

Idaho Department of Water Resources



Claim Number: 02-07061
Legal: T05S, R04E, S34 &
T06S, R03E, S7 & S8
Reviewed By: JLD 5/6/05

05/06/2005

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

RIGHT NUMBER: 2-7061

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.320 CFS
1,580.000 AFY

PRIORITY DATE: 04/09/1970

POINT OF DIVERSION:

T05S R04E S34 SWSESW Lot 9 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	6.320 CFS 1,580.00 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

T06S R03E S07	SESW	40.0	T06S R03E S07	SWSE	40.0
T06S R03E S07	SESE	40.0	T06S R03E S08	NWNW	40.0
T06S R03E S08	SWNW	40.0	T06S R03E S08	NWSW	40.0
T06S R03E S08	SWSW	38.0	T06S R03E S08	SESW	38.0

316 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.

CLAIMANT STATES THIS IS THE ACTUAL POD.
SEE A02-02176A FOR MAP.

EXPLANATORY MATERIAL: License

The following rights are also diverted through point of diversion described above: 02-7059, 02-7060, 02-7062, 02-7064, 02-7168A, 02-7168B, 02-7168C, 02-7237A, 02-7275, & 02-7279.

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For support during evaluation please send email to support@datadynamics.com

WATER RIGHT LICENSE

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CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of OCTOBER, 19 85.

Acting for the

Director

Norman C Young

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07061

Date: 7-17-02

	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	65	3E	7											40				40	40	120
GIS														40				40	40	120
Claim	65	3E	8					40	40			40	38	38						196
GIS								40	40			41	40	39						200
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 316

Overlapping POU Claim #'s:

Total GIS Acres: 320

COMMENTS:

POU per license map + field boundaries.

POD per claim legal.

Idaho Department of Water Resources

Claim Number: 02-07061

Legal: T06S, R03E, S07, 08

Reviewed By:



Point of Diversion
(located outside view)



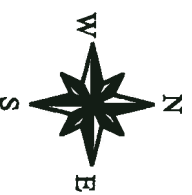
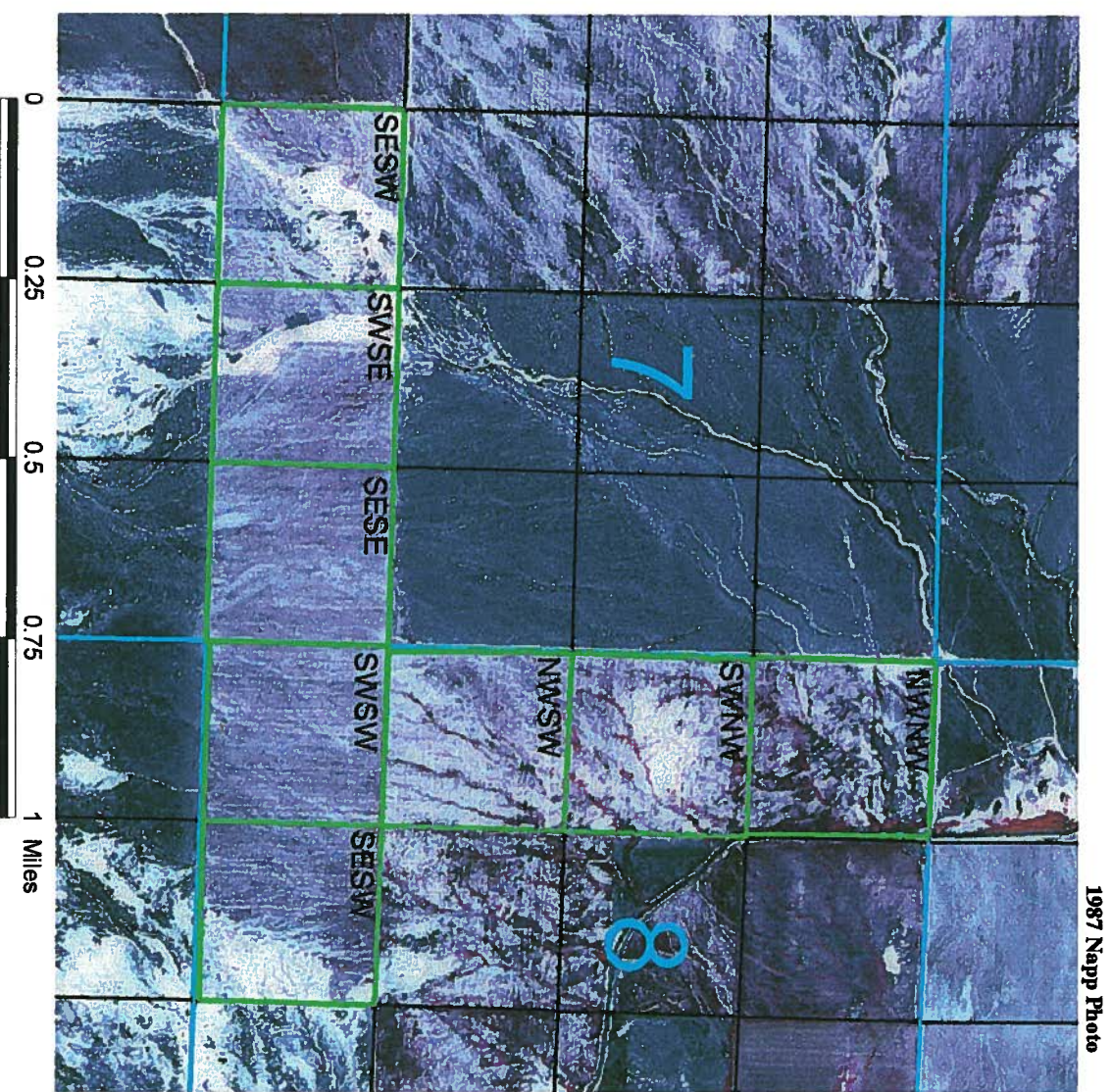
Place of Use



Section Lines



Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-07061

Legal: T06S, R03E, S07, 08

Reviewed By:



Point of Diversion
(located outside view)



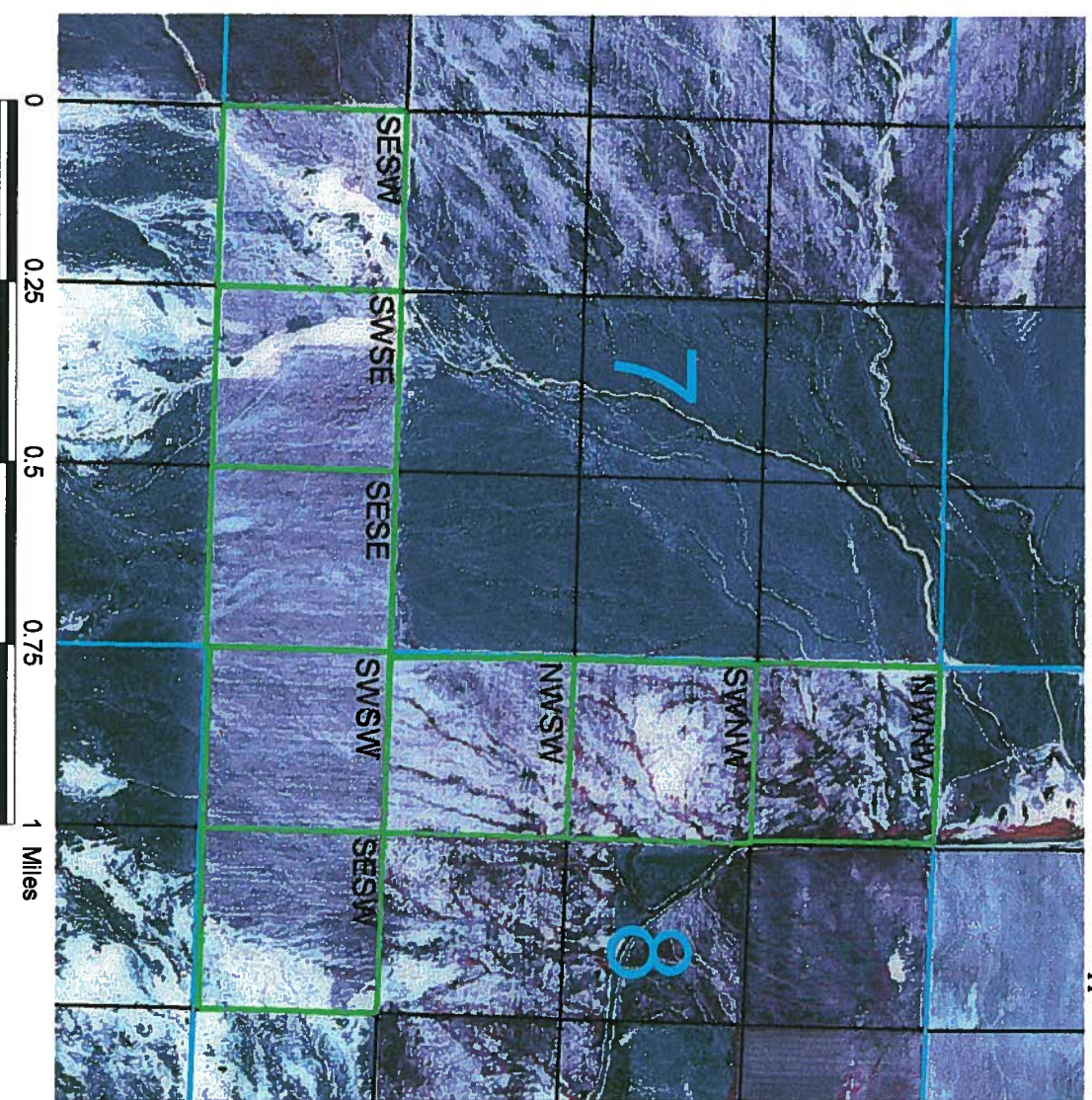
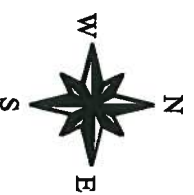
Place of Use



Section Lines



Quarter Quarter Lines



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

RECEIVED
FEB 21 1989

Ident. Number: A02-07061
Date Received: 1/16/1989
Receipt No: W2304
Received By: hw

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN TERRY FIELD
Address: HC 85, BOX 332
GRANDVIEW, ID

208-834-2263

83624

2. Date of Priority: APR 09, 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	04E	34	NW SW	10	OWYHEE

5. Description of diverting works:
PUMP, PENSTOCK, CANAL, & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.320		1580.00

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

1580.00 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
06S	03E	7	SE SW		IRR	40.0
			SW SE		IRR	40.0
			SE SE		IRR	40.0

Section Acres 120.0

A02-07061

Page 1

Date: 02/09/89

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AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	03E	8	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	38.0
			SE	SW		IRR	38.0

Section Acres 196.0

Total Acres 316.0

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:
NONE

14. Remarks:

CLAIMANT STATES THIS IS THE ACTUAL POD.

See A02-02176A for map.

15. Basis of Claim: LICENSE

(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.

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AUG 07 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7061 Priority April 9, 1970 Amount 6.32 cfs

THIS IS TO CERTIFY, that Mud Flat Canal Co.
of Grand View, Idaho, has complied with the terms and conditions of Permit
No. 02-7061 issued pursuant to Application for Permit dated April 9, 1970,
and has submitted proof to the Department of Water Resources on May 11, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 48.44 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>6.32</u> cfs and	<u>1580.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 6.32 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1580.0 acre feet per year, said waters to be diverted within the Gov. Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 34, Twp 5S, Rge 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	3E	7												40			40	40	120
		8						40	40			40	38	38					196

Total number of acres irrigated 316

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AUG 16 1984

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of OCTOBER, 19 85.

Acting for the Director

Norm C Young

MICROFILMED
AUG 16 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 6, 1985

Darrel Agenbroad, Secretary
Mud Flat Canal Company
Route B Box 340A
Grand View, Idaho 83624

Re: 02-7059 et al

Dear Mr. Agenbroad,

Your letter received by the Department on June 4, 1985, has been forwarded to me for reply. In that letter you indicated your Company is continuing to increase the diversion capacity of its pump after Proof of Beneficial Use has been submitted and the field examination has been made for nine (9) water right permits.

The advantage of the permit system for developing water rights is to establish a priority date for the water right and to begin after the filing date to construct the diversion works and to put the water to beneficial use. The permit, however, has a defined time period within which to develop the water right. The date when Proof of Beneficial Use is due establishes that time period. Only that development whether in terms of diversion or applying the water to beneficial use within the permitted time period can have its priority relate back to the permit.

More specifically, your Company apparently submitted Proof of Beneficial Use within the statutory time period to secure the priority dates for water right permits 02-7059, 02-7060, 02-7061, 02-7062, 02-7064, 02-7168, 02-7237A, 02-7275 and 02-7279. When those proofs were filed the Company declared the water rights had been developed for those permits in terms of the amount of water diverted and the land irrigated at that time. Any further development beyond that time is not covered by the above numbered permits. On April 24, 1985, John Noyes measured from the system existing at that time 48.5 cfs. If the review of the field examination shows this amount of water has been put to beneficial use under the permits numbered above, the licenses that define the water rights will be issued with 48.5 cfs as the maximum amount of water that was diverted under the permits.

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AUG 16 1994

The critical point here is the permits numbered above defined the maximum amount of water that could be developed for diversion within the time period specified by the permits. The difference between the amount of water covered by the permits and the amount of water perfected into water rights existed on paper and is relinquished when the permitted development period ends. Any further development will require the Company to gain a new permit.

If you have any questions about this matter or water right matters in general please contact me or Jim Johnson. Pending communication from the Company the final action on the permits numbered above will be held until July 1, 1985.

Regards,



Donald V. Shaff
Adjudication Unit Leader

cc: J. Johnson

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AUG 16 1994

MUD FLAT CREEK CO.

Route B Box 340 A

Grandview, Idaho 83324

RECEIVED

JUN 4 1985

Department of Water Resources

Sirs

We are still in the process of
Establishing our pump capacity. I have
Been in contact with John Noyce, That
is why I didn't send in the permits.
We are currently installing an additional
Pump To achieve our allowed CFS

Sincerely

Daniel Applewood
Secy Treasurer

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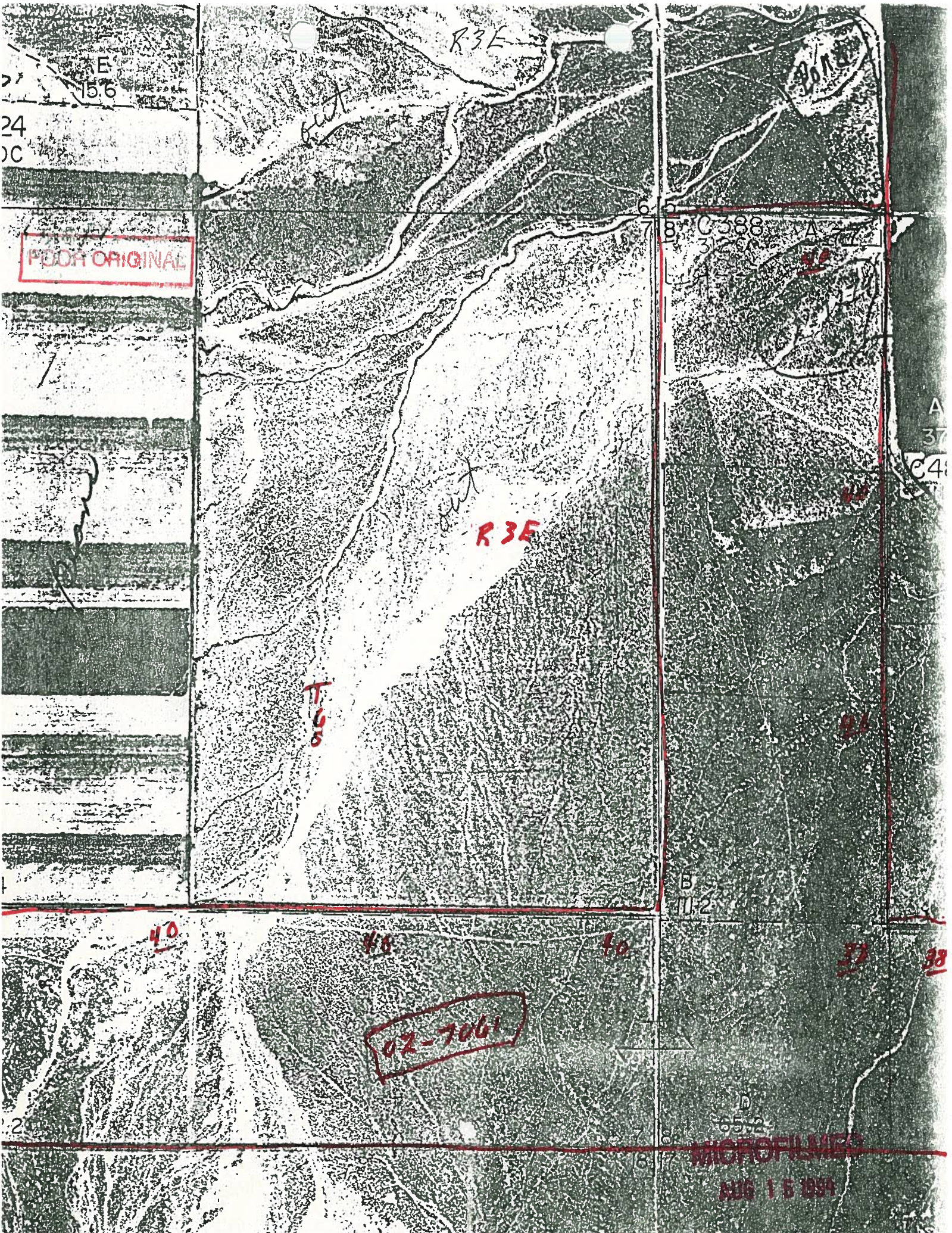
AUG 16 1994

Mud Flat Canal Co.
Examined Rights

Max Div. = 48.5

<u>No.</u>	<u>Pri. Date</u>	<u>Acres</u>	<u>Amt.</u>	<u>Cum.</u>
02-7059	4/09/1970	320	6.4	
02-7060	4/09/1970	320	6.4	
				12.8
02-7061	4/09/1970	316	6.32	
				19.12
02-7062	4/09/1970	205	4.1	
				23.22
02-7064	4/23/1970	318	6.36	
				29.58
02-7168	8/30/1974	480	9.6	
				39.18
02-72374	12/23/1976	295	5.9	
	Min. Stream Flow Requirement			45.08
02-7275	12/13/1978	113	2.26	
				47.34
02-7279	2/08/1979	345	6.9	
	Limit Condition Required			54.24

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AUG 16 1994



POOR ORIGINAL

02-7061

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AUG 15 1994

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by gkn

Date 10/15/84 5/2/85

Right No. 02-7061

Claimant Mud Flat Land Co.

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 R. Draft.

☐ 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. 1977 attached

☐ 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 10/3/84

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

Measurement 454 8.44 cfs. Amount recommended 6.32 cfs.

Type of measuring device: anemometer Meter No. 091459

Condition good Date 10/3/84 Time 7:01

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks See 02-7059 for measurement & etc.

APR 2 1985
MICROFILMED

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 MILNER
DAM TO OREGON ~~BOUNDARY~~
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7061	I.D. No.
\$ <u>10</u>	Map No. <u>#18891</u>
Fee Paid	Receipt No.

Notice is hereby given that Mud Flat Canal Co.

340A,

(Name of Claimant)

Star Rt. B, Box 344V Grand View, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. _____

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) 4/9/1970
- (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 <u>6.4 cfs</u>
(CFS, GPD, AF) | Use <u>IRRIGATION</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity <u>6.37</u>
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 6.4 cfs 6.37 TOTAL QUANTITY CLAIMED. Lot 9
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE SW SE XX XX SW XX
Sec. XX 34, Twp. XX 5S, Rge. 4E, B.M., Owyhee County
Additional Points: SCI: 272 (1) 492.5
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, canal & pipeline.

- (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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	3E	7												40			40	40	120
		8						40	40			40	40	40					200
		<u>7</u>												<u>40</u>			<u>40</u>	<u>40</u>	<u>120</u>
		<u>8</u>						<u>40</u>	<u>40</u>			<u>40</u>	<u>38</u>	<u>38</u>					<u>196</u>

Total no. of acres 320 3/6

- 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 This right will be decreed as the license appears. Original filing by J. Terry Field.
- (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. 02-7061

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.

April 29, 1981

(Date)

State of Idaho

County of Ada

ss.

Organization

Seal

(Signature of Claimant)

Organization Mud Flat Canal Co

(Signature of Authorized Agent)

On this 29th day of April

, in the year

1981

before me

a notary public, personally appeared

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

LIFE

Notary Public residing at

BOISE, ID

Memo To:

Mud Flat Irrig. Co. Files; 02-7039, -7040, -7061, -7062, -7064, -7168, -7237A, -7275, And -7279.

From:

FORREST LUTHY

DATE:

10/26/83

SUBJECT:

DOCUMENTATION OF ATTEMPTS TO FIELD EXAMINE AND LICENSE ABOVE PERMITS, TO ENABLE INCORPORATION OF THE LICENSED RIGHTS INTO THE PROPOSED FLOWING OF WATER RIGHTS FROM THE SNAKE RIVER IN THE STRETCH FROM MILNER DAM TO THE OREGON BORDER. ALSO DISCUSSES INFORMATION PERTINENT TO THE IRRIGATED ACREAGE TOTAL IN 1981, WHEN SOME OF THE PROOFS WERE SUBMITTED. THIS INFORMATION NEEDS TO BE CONSIDERED WHEN LICENSING DOES OCCUR IN THE FUTURE. (SEE PG. 2, THIS MEMO.)

FIRST ATTEMPTS AT ARRANGING APPOINTMENTS FOR LICENSING EXAMS ON THESE PERMITS WERE MADE THROUGH NATE GOOD, IRR. CO. SECRETARY, DURING THE 1981 SEASON. BEGINNING SHORTLY AFTER THE FILING OF PROOF ON FOUR OF THE PERMITS, IN THE LATTER PART OF APRIL AND CONTINUING FOR THE DURATION OF THE SEASON, VARIOUS PERSONNEL AVAILABILITY PROBLEMS AS WELL AS MECHANICAL PROBLEMS MORE OR LESS PRECLUDED EXAMINATION.

THE WRITER HAS NO KNOWLEDGE OF ANY RECORDS OF CONTACTS REGARDING EXAMS IN 1982. HOWEVER, 1983, AUG. 10, CONTACT WITH NATE GOOD TO AGAIN ARRANGE FOR A MEASUREMENT WAS MADE. MR. GOOD CALLED ROY HAULEY, WHO ASKED FOR A CALL-BACK LATE IN SEPTEMBER. MR. HAULEY, THE DITCH RIDER, SAID THE BEST TIME FOR MEASUREMENT IS MID-OCTOBER WHEN THERE ARE FEWER PUMPS SUPPLYING THE CANAL. THE SYSTEM TAKES ABOUT FIVE HOURS TO DRAIN DOWN IF THERE IS TOO MUCH WATER IN THE CANAL.

ON SEPTEMBER 8, ARRANGEMENTS WERE MADE WITH HAULEY FOR AN EXAM AT 10:00 AM WEDNESDAY, OCT. 12. ON OCT. 7, A CALL TO MR. HAULEY REVEALED HE WOULD BE IN ALASKA THE WEEK OF THE 12TH, SO PROPOSED DATE WAS POSTPONED UNTIL P.M., WEDNESDAY, OCT 19. ON OCT 18, COMMUNICATION WAS THAT THERE WAS STILL TOO MUCH WATER IN CANAL, DATE POSTPONED UNTIL 26TH OCTOBER. ON OCTOBER 25, CALL TO HAULEY REVEALED PENSTOCK HAD SPLIT WHEN THEY HAD SHUT PUMP DOWN. HAULEY FELT IT WOULD NOT GIVE BEST RESULT TO MEASURE AT THIS TIME.

IT WAS RELATED TO HAULEY AT THAT TIME THAT IT PROBABLY WOULD BE BEST TO GIVE UP ATTEMPTS FOR THIS YEAR TO MEASURE THE SYSTEM. IT WAS ALSO RELATED TO HIM THAT IF AND WHEN A WATERMASTER FOR BASIN 02 WERE CALLED ON THAT THE WATERMASTER WOULD HAVE AUTHORITY TO DELIVER WATER TO LICENSES AND PERMITS, EVEN THOUGH THEY HAD NOT BECOME DECREED. IT WAS REITERATED (NEXT)

FOR PURPOSES OF EXAM & LICENSING SEE FINAL PARAGRAPH.

121

MEMO TO: MUDFLAT IRRIG CO. FILES; 02-7059 ETC. (CON'D.)
FROM: FORREST LUTHY DATE: 10/26/83
SUBJECT: DOCUMENTATION ON FAILURE TO EXAMINE & ACREAGE INFORMATION.

TO MR. HADLEY THAT EVEN THOUGH THE ADJUDICATION SECTION MIGHT NOT BE THE PERSONNEL MAKING THE LICENSING EXAM IN THE FUTURE, THE MUD FLAT GROUP SHOULD BE URGED TO EXPEDITE REPAIRS TO THE SYSTEM AND NOT ALLOW THINGS TO STAGNATE. MR. HADLEY REQUESTED THAT THE INFORMATION CONCERNING THE WATERMASTER BE RELATED TO THE PRESIDENT OF MUD FLAT.

ON OCT. 26, PRESIDENT, LAYNE ESTELL, OF THE MUD FLAT GROUP, WAS CONTACTED AND THE SITUATION AND DECISION TO ABANDON ATTEMPTS FOR MEASUREMENT IN 1983 DISCUSSED. THE FACT THAT A WATERMASTER FOR BASIN 02, IF AND WHEN ON, COULD DELIVER WATER TO LICENSES AND PERMITS EVEN THOUGH NOT DECREED WAS RELATED TO MR. ESTELL. MR. ESTELL WAS URGED TO PROCEED FORTH WITH TO HAVE MUD FLAT MAINTENANCE CREWS REPAIR THE SYSTEM DAMAGE AND REQUEST MEASUREMENT FOR THE PERMITS AS SOON AS POSSIBLE.

FOR THE PEOPLE CONCERNED WITH THE LICENSING OF THESE PERMITS, FILED WITH ADJUDICATION CLAIM FILE 02-7059 AND THE CORRESPONDING FIELD EXAM FILE FOR 02-7059 ARE COPIES OF OVERLAYS MADE FROM 1981 ASC FARM PLAN MAPS (AERIAL PHOTOS.), SHOWING THE IRRIGATED ACRES AS OF THAT TIME. THE YEAR 1981 WAS THE TIME THAT SUBMISSION OF THE LAST PROOF CARDS FOR THIS SERIES OF PERMITS OCCURRED. TO PRECLUDE ANY CHANCE FOR EXPANSION OF THESE RIGHTS THAT MIGHT HAVE TAKEN PLACE SUBSEQUENT TO 1981, CAREFUL CONSIDERATION SHOULD BE GIVEN TO THE OVERLAYS AT THE TIME OF LICENSING.

F.E.L.

AUG 16 1994
MICROFILMED

MEMO TO: MUD CAT CANAL CO. FILES DATE: 8/11/83

FROM: FORREST

SUBJECT: MEASUREMENT OF DIVERSION AT C.J. STRIKE RES. FOR
LICENSING PURPOSES ON PMTS. 02-7059, -7060, -7061
-7062, -7064, -7168, 7237A, -7275, & -7279.

CONTACTED CO. SECY., NATE GOOD, 8/10/83 TO ARRANGE APPOINTMENT
FOR MEASUREMENT AT EARLIEST CONVENIENCE. MR GOOD SAID HE WOULD
CONTACT DITCH RIDER, ROY HADLEY, FOR MOST CONVENIENT TIME FOR
EXAMINATION.

ON THIS DATE, ~~MR~~ 8/11/83, MR GOOD REPORTED THAT THEY WOULD
PREFER A TIME IN OCTOBER WHEN FEWER PUMPS WERE SUPPLYING
THE CANAL. OTHERWISE, THE SYSTEM REQUIRES OVER 5 HOURS
TO DRAIN THE PENSTOCK.

ROY HADLEY, DITCH RIDER, PHONE 834-2787. CONTACT LATTER
PART OF SEPTEMBER TO ARRANGE FOR OCTOBER DATE

MICROFILMED

AUG 16 1994

RR

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 MILNER
DAM TO OREGON
BORDER. DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-7061	I.D. No.	Map No.
\$ <u>10</u>	Fee Paid	<u>418891</u> Receipt No.

Notice is hereby given that Mud Flat Canal Co.
340A, (Name of Claimant)
Star Rt. B, Box 340V, Grand View, ID 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) 4/9/1970

(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 6.4 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 _____ 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) 6.4 cfs TOTAL QUANTITY CLAIMED. Lot 9
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source XXE XX XXW XX
Sec. XX 34, Twp. XXS 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.
Pump, canal & pipeline.

(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	
6S	3E	7												40			40	40	120
		8						40	40			40	40	40					200

Total no. of acres 320

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 This right will be decreed as the license appears. Original filing by J. Terry Field.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
FEL ☐ 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. 02-7061

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.

April 29, 1981 (Date)
(Signature of Claimant)

State of Idaho Organization Mud Flat Canal Co.
County of Ada ss. H. Nathaniel Good (Signature of Spouse)
Seal (Signature of Authorized Agent)

On this 29th day of April, in the year 1981 before me
a notary public, personally appeared H. NATHANIEL GOOD
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 LIFE Notary Public residing at BOISE, ID

POOR ORIGINAL

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 02-7061

Name(s) of Permit Holder: MUD FLAT CANAL CO.

Post Office Address: STAR RT. B, Box 340A GRAND VIEW
ID, 83624

Tel. No. 834-2257

Source of Water: SNAKE RIVER

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

320

(acres)

☐ Other

Measuring Device: Required?

☐ Yes ☐ No

Installed?

☐ Yes ☐ No

Access Port:

Required?

☒ Yes ☐ No

Installed?

☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

April 29, 1981
Date

Mud Flat Canal Co.
Richard Bond (Sig)
Signature of Permit Holder

APR 29 1981

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED

APR 30 1980

Department of Water Resources

Mud Flat Canal Company of Rt B. Box 341 Grand View
(Name) (Address) 83624

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 02-7061.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before May, 1980.

That he has heretofore performed the following work described under said permit: _____

Cleared the land of sage-brush and has had
a sprinkler irrigation system installed on the land.

Costing \$ 100,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Idaho Power Company as of this date
has not completed all necessary electrical service
to allow the application of the total number of
inches of water to the land.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to May 1, 1982.

J. Glen Saxton Board of Directors
(Signature)* Mud Flat Canal Co.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to May 1, 1982.

Signed this 5th day of June, 1980.

L. Glen Saxton
L. GLEN SAXTON, Chief, Operations Bureau

POOR ORIGINAL

State of Idaho
Department of Water Resources

RECEIVED

MAY 17 1977

ok jc

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Field Mutual Canal Co., hereby assign to Mud Flat Canal Co.
of Rt B Box 341 GRAND VIEW
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 027061
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. _____ 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)

Made this 17 day of MAY, 19 77.

Wm O Field
Permit Holder

Pres. Field Mutual Canal Co.

Spouse of Permit Holder

State of Idaho)
County of OWYHEE) ss.

On this 17th day of MAY, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (~~she~~) (~~they~~) executed the same.

seal

Debrae C. Hipwell
Notary Public residing at

GRAND VIEW, IDAHO

My commission expires:

5-14-80

RECEIVED
MAY 18 1977

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

RECEIVED
APR 15 1975
DEPARTMENT OF WATER RESOURCES

State of Idaho)

County of Cwyhee)

Permit No. 02-7061

Wm. O. Field, President
Field Mutual Irrigation Company of Box 209, Grand View, ID 83624
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 02-7061.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before May 1, 19 75.

That he has heretofore performed the following work described under said permit:
organization of canal company

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The desert entry for which this permit was to be used has not been allowed although it has been classified.

The Field Mutual Irrigation Company has requested to be recognized as a source of water.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to May 1, 19 80.

Wm O Field
(signature)*

Subscribed and sworn before me this 21st day of April, 19 75.

seal

[Signature]
Notary Public residing at
Grand View, ID.

My commission expires 11-27-75

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Operations Division

I, A. KENNETH DUNN, Administrator of the Idaho Department of Water Resources, hereby approve the above application for extension of time for Permit No. 02-7061 to May 1, 1980.

Witness my hand this 12th day of May, 19 75.

[Signature]
Director, Administrator, Operations Division
MICROFILMED

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

POOR ORIGINAL

RECEIVED
APR 2 1975

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, J. Terry Field, hereby assign to Field Mutual Irrigation
of Box 209, Grand View, ID 83624 Company
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 02-7061
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. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing 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.)

Made this _____ day of _____, 19 _____.

J. Terry Field
Permit Holder

Leslie Field
Spouse of Permit Holder

State of Idaho)
County of Oneida) ss.

On this 24 day of April, 1975, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Ed Baladean
Notary Public residing at
Grand View

My commission expires: 11-29-75

RECEIVED
APR 2 1975
MICROFILMED

SIGNED TO: MUD FLAT CANAL CO.
17-1977

Identification No. 02-7061

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK) ASSIGNED TO: FIELD MUTUAL IRRIGATION CO
Box 209
Grand View, ID 83624

1. Name of applicant J Terry Field on 4/29/75
post office address Grand View, Idaho 83624
2. Source of water supply SNAKE RIVER which is a tributary of _____
3. a. Location of point of diversion is N.E. 1/4 of N.W. 1/4 of Section 3 Township 6 S
Range 4 E B.M. Cuyler County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 6.4 for IRRIGATION purpose from MAR 15th to NOV 15th (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 6.4 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump, Penstock, Canal,
Relift, Steel Pipeline, Canal, and then
IRRIGATION System on the land.

b. Height of storage dam 10 feet, active reservoir capacity 15 acre feet; total reservoir
capacity 30 acre feet, materials used in storage dam: GRAVEL & CLAY
Period of year during which storage will occur MAR 15th to NOV 15th inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 3 years.

b. Estimated construction cost is \$ 22,000.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

NOTED

02-7061

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
6 S	31 E	8					40	40			40	40	40						200
6 S	31 E	7											40			40	40		120

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion John Tate

b. Who owns the land to be irrigated or place of use J Terry Field

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

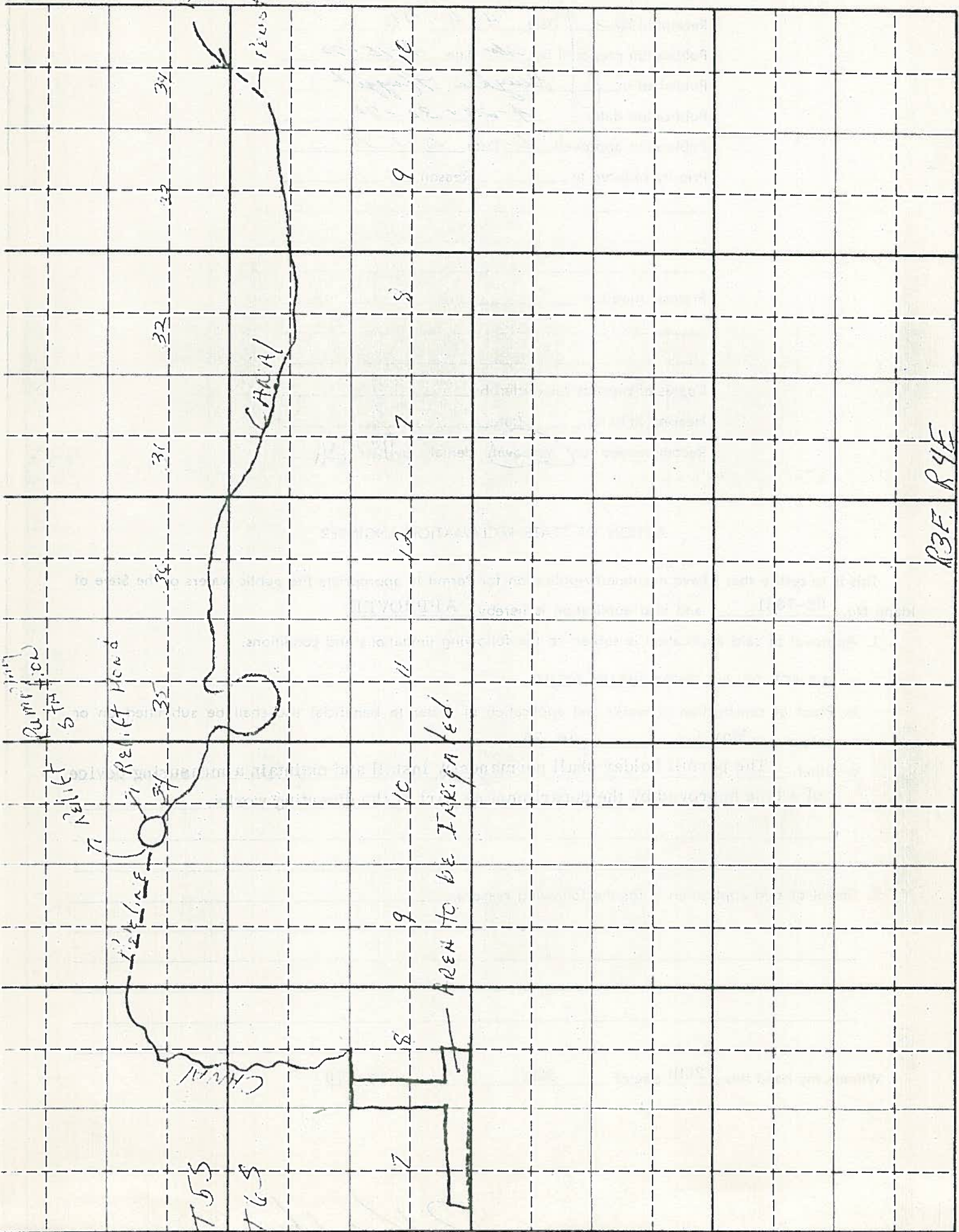
10. Remarks _____

AUG 16 1994

MICROFILMED

Pumping
station

11. Map of proposed project



R3E R4E

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

APR 2 1987
MICHOITWED
Larry Field
(Applicant)

02-7061

Received by 1/ Date 7-7-70 Time 1:00

Preliminary check by J. K. Hill Fee \$ 50.00

Received by 1/ Date 4-9-70

Publication prepared by ds Date 4-15-70

Published in Boyle's Nugget

Publication dates 4-23 + 30 - 70

Publication approved ds Date 5-1-70

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Paul Hill

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7061, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 75.
 - c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 20th day of May 19 70.

P. Keith Hagg
State Reclamation Engineer

MICROFILMED
AUG 16 1994