG 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	27	NE	NE		IRR	3.0
			NW	NE		IRR	1.0
						Section Acres	4.0
						Total Acres	4.0

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:

57-2264,2274,2234,2324,2224, 02-2271,7032 (A & B).

14. Remarks:

THIS RT. WHEN COMBINED WITH RTS. 02-2083, 02-2084, 02-2176A,
02-2176B, 02-4027, 02-2271, 02-2272, 02-2405A, 02-2405B &
02-7032B SHALL NOT EXCEED 14.55 CFS.

15. Basis of Claim: LICENSE

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A02-00063
Date Received 4-5-89
Receipt Number W002530

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Charles Raymond or Celia Draper Phone (208) 834-2245

Mailing Address HC 85, Box 321, Grand View, Idaho Zip 83624

2. Date of Priority (Only one (1) per claim) 3/15/70

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

4. a. Location of existing point of diversion is: Township 5S Range 4E Section 34,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, 10 B.M., County of Owyhee

Additional points of diversion if any: NW/4 SE/4, Sec. 22, T5S, R3E. SE/4 SW/4, Sec. 33, T5S, R4E.

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

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

1/4, 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. Short coupled turbine pumps of the Grandview
Mutual Canal Company; Grandview Mutual Canal; 100 HP relift pump from the canal in the
NW/4 SE/4, Sec. 22, T3S, R5E. Water is then distributed through steel mainline, sprinkler
system and on some lands through concrete lined ditches.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .08 or 18

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) 18 (acre feet)

8. Total consumptive use claimed is 14 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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 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	
5S	3E	27	3	1															4

Total number of acres irrigated 4

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 X No _____

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.

57-2264; 57-2274; 57-2234; 57-2324; 57-2224; 02-2271; 02-7032 (A & B) or None ()

14. Remarks:

None

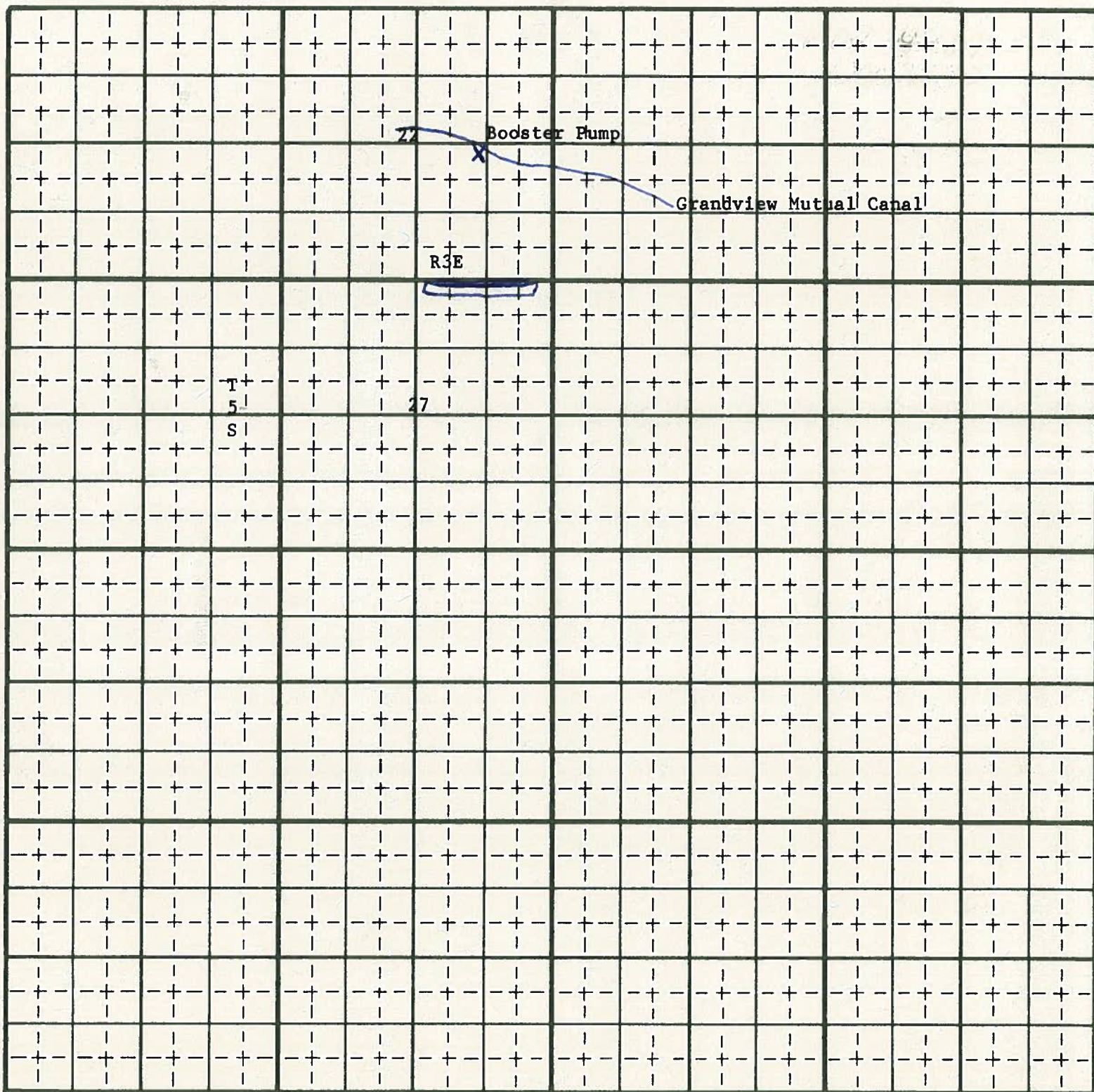
Last Name Draper Ident No. _____

Copies: White -State, Yellow-Claimant

Microfilmed
Aug 07, 1992

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

Scale: 2 inches equals 1 mile



NOTE: PD is on Snake River several miles off map

Last Name Draper Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 07 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 02-0063
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 receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

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

Signature of Claimant (s) Charles Raymond Draper Date Mar 30, 1989
Olivia Draper Date Mar 30, 1989

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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30 day of March 19 89

Notary Public Sheri L. Chapman

Residing at 451 W. Willowbrook, Meridian, ID

My Commission Expires June 14, 1994

Please Print Name Sheri Chapman

17. Notice of Appearance:

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 Draper Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant

AUG 07 1992

Water Right Number - A02-00063

Adj. Flag Translation:	Adjudication Temporary Work Area	Old (D) Number -

[illegible]

*** C - CURRENT OWNER ***
BYBEE

ॐ

1 - P.O. BOX 72
2 - -
3 - -

State- ID Zip- 83624

+ - - Priority Date	- - +
03/15/1970	
+ - - Region	- - +
+ - - Stage	- - +
J - BENEFICIAL USE	
+ - - Status	- - +

```

+ - - - - Source - - - - - +
- - - - - SNAKE RIVER
+ - - - - Tributary - - - - - +
- - - - - COLUMBIA RIVER

```

Town	Rng	Sec	Tract	Lot	RFlg	Point of Diversion	County

05S 04E 34 NW SW 10 (73) OWYHEE

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/15	10/31	0.080	

	+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +
			0.080			

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
05S	03E	27	NE NE		3.0	01	IRRIGATION	(73) OWYHEE
05S	03E	27	NW NE		1.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 4.0

4 - - Diversion Means - 2 PUMPS, PIPELINE & CANAL.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

THIS RT. WHEN COMBINED WITH RTS. 02-2083, 02-2084, 02-2176A,
02-2176B, 02-4027, 02-2271, 02-2272, 02-2405A, 02-2405B &
02-7032B SHALL NOT EXCEED 14.55 CFS.

----- Conditions of Approval ----- +
 No Conditions of Approval found.

MICROFILMED
AUG 07 1992

Adj. flag translation: Adjudication Temporary Work Area

+ - Decree Date - +
00/00/0000

+ - - Audit Fields -

	+-----+-----+-----+-----+-----+
	Water Rights Dates and Flags Area
	+-----+-----+-----+-----+-----+

Proof Due Date	- 00/00/0000
Approved/Denied	- 00/00/0000
Proof Made Date	- 00/00/0000
Start Work Date	- 00/00/0000
Order Show Cause	- 00/00/0000
Licensed Date	- 00/00/0000
Decree Date	- 00/00/0000

Field Exam Made	-	00/00/00000
Protested Date	-	00/00/00000
Hearing Date	-	00/00/00000
Verified Date	-	00/00/00000
Receipt Number	-	
Appl Received	-	00/00/00000

Field Exam Fee -
Swan Falls - P
Temporary Right - 02
DLE/Carey Act -
Water District -
Transfer/Amended -

AUG 07 1992

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Draper

CLAIM IDENT. NO.

A02-00063

DATE RECEIVED

4-4-89

CK #

13445

AMOUNT \$

200 (850)

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ N/A ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ N/A ☐ *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ N/A ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ N/A ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ N/A ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ N/A ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Exempt ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ N/A ☐ *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ *

Claim checked by: [Signature]

Date: 4/5/89

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by: [Signature]

Claim data entered by: [Signature]

Sent to claimant by: [Signature]

Date: 4/5/89

Date: [Signature]

Checked by: [Signature]

Date: [Signature]

Comments: Acres paid for under A57-02274.

MICROFILMED

AUG 07 1992

11. to - data entered on claim under the same number as the claimant's claim.

Phonetic S. Chapman on 4/5/89 - he stated verbal approval was given to him by Dave Shaw to submit the claims on this extension later than 2/15/89.

Form 42-1409(10)-1
5/88

Date Received 1/17/89 ALK-H

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Charles Raymond Draper
Name of Claimant

HC 85 Box 321 Grandview ID. 83624
Post Office Address

Approved

RECEIVED
JAN 18 1989

City, State, Zip Code

Department of Water Resources
Western Regional Office

Owyhee
County(s) where Place of Use is located

Jan 19 1989
Date Claim Originally Due

Snake River main stem
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Determined that the Bybee Canal Co is not
filing in behalf of claimant for water rights
carried in Bybee Canal

Claimant requests an extension to Feb. 15, 1989.

Charles Raymond Draper
Signature

Title

=====

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,
and the filing deadline extended to 2/15, 1989.

Signed this 18 day of January, 1989.

David B. Shaw
Director or his designated agent
DAVID B. SHAW
MICROFILMED
AUG 07 1992

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Snake River from Base of Miller Dam
to Oregon Border DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-0063</u>	I.D. No.	Map No.
<u>\$45.00</u>	Fees Paid	<u>#19510</u>
		Receipt No.

Notice is hereby given that D. O. Bybee (Name of Claimant)

P.O. Box 72, Grandview, Idaho 83624 Telephone No. _____
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) _____

March 28, 1969 3/15/1970

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to COLUMBIA RIVER

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

Quantity .08 c.f.s. Use Irrigation Period of Use From Mar. 1/3/5 To Oct. 31 10/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .08 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 Sec. 33-3A, Twp. 5S, Rge. 4E, B.M., Owyhee 13 County _____
Additional Points: SCI: 2720(1) 498.1

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

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	27	<u>3</u>	<u>1</u>	<u>4</u>	<u>0</u>													<u>33.0</u> <u>15.4</u>

Total no. of acres 433.0

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
OTHER RIGHTS: SOURCES OUTSIDE BASIN.

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks MAXIMUM DIVERSION UNDER THIS RIGHT WHEN COMBINED WITH 02-2083, 02-2084, 02-2176A1B, 02-4027, 02-2271, 02-2272, 02-2405A1B, 02-7032.B SHALL NOT EXCEED 14.55 CFS.

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

KEYPUNCHED
4-7-82 ajf

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 1, 1981
(Date)

State of Idaho ss. _____
County of Ada Seal _____

Individual X D. O. Bybee
(Signature of Claimant)

Organization X Thelma C Bybee
(Signature of Spouse)

(Signature of Authorized Agent)

On this 1st day of July, in the year 1981 before me
a notary public, personally appeared D.O. Bybee and Thelma C. Bybee

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

January 22, 1983

Notary Public residing at _____

Boise, Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RS

Date 3/10/82

Right No. 02-0063

Claimant BYBEE

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 02-7032

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☐ Yes ☒ No SEE 7/23/81 MEMO Date _____

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. GRAND VIEW, 1977 U-2, 1980 U-2, 2493-77-1340, 2422-80-152

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

MICROFILMED

M E M O R A N D U M

DATE: 3/5/82

TO: File 02-7032B

FROM: Don Shaff *DS*

SUBJECT: Review and Analysis

P The water license for this water right and a property description provided by the claimant to 02-7032A was used in making a recommendation for this water right. Although the claimant filed on a smaller amount of water in irrigated land, a review of the available photographs showed more land was irrigated than was claimed. Any extra land not covered by the previous license was recommended on 02-0063 that was claimed by Bybee. The land in Sec. 27 was licensed at a full miners inch per acre. The recommendation contained with this claim reflects the licensed amount per acre. The report of the examiner indicated a diversion capacity from the Bybee canal for this land of 3.7 cfs. This diversion capacity was more than adequate to recommend ~~4~~ 4 miners inch ^{es} per acre for the water right claimed as 02-0063.

The priority date claimed for 02-0063 corresponded to the priority date on the license. The field exam for the license was done in May of 1969. At that time fewer acres were found than is claimed when totalling 02-7032B and 02-0063. As a result the priority date recommended was advanced to 3/15/1970. The 1974 orthophotoquad shows the land was irrigated at that time.

The diversion points claimed for both the licensed water right and the beneficial use right was at a point on the Idaho Power Canal where Mr. Bybee's pumps are located rather than at the inlet to the Idaho Power Canal at C. J. Strike Dam.

The period of use recommended is consistent with the 1952 Idaho Power Agreement.

✓ cc: 02-0063

MICROFILMED
AUG 10 1994

TO: 02-0063

1/23/81

FROM: D. SHAFF

I BELIEVE A FIELD EXAM FOR THIS RIGHT IS
UNNECESSARY. THE CAPACITY OF THIS PUMP
WAS 3.7^(3.06) CFS IN 1969 WHEN THE PROOF EXAM
WAS DONE FOR 02-7032. ~~3~~ THIS AMT FOR
THE LICENSE ADDED TO THE AMT. CLAIMED
HERE ^(.66) ~~DOES NOT~~ EXCEEDS 3.7^{BY .02 CFS.} CFS. I AM
SUSPICIOUS OF THE PRIORITY DATE BECAUSE
IT COINCIDES WITH THE LICENSE.
MEASUREMENT TAKEN AT FIELD RELIFT PUMP;
NOT AT DIVERSION FROM RIVER.

MICROFILMED

AUG 10 1994

June 18, 1981

Mervin J. Christensen
1803 Larch Street
Boise, Idaho 83706

Department of Water Resources
Western Regional Office
92 S. Cole Rd.
Boise, Idaho 83704
Attn: Don Schaff

RE: Request for Extension
D. O. Bybee

Dear Mr. Schaff:

Would you please grant me a two week extension to July 6, enabling me to complete the D. O. Bybee water claim rights on the Snake River.

Respectfully yours,



Mervin J. Christensen

MJC/ek

RECEIVED
JUN 18 1981

Department of Water Resources
Western Regional Office

MICROFILMED
AUG 10 1994

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF Snake River from ~~Basin~~ Dam to Oregon Border DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

02-0063

I.D. No.

Map No.

\$45.00

#19510

Fee Paid

Receipt No.

Notice is hereby given that D. O. Bybee (Name of Claimant)
Box 72, Grandview, Idaho 83624 Telephone No. _____
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) March 28, 1969

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 0.66 c.f.s. Use _____ Period of Use From Mar. 1 To Oct. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) _____ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 5 ¼ _____ ¼
Sec. 33 , Twp. 5S , Rge. 4E , B.M., Owyhee County
Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 2 Pumps, Pipeline & Canal

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	27	13	11	11	8													33.8

Total no. of acres 33.8

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

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks _____

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual D. O. Bybee (Signature of Claimant)
(Date) _____
Organization _____ (Signature of Spouse)
State of Idaho Organization _____
County of Blaine ss. Seal _____ (Signature of Authorized Agent)

On this 1st day of July, in the year 1981 before me
a notary public, personally appeared D. O. Bybee and Thelma C. Bybee
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.
commission expires January 21, 1983 Notary Public residing at _____