

Idaho Department of Water Resources



0 1 2 3 4 5 Miles

Claim Number: 02-02405A
Legal: T05S, R04E, S31 & S34,
T05S, R03E, S36 &
T06S, R04E, S5 & S6
Reviewed By: JLD 6/8/05

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



06/08/2005

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

RIGHT NUMBER: 2-2405A

NAME AND ADDRESS: J TERRY FIELD
38167 STATE HIGHWAY 78
GRAND VIEW ID 83624-5039

LESLIE A FIELD
38167 STATE HIGHWAY 78
GRAND VIEW ID 83624-5039

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.760 CFS
855.300 AFY

Right Nos. 02-02176A and 02-02405A are limited to a total combined diversion rate of 4.65 cfs and to a total combined annual diversion volume of 1116 AF.

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, 02-07032B, & 02-00063.

PRIORITY DATE: 05/18/1967

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 11/15	1.760 CFS 855.30 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R03E S36	NESW	5.0	T05S R03E S36	NWSW	13.0
T05S R04E S31	SWSE	27.0	T05S R04E S31	SESE	26.0
T06S R04E S05	SWNE	18.0	T06S R04E S05	SENE	26.0
T06S R04E S06 Lot 1	NENE	21.0	T06S R04E S06 Lot 2	NWNE	27.0
T06S R04E S06 Lot 3	NENW	37.0	T06S R04E S06 Lot 4	NWNW	48.0

248 ACRES TOTAL

Right Nos. 02-02176A and 02-02405A are limited to the irrigation of a combined total of 248 acres in a single irrigation season.

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: License

06/08/2005

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

This right is a split from former right 02-02405.

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, 02-07032B, & 02-00063.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-02405A

Priority: May 18, 1967

Maximum Diversion Rate: 1.76 CFS

Maximum Diversion Volume: 855.3 AF

This is to certify, that LESLIE A FIELD
J TERRY FIELD

RT B BOX 332

GRAND VIEW ID 83624

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 18, 1967; and has submitted Proof of Beneficial Use on April 30, 1974. An examination indicates that the works have a diversion capacity of 14.550 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.76 CFS	855.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 10(NWSW), Sec. 34, Township 05S, Range 04E
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>
05S	03E	36	NESW 5	NWSW 13		18
	04E	31	SWSE 27	SESE 26		53
06S	04E	5	SWNE 18	SENE 26		44
		6	Lot 1(NENE) 21	Lot 2(NWNE) 27	Lot 3(NENW) 37	
			Lot 4(NWNW) 48			133

Total number of acres irrigated: 248

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

FEB 22 1994

State of Idaho
Department of Water Resources

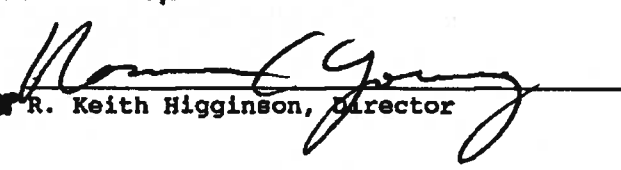
WATER RIGHT LICENSE

WATER RIGHT NO. 02-02405A

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Rights
02-02083, 02-02084, 02-02176A & B, 02-04027, 02-02271, 02-02272
02-02405B, 02-07032B & 02-00063 shall not exceed 14.55 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15th
day of FEBRUARY, 1994.

Acting for  R. Keith Higginson, Director

RECORDED
FEB 22 1994

② 2-2372, 2-2405 Licensed
 first licenses 2-2083, 2-2084 (LDS, 10 years)
 - license was issued or not completed
 - fixed to 1st of 1930 and 50 ac

2-2176
 - used, LDS, 10 years
 - good soil, 10 years
 - land doesn't consider 2083, 2084
 - > 1/2 acre across 4/10 in
 - from by transfer to other lands
 - < 1st ac

2-2405 (LDS)
 to supplement 2176
 - on field land OK but maybe consider on 2-23, 2084
 - more (LDS, 10 years) on 10 years
 - assigned to 10 years, fixed 11/4/87

2-2380 (LDS)
 - same as 2-2176, same as 11 (LDS, 10 years)
 ① 2-2176 (LDS)
 - same as 2-2176, same as 11 (LDS, 10 years)

Water rights 10198 + 10201

		10198	10201	
5S 3E 36	NW NE	15		
	SW NE	34		
	SE NE	40		
	NE NW	40		
	NW NW	6		
	NW SE	21		
	SW SE	3		
	SW NW	33		
	SE NW	10		
	NE SW	3		
	NW SW	12		
	NE SE	22		
	SE SE	12		
			4	→ 13

5S 4E 31	SW NW	29	
	NE SW	35	2
	NW SW	12	24
	SW SW	10	
	SE SW	32	
	SE NW	1.5	3.5
	NW NW		.5
	SW NW		8

6S 4E 6	NE NW	10	422.5 acres
	NW NW	3	1902 AFY
			8.35 cfs

From transfer in 7154 → shall not exceed .02 or 4.5

M E M O R A N D U M

DATE: 3/11/83
TO: Dave Shaw
FROM: Don Shaff²¹
SUBJECT: 02-2272, 02-2405, Licenses

These water rights and others were first held by D. O. Bybee and his wife. To accomplish the task of issuing licenses for these two rights, the entire package must be dissected and examined from scratch. By carefully reassembling all the rights involved, reason will prevail over what otherwise appears as chaos. This memorandum attempts to provide a vehicle for that careful analysis.

The first problem may have occurred with the first licenses (02-2083 and 02-2084). Geographic features and the present field designs would lead one to believe the pattern of beneficial use may have been different than the licenses describe. Figure 1 illustrates this problem. A comparison can be made with Figure 1 between 1) what the present pattern of irrigated land is for all the water rights and 2) what the water right records describe.

As can be noted from Figure 1, the analysis is complicated by a division of some of the water rights and the land between two subsequent owners. In some instances the two parcels must be considered as a whole. Yet at the same time the separation cannot be ignored because each owner has developed a separate undivided water right. Some of the rights have licenses for a full or nearly-full miners inch per acre. Yet other rights, licenses and permits, are for less than an inch per acre. For purposes of analysis, the rights were considered in the order of filing with the hope that the intentions of the developer could be discovered and possibly then piece together the rights.

Land List #1 and #2 describe the irrigated lands of Yorgason and Field. Below those descriptions is the breakdown of the water rights as I recommend they be described or licensed. In some cases, a transfer or amendment will be necessary. To assist

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Memo to Dave Shaw, Subject: 02-2272, 02-2405, Licenses
3/11/83

graphically in this breakdown, Figure 2 shows how the rights would fit together in relation to the land.

Through my investigation I believe 02-2083 and 02-2084 were either licensed incorrectly or the lands as irrigated now were done so before 1969 when the transfer requirement (Idaho Code 42-108) became effective. I suggest these two rights should be considered as described on Figure 2 and in Land List #2. The changes are systematic although somewhat arbitrary. The right is still described in the same and or adjacent 40-acre tracts. Each was issued at 1.0 inch per acre on 120 and 50 acres, respectively. The change in place of use does not alter these ^{allocations per acre} limitations.

02-2176
Getting by those rights brings us to 02-2176. This license, amended at least twice, is divided by both farms, plus the LDS Church. For Yorgason's farm the right fits like a glove. But on Field's farm, this license was issued without considering the existence of the two earlier licenses above (Figure 1). In some 40-acre tracts the two licenses would exceed the number of acres in the tract and 1.0 inch per acre. Consequently I suggest, 02-2176 should be transferred in part by Field to other lands. The other lands were apparently irrigated earlier, but were not a part of the permit.

Because 02-2176 has a diversion rate of less than 1.0 inch per acre, a second right (02-2405) was acquired by Bybee to supplement it. On Field's land the intent of Bybee to do this is obvious although the combination of the two acreages might be too large for a tract or overlaid one of the earlier licenses. None of the water for 02-2405 has been described up to now on the Yorgason farm except a small part of SWSE and NESW, S. 36. However, there are 43 acres of land described on the permit and adjacent to both owners that is not irrigated at all. I proposed that 02-2405^{*} be amended by Bybee (proof was submitted before 1976) rather than assigning the permit to both current owners. (For the Snake River Adjudication, Bybee has not claimed 02-2405, but Yorgason and Field have claimed applicable parts of it.) Yorgason shares one-half of a 100 HP motor pump that

* ASSIGNED TO YORGASON & FIELD 11/04/83

FEB 22 1994

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Memo to Dave Shaw, Subject: 02-2272, 02-2405, Licenses
3/11/83

delivers 10 cfs and formerly one of Bybee's three pumps. Bybee now has only one-half of a 75 HP motor and pump that was ^{originally} one of his three pumps. With Yorgason's part of 02-2176 having ^{2.04}~~2.04~~ cfs, he purchased from the assignees of Bybee the capacity to divert 5.0 cfs and ability to irrigate with 02-2405. It would follow the permit should be amended to include his land. By doing so, each owner except the LDS Church will have the lands of 02-2176 supplemented to near 1.0 inch per acre by 02-2405. ^{interest}

The LDS Church by the equitable division of 02-2176 has .07 cfs for 6 of its 11 irrigated acres. Another right, 02-2380, is for .10 cfs on the other 5 acres.

⁰²⁻⁷¹⁵⁴
While on Yorgason's land, 02-7154 should be addressed. This right, developed from a different point of diversion for the Aslett Canal then to the Bybee Canal, fills in where 02-2176 does not cover, (Figure 1). The problem comes about for this right because in some cases more acres were licensed than there are acres owned ^{by Yorgason} and in some cases fewer acres were licensed than were or are now irrigated. The exception is the SWNW, S. 36 where ^{3 acre} a parcel has been sold and is not irrigated now. I suggest an amended license should be issued as shown in Land List #1. This amendment will result in fewer acres and a smaller diversion rate than presently is licensed. But with the changes to 02-2405 as suggested, 02-7154 will contribute its part to ^{.9871}~~.9866~~ inch/acre for all of Yorgason's irrigated land.

⁰²⁻²²⁷²
Lastly, 02-2272 is left. This right is used by way of a relift pump described in the Field Report. This right held by Mrs. Bybee, apparently was to fill in some land above the canal between two previous rights on Field's land. The assumption erroneously has been made for some time that Field was the holder of this permit. Apparently an assignment will be necessary. *

With the licensing of the last of the rights for Field, he will have ^{.9396}~~.9269~~ inch/acre for all of his irrigated land.

* ASSIGNED 11/04/83 OR EARLIER.

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LAND LIST ATTACHMENT

Description and location of place of use:

LAND ACTUALLY IRRIGATED

* 30 ACRES IRRIGATED NOW, BUT LICENSED FOR 33 ACRES AND MORE THAN
IS OR WAS OWNED IN 1977.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS	CFS
			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		
5S	3E	36																59		
5S	4E	31																53		
		32																35		
6S	3E	1	L.1 23	L.2 15														38		
6S	4E	5	L.1 19	L.2 22	18	32	L.3 45	L.4 35										171		
		6	L.1 26	L.2 27			L.3 37	L.4 48										138		
		4					L.4 2	1										3		
TOTAL =																	497			
* 02-2083 1 ⁹ M-1/ACRE																				
5S	4E	32																35		
6S	4E	5					L.3 45	L.4 35										80		
		6	L.1 5															5		
TOTAL =																	120	2 ⁴		
* 02-2084 1 ⁹ M-1/ACRE																				
6S	4E	4					L.4 2	1										3		
		5	L.1 19	L.2 22		6												47		
TOTAL =																	50	1 ⁰		
* 02-2176A .5910 5823 M-1/ACRE																				
5S	3E	36																18		
5S	4E	31																53		
6S	4E	5				18	26											44		
		6	L.1 21	L.2 27			L.3 37	L.4 48										133		
TOTAL =																	248	2 ⁸⁹		
* 02-2405A .3546 M-1/ACRE																				
5S	3E	36																18		
5S	4E	31																53		
6S	4E	5				18	26											44		
		6	L.1 21	L.2 27			L.3 37	L.4 48										133		
TOTAL =																	248	1 ⁷⁶		
* 02-2272 .8165 M-1/ACRE																				
5S	3E	36																41		
6S	3E	1	23	15														38		
TOTAL =																	79	1 ²⁹		
TOTAL																	107	0 ³⁴		

Total number of acres irrigated

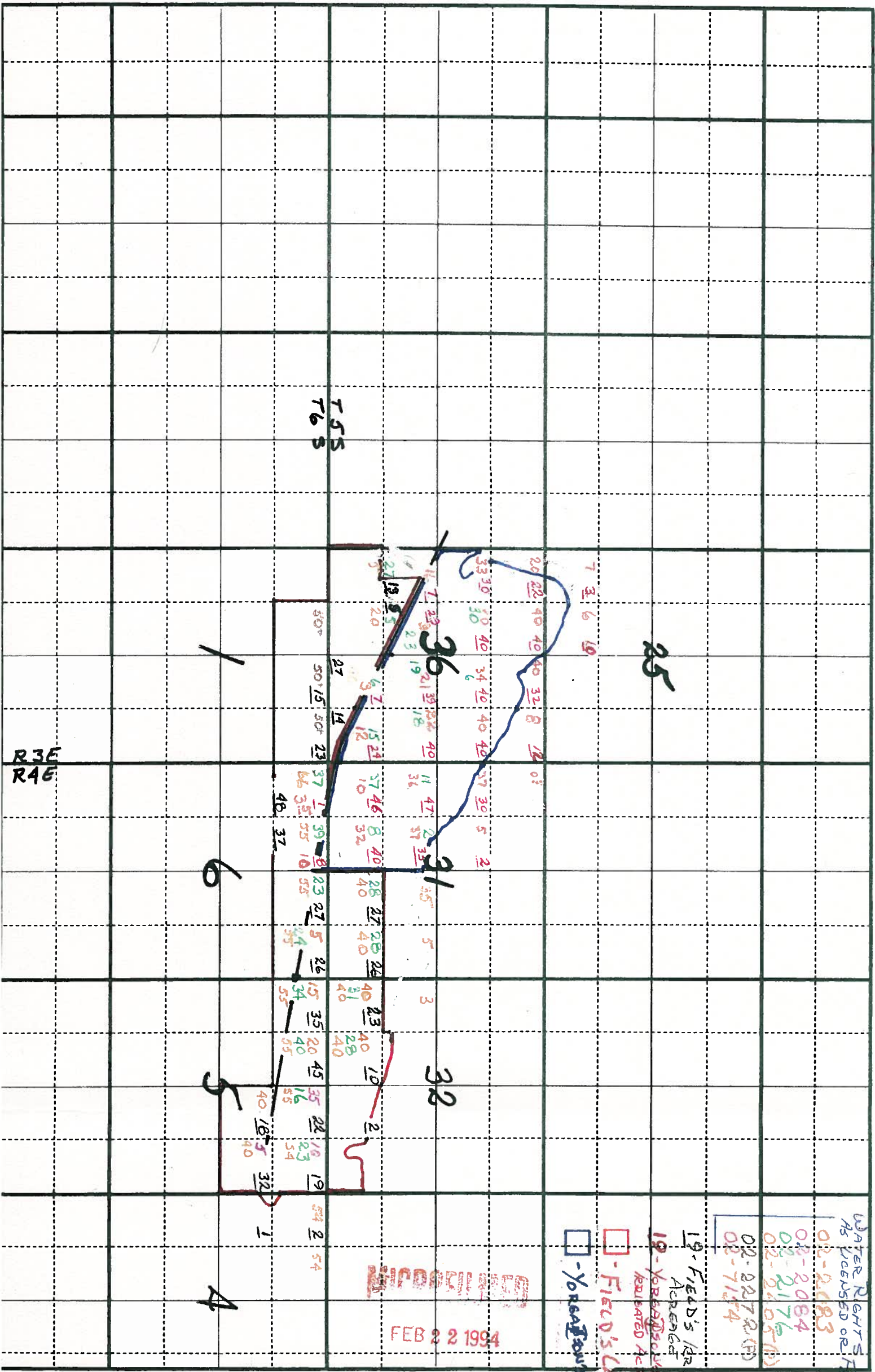
Total number of acres irrigated

 $497 \ 9^{\underline{34}}$

9396 M/A

NAME OF APPLICANT YORGAN N - FIELD

Form No. 0

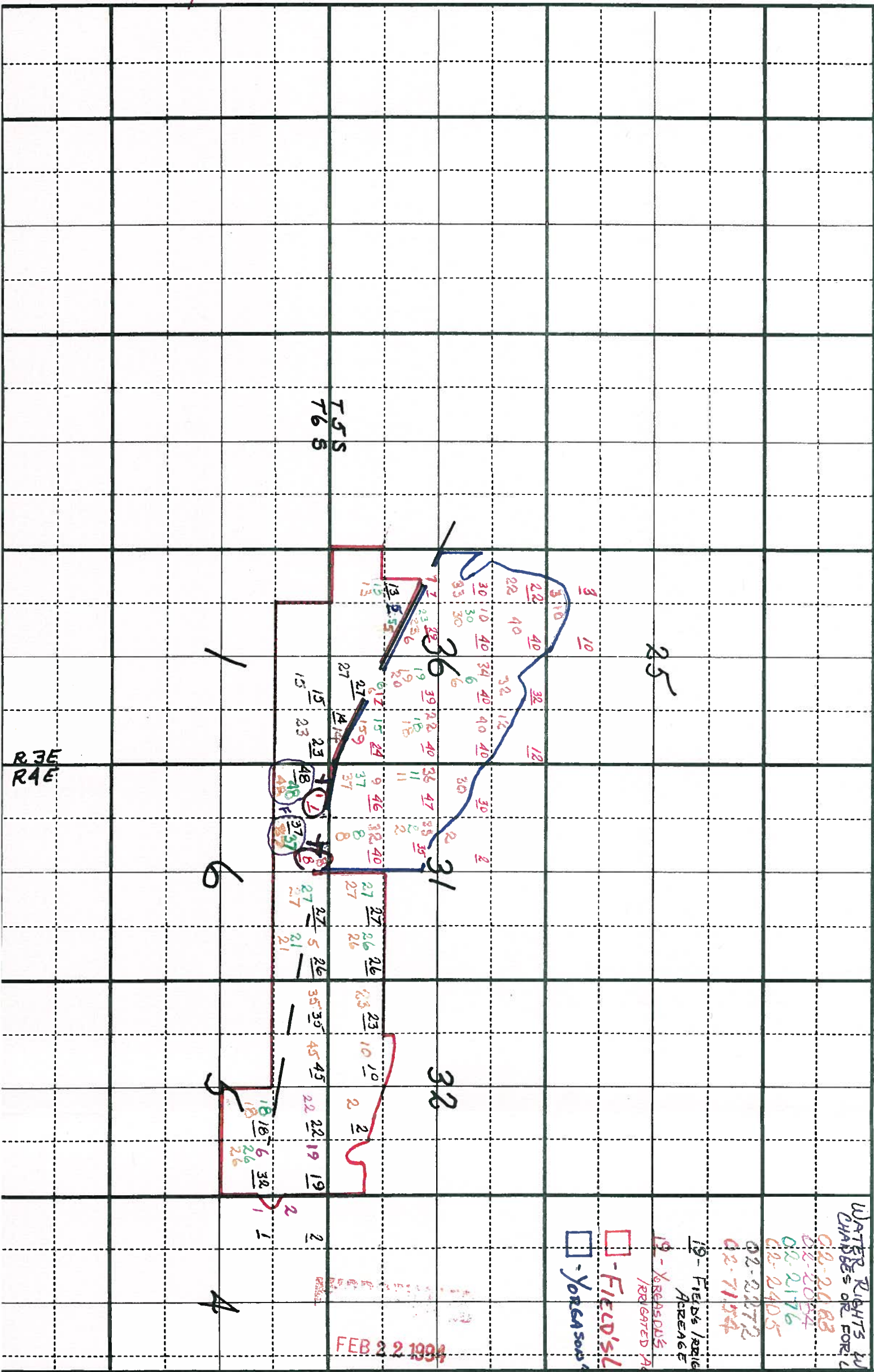


WATER RIGHTS
AS LICENSED OR PERMITS
02-2083
02-2084
02-2176
02-2177
02-2272 (P)
02-7144

NAME OF APPLICANT

YORE SON-FIELD

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02405 A

Date: 7-24-02

	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	55	3E	36									5	13							18
GIS												5	13							18
Claim	55	4E	31															27	26	53
GIS																		40	40	80
Claim	65	4E	5			18	26													44
GIS						40	40													80
Claim				-1	-2			-3	-4											13
GIS				6	21	27		37	48											221
				56	56			45	64											

Number of POD's 1

Total Claimed Acres: 248

Overlapping EOU Claim #'s:

Total GIS Acres: 399

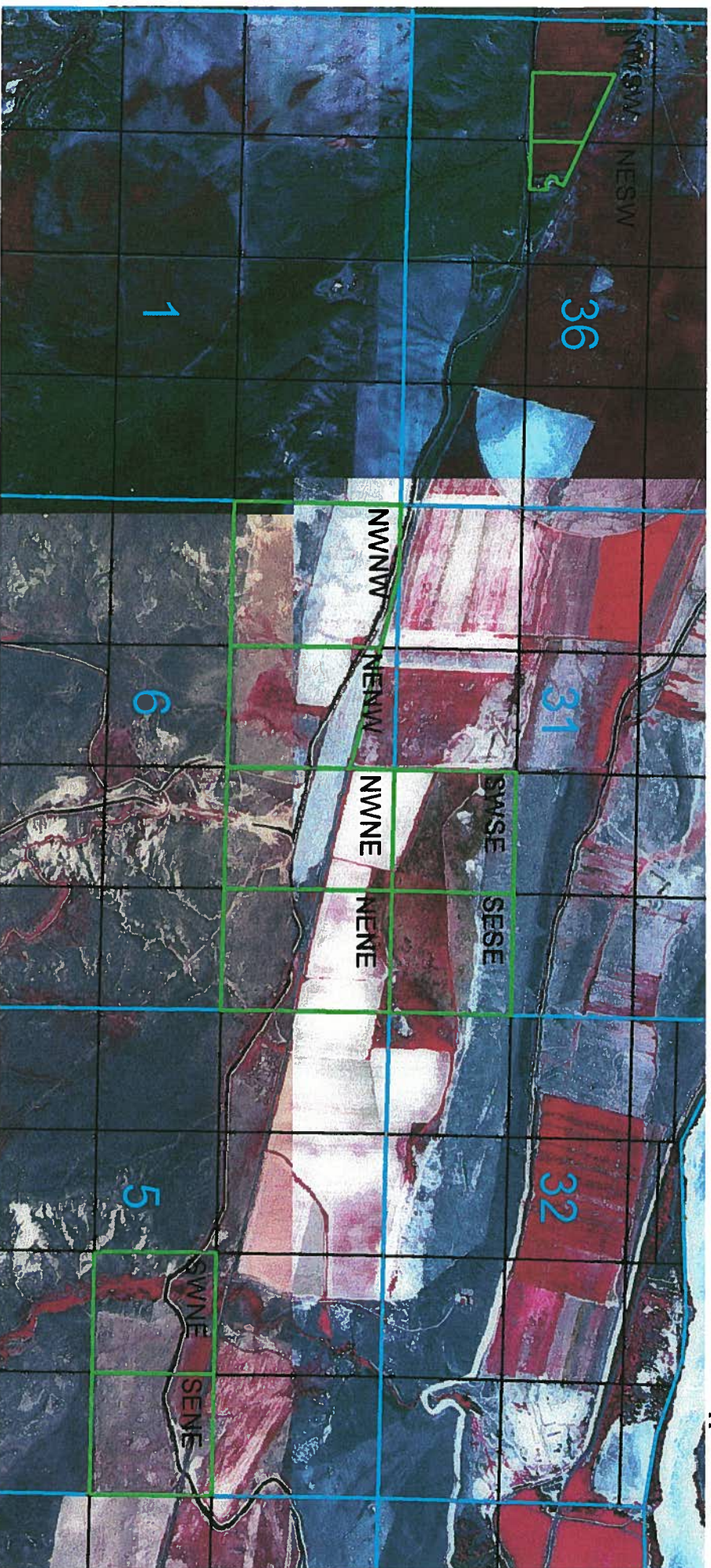
02-02176A, 02-10198, 02-02083

COMMENTS:

Per overlapping claim

Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 02-02405A

Legal: T05S, R03E, S36

T05S, R04E, S31

T06S, R04E, S05, 06

Reviewed By:



Point of Diversion
(located outside view)



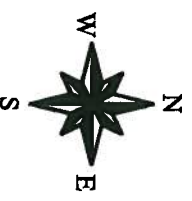
Place of Use



Section Lines



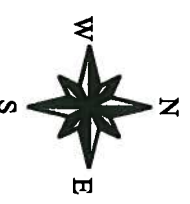
Quarter Quarter Lines



1987 Napp Photo



1



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: A02-02405A
Date Received: 1/16/1989
Receipt No: W2304
Received By: LW

RECEIVED

FEB 21 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: J. TERRY FIELD 208-834-2263
Address: HC 85, BOX 332
GRAND VIEW, ID 83624
OR
Name: LESLIE A. FIELD 208-834-2263
Address: HC 85, BOX 332
GRAND VIEW, ID 83624

2. Date of Priority: MAY 18, 1967

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	04E	34	NW SW	10	OWYHEE

5. Description of diverting works:
PUMP, BYBEE CANAL & RELIFT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	1.760		

7. Total Quantity Appropriated is:
1.760 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A02-02405A

Page 1

Date: 02/10/89

MICROFILMED
AUG 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
05S	03E	36	NE	SW		IRR	5.0	
			NW	SW		IRR	13.0	
				Section Acres			18.0	
	04E	31	SW	SE		IRR	27.0	
			SE	SE		IRR	26.0	
				Section Acres			53.0	
	06S	04E	5	SW	NE		IRR	18.0
				SE	NE		IRR	26.0
					Section Acres			44.0
		6	NE	NE	1	IRR	21.0	
NW			NE	2	IRR	27.0		
NE			NW	3	IRR	37.0		
NW			NW	4	IRR	48.0		
				Section Acres			133.0	
				Total Acres			248.0	

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:
A02-02176A

14. Remarks:

THIS RT. WHEN COMBINED WITH RTS. 02-2083/2084/2176A&B/4027/2271/
2272/2405B/7032B & 02-0063 SHALL NOT EXCEED 14.55 CFS.
SEE A02-02176A FOR MAP.

CLAIMANT STATES LOT 10 IS ACTUAL DIVERSION POINT FOR THIS RIGHT.
THIS RIGHT IS BASED UPON WORK CLAIMS IN CONJUNCTION WITH 02
ADJUDICATION IN 1980.

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): *Larry Till* Date: *2-16-89*
Lester A. Tule Date: *2-16-89*

State of Idaho)
County of *Payette*) SS.

Subscribed and sworn (or affirmed) before me this *16* day
of *Feb* 19 *89*

Linda R. Busch
Notary Public

Seal

Residing at *Not Home, Id*
My Commission Expires *4-18-94*

JUDICIAL DISTRICT

JUN 23 1981

NOTICE OF CLAIM TO A WATER RIGHT

02-2405A		Western Regional Office	
I.D. No.		Map No.	
\$ 10. ⁰⁰		19474	
Fee Paid		Receipt No.	

On this 22nd day of June, in the year 1981
a notary public, personally appeared J. Leroy Field & Debbie Field
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 they executed the same.

before me
Incorporation,

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-02405A

Priority: May 18, 1967

Maximum Diversion Rate: 1.76 CFS
Maximum Diversion Volume: 855.3 AF

This is to certify, that LESLIE A FIELD
J TERRY FIELD

RT B BOX 332

GRAND VIEW ID 83624

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 18, 1967; and has submitted Proof of Beneficial Use on April 30, 1974. An examination indicates that the works have a diversion capacity of 14.550 cfs of water from:

SNAKE RIVER tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.76 CFS	855.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 10(NWSW), Sec. 34, Township 05S, Range 04E
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>
05S	03E	36	NESW 5	NWSW 13		18
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1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MICROFILMED
AUG 16 1994

State of Idaho
Department of Water Resources

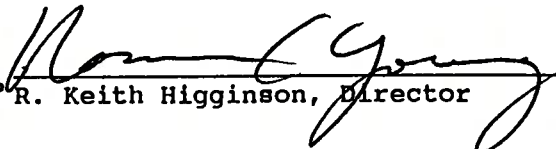
WATER RIGHT LICENSE

WATER RIGHT NO. 02-02405A

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Rights
02-02083, 02-02084, 02-02176A & B, 02-04027, 02-02271, 02-02272
02-02405B, 02-07032B & 02-00063 shall not exceed 14.55 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15TH
day of FEBRUARY, 1994.

Acting for  R. Keith Higginson, Director

MICROFILMED

AUG 16 1994

APPROVED

STATE OF IDAHO
LICENSING

RECEIVED
FEB 28 1985

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use. Department of Water Resources

Comes now J. Terry &/or Leslie A. Field Phone 834-2263
of (address) Rt. B Box 332 Grand View, Id 83624 , and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 02-2405A , and requests that the permit and permit map be changed as follows:

Lot 10
1. Point of diversion: NW 1/4 SW 1/4, Section 34, Township 5S, Range 54E, B.M.,
County of Owyhee . Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.76 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				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	36									5	13							18
5S	4E	31															27	26	53
6S	4E	5			18	26													44
		6	L1 21	L2 27			L3 37	L4 48											133

Total number of acres to be irrigated = 248

4. a. Who owns the property at the point of diversion? Idaho Power Co.

b. Who owns the land to be irrigated or the place of use? applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: successor to agreements with Idaho Power Co. dated
4/10/1952 & 7/23/1962

Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile.

Signed at San Jose, Calif., this 25 day of Feb., 1941.

(Signature)

Preliminary check by CW Fee = \$20.00 ✓

Received by ng Date 2-28-85 #36287

Publication prepared by N/A Date

Published in

Publication dates
1990-1999
2000-2009
2010-2019
2020-2029
2030-2039
2040-2049
2050-2059
2060-2069
2070-2079
2080-2089
2090-2099
2100-2109
2110-2119
2120-2129
2130-2139
2140-2149
2150-2159
2160-2169
2170-2179
2180-2189
2190-2199
2200-2209
2210-2219
2220-2229
2230-2239
2240-2249
2250-2259
2260-2269
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3110-3119
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3820-3829
3830-3839

I, KEITH HIGGINSON, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 02-2405A.

AUG 1 6 1994

MICROFILMED

Witness my hand this 15TH day of FEBRUARY, 1994.

Director

IN THE DISTRICT COURT OF THE FOURTH

JUDICIAL DISTRICT JUN 23 1981

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

Department of Water Resources

~~Western Regional Office~~

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

02-2405A

I.D. No.

Map No.

\$ 10.⁰⁰

19474

Fee Paid

Receipt No.

border.

Notice is hereby given that J. Terry &/or Leslie A. Field
(Name of Claimant)

Rt. B, Box 332, Grand View, Idaho 83624
(Mailing Address)

Telephone No. 834-2263

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) 5/18/1967
- (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: 10
- Quantity 2.44 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity 176 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) 176 2.44 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW SE (NW) % SW (Lot 9)
Sec. 34, Twp. 5S, Rge. 4E, B.M., 73 Owyhee County
Additional Points: SCI: 2720(1) 492.1
- 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.
Pump, Bybee Canal & relift. SE SW, S 33, T5S R4E, SWSW, S 31, T5S, R4E
- (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.

[illegible]

Total no. of acres ~~336~~ 248

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 (MAXIMUM DIVERSION UNDER THIS RIGHT WHEN COMBINED WITH 02-2083, 02-2084, 02-217644B, 02-4027, 02-2271, 02-2272, 02-2405B, 02-7032 B & 02-0063 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. Part 33623/02-2405

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

Individual

Signature of Claimant

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

State of Utah Organization

County of Owen ss.

On this 22nd day of June, in the year 1981 before me
a notary public, personally appeared J. Leroy Field & Leslie Field

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.

My commission expires 11-7-83 Notary Public residing at Grand View 1a.

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

Department of Water Resources
Western Regional Office

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2405A	
I.D. No.	Map No.
\$ 10.00	19474
Fee Paid	Receipt No.

Snake River from base of Miner
Dam to Oregon
DRAINAGE BASIN
border.

Notice is hereby given that J. Terry &/or Leslie A. Field

(Name of Claimant)

RE. Box 332, Grand View, Idaho 83624

(Mailing Address)

Telephone No. 834-2263

(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) 5/18/1967

(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 2.44 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

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

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

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

(4) 2.44 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(Lot 9)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Outtree 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.
Pump, Bybee Canal & relift.

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
35	38	36									9	14	2	2			27	14	68
	45	31															27	26	53
35	38	1																	38
	48	5				9	32												41
		6																	122
		4																	38

Total no. of acres 336

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. Part 33623/02-2405

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

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of

Organization

County of

Seal

(Signature of Authorized Agent)

On this 22 day of June, 1981, in the year 1981 before me a notary public, personally appeared J. Terry &/or Leslie A. Field

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.

My commission expires 11-9-83

Notary Public residing at

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 11/08/83

Right No. 02-2405A

Claimant FIELD

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

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

☒ License

☐ 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 Date _____

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

Measurement 1453 cfs. Amount recommended 176 cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 OQ 1974 OQ 1980 U-2
GRANDVIEW CJ STRIKE 3422-80-152

Field Photographs Taken ☐ Yes ☒ No

022176A
Memorandum in file ☒ Yes ☐ No

Remarks _____

January 10, 1984

RE: Permit No. 02-2405

D. O. Bybee
Rt. B, Box 318
Grand View, ID 83624

Dear Mr. Bybee:

This is just a reminder that you have not returned the Assignments of the above referenced permit to Norma J. Yorgason Trust and Jr Terry &/or Leslie A. Field.

If you need assistance in completing the assignments correctly, please do not hesitate to contact either our office or our Western Regional Office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW-sc

November 22, 1983

RE: Permit No. 02-2405

D. O. Bybee
Rt. B, Box 318
Grand View, ID 83624

Dear Mr. Bybee:

Our office is in receipt of the two assignments submitted in connection with the aboverreferenced permit. However, we need more information regarding the lands assigned, on each assignment, so I am returning them to you.

On the assignment to Norma J. Yorgason Trust we need to know the legal description of the 391 acres assigned. This legal description must include the number of acres in each quarter-quarter section, section, township and range.

On the assignment to J. Terry & or Leslie A. Field we need to know the legal description of the 355 acres assigned to them, using the specifications above.

A copy of the warranty deed on these lands may contain all of the information we need.

If we can be of any further assistance, please do not hesitate to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosures

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, D. O. BYBEE, hereby assign to J. TERRY & OR LESLIE A. FIELD
of RT. B, Box 332, GRAND VIEW, ID 83624
Address

CHECK ONE



All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. 33623/02-2405 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

555/946 TH OF ACREAGE; SAME P/D; 1.76 CFS

Made this _____ day of _____, 19____.

D. O. Bybee
Permit Holder ()

Thelma C Bybee
Spouse of Permit Holder

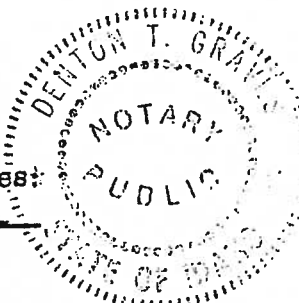
State of Idaho)
County of Blaine) ss.

On this 4th day of November, 1983, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

My commission expires:

2-18-83



Denton T. Grand
Notary Public residing at

Grand View

WATER RIGHT NUMBER 02-2405A

OWNER LAST NAME - FIELD
OWNER LAST NAME - FIELD

ADDRESS LINE 1 - RT. B BOX 332

SOURCE - SNAKE RIVER

STAGE -

STATUS -

TOTAL DIV. VOLUME -

•00 AFA

DIVERSION POINT - NWSW 34 05S 04E LOT 10 REDIV -

FROM - 03-15 TO - 10-31 USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

DEGREE NAME -

REMARKS -

THIS RT. WHEN COMBINED WITH RTS. 02-2083/2084/2176A&B/4027/2271/
2272/2405B/7032B & 02-0063 SHALL NOT EXCEED 14.55 CFS.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PROOF MADE -

DIVERSION MEANS - PUMP, BYBEE CANAL & RELIFT.

FIRST NAME - J. TERRY
FIRST NAME - LESLIE A.

ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 2 -
CITY - GRAND VIEW

STATE - ID ZIP CODE - 83624

TRIBUTARY OF - COLUMBIA RIVER

PRIORITY - 05-18-1967 COUNTY - DWYHEE

WATER DIST. - 02 DLE/CAREY ACT -

RIGHT BASIS - E

TOTAL DIV. RATE - 1.7600 -CFS

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Verified By
5-09-85