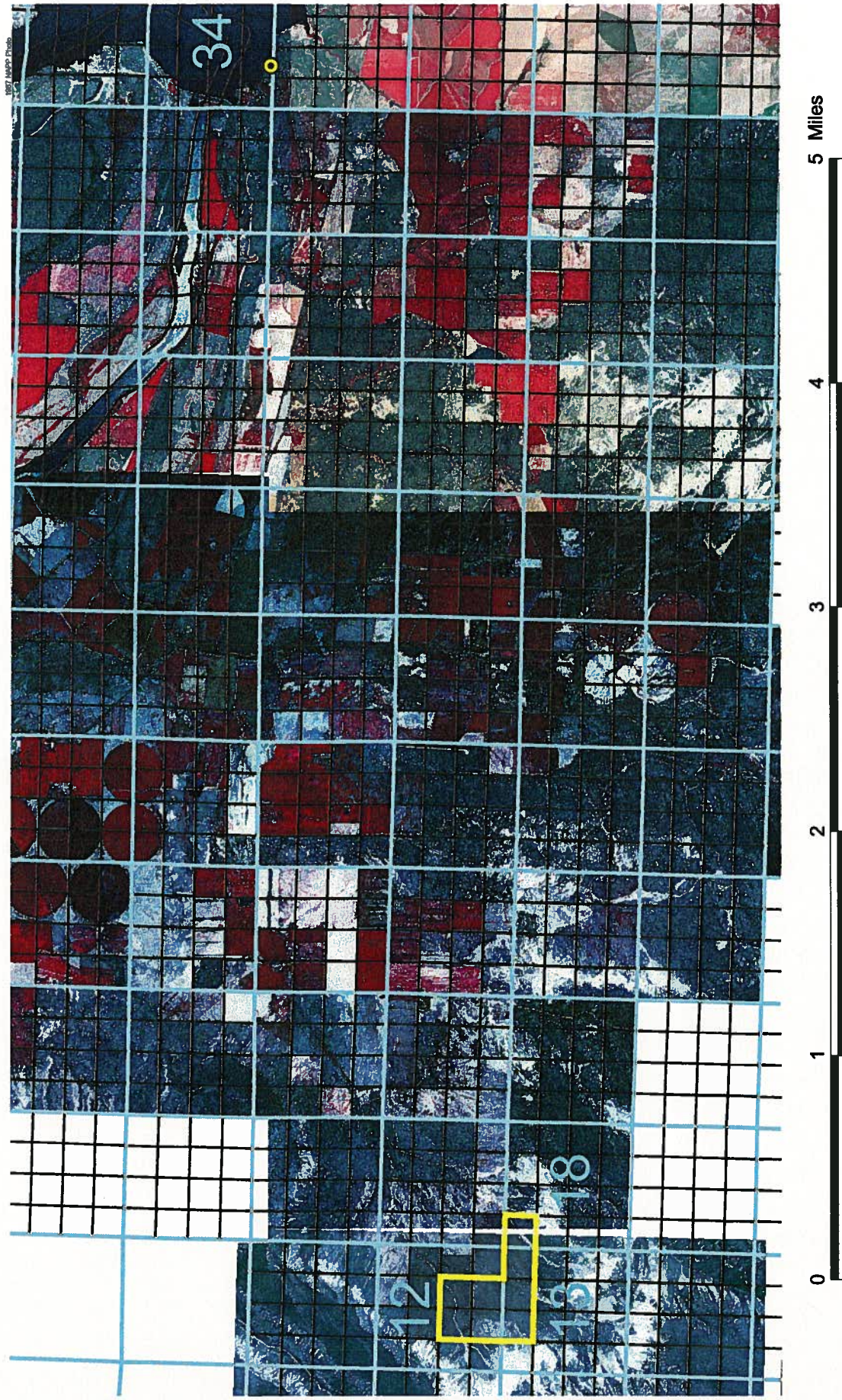


Idaho Department of Water Resources



Claim Number: 02-07064
Legal: T05S, R04E, S34 &
T06S, R03E, S18 &
T06S, R02E, S12 & S13
Reviewed By: JLD 5/17/05

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

05/17/2005

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

RIGHT NUMBER: 2-7064
NAME AND ADDRESS: CONNIE SMITH
64 MERRY LN
BURBANK WA 99323

ROBERT SMITH
64 MERRY LN
BURBANK WA 99323

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 6.360 CFS
1,590.000 AFY
PRIORITY DATE: 04/23/1970
POINT OF DIVERSION:

T05S R04E S34 SESW 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	6.360 CFS 1,590.00 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 R02E S12	NESW	40.0	T06S R02E S12	SESW	40.0
T06S R02E S12	NWSE	40.0	T06S R02E S12	SWSE	40.0
T06S R02E S13	NENE	39.0	T06S R02E S13	NWNE	40.0
T06S R02E S13	NENW	40.0	T06S R03E S18 Lot 1	NWNW	39.0

318 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: License

The following rights are also diverted through point of diversion described above: 02-7059, 02-7060, 02-7061, 02-7062, 02-7168A, 02-7168B, 02-7168C, 02-7237A, 02-7275, & 02-7279.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7064 Priority April 23, 1970 Amount 6.36 cfs

THIS IS TO CERTIFY, that Mud Flat Canal Co.
of Grand View, Idaho, has complied with the terms and conditions of Permit
No. 02-7064 issued pursuant to Application for Permit dated April 23, 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 48.47 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
Irrigation from <u>March 15</u> to <u>November 15</u> at <u>6.36</u> cfs and <u>1590.0</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 6.36 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1590.0 acre feet per year, said waters to be diverted within the Gov. Lot 4 (SE 1/4 SW 1/4)
Section 34, Twp 5S, Rge 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 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	
6S	2E	12									40		40	40	160
		13	39	40			40								119
6S	3E	18					39								39

Total number of acres irrigated 318

MICROFILMED

MICROFILMED

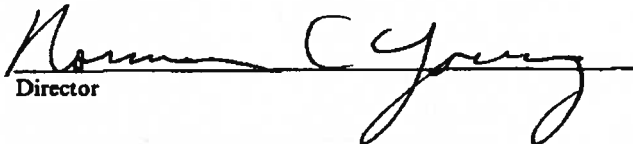
CONDITIONS OF APPROVAL

- 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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07064

Date: _____

	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	2E	12									40			40		40	40		160
GIS																				
Claim	65	2E	13	39	40			40												119
GIS																				
Claim	65	3E	18					-1 39												39
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 318

Overlapping POU Claim #'s:

Total GIS Acres: _____

COMMENTS:

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 2-7064
Date Received: 1/10/89
Receipt No: W001905
Received By:

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

1. Name of Claimant(s): CONNIE SMITH
64 MERRY LN
BURBANK WA USA 99323

Phone: (509) 545-8364

ROBERT SMITH
64 MERRY LN
BURBANK WA USA 99323

Phone: (509) 545-8364

2. Date of Priority: 04/23/1970

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	Type
05S	04E	34	SE SW 9	OWYHEE	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	6.36	1590

7. Total Quantity Appropriated is:
6.36 C.F.S. and/or 1590 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	02E	12	NE SW		IRRIGATION	40
			SE SW		IRRIGATION	40
			NW SE		IRRIGATION	40
			SW SE		IRRIGATION	40
Section Acres						160
06S	02E	13	NE NE		IRRIGATION	39
			NW NE		IRRIGATION	40
			NE NW		IRRIGATION	40
Section Acres						119
06S	03E	18	NW NW	1	IRRIGATION	39
Section Acres						39
Total Acres						318

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

DESC. OF DIVERTING WORKS - PUMPING PLANT IN C.J. STRIKE RES. INTO BYBEE CANAL WITH PUMP FROM BYBEE CANAL INTO THE MUDFLAT CANAL WITH RE-DIVERSION POINTS ALONG THE MUDFLAT CANAL FOR SPRINKLER IRRIGATION. NOTE: THIS PROPERTY IS PRESENTLY UNDER THE CRP PROGRAM AND WILL BE FOR APPROX. 10 YEARS
Ownership changed by DB 6/25/2001

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 12 2001

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
02-07060A	A02-07060A	X			
02-07064	A02-07064				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Robert and Mechelle Dirks
HC 85, Box 344, Grandview, ID 83624
4. New Owner/Claimant(s) Robert and Connie Smith
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
64 Merry Lane
 New Mailing Address Burbank, WA 99323
 City, State and ZIP Code
 New Telephone Number 509) 545-8364
 Date you acquired the property December 29, 2000

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>02-07060A/A02-07060A</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>3.2 cfs</u>	<u>160 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>3.2 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Robert L Smith
Connie J Smith

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Ringert Clark Chart.

234730

FILED - RECORDED

01 JAN - 14 PH 1:41

DEED TO A WATER RIGHT

BY to Herpa

FOR VALUABLE CONSIDERATION, the receipt and sufficiency which are hereby acknowledged, and pursuant to the Agreement dated the 29th day of December 2000, Robert and Mechelle Dirks, husband and wife, HC 85 Box 344, Grandview, Idaho 83624, do hereby grant and convey unto Robert and Connie Smith, husband and wife, 64 Merry Lane, Burbank, Washington, 99323, 6.36 cfs of Water Right 02-07064, originally appurtenant to 318 acres of land in the Section 12 and Section 13, Township 6 South, Range 2 East, B.M., Owyhee County, Idaho and Section 18, Township 6 South, Range 3 East, B.M., Owyhee County, Idaho, as described in the place of use for the right. The described water right shall, however remain appurtenant to the above described lands until such time as Robert Smith and Connie Smith, or their successors or assigns shall elect to sell, transfer, or otherwise remove, modify, amend, change, or dispose of the water right.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Robert Smith and Connie Smith, and to their successors and assigns forever.

IN WITNESS WHEREOF, Robert and Mechelle Dirks have executed this document this 28th day of December, 2000.

23 4730

ROBERT DIRKS and MECHELLE DIRKS
husband and wife

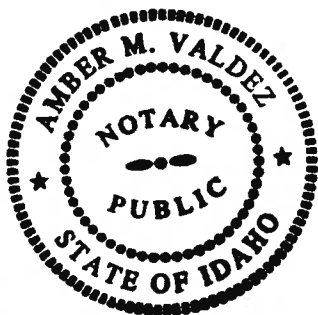
Robert Dirks
Robert Dirks

Mechelle Dirks
Mechelle Dirks

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of December, 2000, before me, Amber Valdez, the undersigned, a notary public in and for said state, personally appeared Robert Dirks and Mechelle Dirks, known or identified to me to be the husband and wife that executed the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Amber M. Valdez
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 6/29/04

FILED - RECORDED

01 JAN -4 PM 1:41

234729

RECEIVED OF
Ringer Clark Chart
FEE *\$6.00*

COPY
BY *B. Kerra*

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency which are hereby acknowledged, and pursuant to the Agreement dated the 29th day of December, 2000, Robert and Mechelle Dirks, husband and wife, HC 85 Box 344, Grandview, Idaho 83624, do hereby grant and convey unto Robert and Connie Smith, husband and wife, 64 Merry Lane, Burbank, Washington, 99323, 3.2 cfs of Water Right 02-07060A, originally appurtenant to 160 of 280 acres of land in Section 12 and Section 3, Township 6 South, Range 2 East, B.M. Owyhee County, Idaho, as described in the place of use for the right. The described portion of the water right shall, however, remain appurtenant to the lands identified in the right until such time as Robert Smith and Connie Smith, or their successors or assigns shall elect to sell, transfer, or otherwise, remove, modify, amend, change, or dispose of the water right.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Robert Smith and Connie Smith, and to their successors and assigns forever.

IN WITNESS WHEREOF, Robert and Mechelle Dirks have executed this document this 28th day of December, 2000.

334729

ROBERT DIRKS and MECHELLE DIRKS
husband and wife

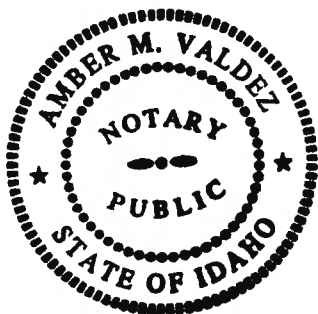
Robert Dirks
Robert Dirks

Mechelle Dirks
Mechelle Dirks

STATE OF IDAHO)
) ss.
County of Ada)

On this 20th day of December, 2000, before me, Amber Valdez, the undersigned, a notary public in and for said state, personally appeared Robert Dirks and Mechelle Dirks, known or identified to me to be the husband and wife that executed the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Amber M. Valdez
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 6/29/04

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: A02-07064
Date Received: 1/10/1989
Receipt No: 11004905
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT G. DIRKS 208-834-2404
Address: HC 85, BOX 344
GRANDVIEW, ID 83624

OR

Name: MECHELLE DIRKS 208-834-2404
Address: HC 85, BOX 344
GRANDVIEW, ID 83624

2. Date of Priority: APR 23, 1970

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	04E	34	SE	SW		9	OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.360		1590.00

7. Total Quantity Appropriated is:
6.360 C.F.S. (and/or) 1590.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A02-07064

Page 1

Date: 01/10/89

MICROFILMED
AUG 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06S	02E	12	NE	SW		IRR	40.0	
			SE	SW		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	40.0	
		Section Acres						160.0
		13	NE	NE		IRR	39.0	
			NW	NE		IRR	40.0	
			NE	NW		IRR	40.0	
	Section Acres						119.0	
	03E	18	NW	NW	1	IRR	39.0	
								Section Acres
	Total Acres						318.0	

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:
CLAIM NO. A02-07060.

14. Remarks:

DESC. OF DIVERTING WORKS - PUMPING PLANT IN C.J. STRIKE RES. INTO BYBEE CANAL WITH PUMP FROM BYBEE CANAL INTO THE MUDFLAT CANAL WITH RE-DIVERSION POINTS ALONG THE MUDFLAT CANAL FOR SPRINKLER IRRIGATION. NOTE: THIS PROPERTY IS PRESENTLY UNDER THE CRP PROGRAM AND WILL BE FOR APPROX. 10 YEARS.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): Robert G. Oaks Date: 1-10-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of Jan. 19 89

Jan Thute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 25, 2001

ROBERT SMITH
CONNIE SMITH
64 MERRY LN
BURBANK WA 99323

Re: Notice of Claim to a Water Right No. 02-7064 & 02-7237A

Dear Claimants:

Enclosed are copies of the above referenced claims, which reflect the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

In addition, you had also indicated claim number 02-2209 included in this change of ownership. At this time, that particular claim is still in review. You will receive a copy when it has been transferred into your names.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

cc: S Bryce Farris @ Ringert Clark, Chartered Lawyers
Dale Van Schoiack @ SCM Consultants Inc

**RINGERT
CLARK**
CHARTERED
LAWYERS

March 9, 2001

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

MAR 12 2001

**WATER RESOURCES
WESTERN REGION**

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Allyn L. Sweeney

Samuel Kaufman (1921-1986)

Re: Notice of Change of Ownership for Water Right Nos. 02-02209, 02-07060A, 02-07064 and 02-07237A.

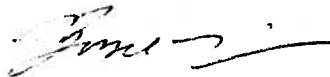
Dear Sir or Madam:

This law firm represents Robert and Connie Smith who recently purchased the above-mentioned water rights. Enclosed please find a Notice of Change in Water Right Ownership for the above-referenced water rights, along with copies of the recorded Deeds to the water rights.

All of these water rights are currently in the Water Supply Bank. Thus, please update your ownership records accordingly, and notify the Water Supply Bank to update their records. Also, all of these water rights have been claimed in the SRBA, thus, no filing fee is necessary. However, I would request that any documents pertaining to these water rights filed in the SRBA, including recommendations, be sent to the new owners of record, their engineer Mr. Dale Van Schoiack, SCM Consultants, Inc., 7601 W. Clearwater Ave. Ste. 301, Kennewick, WA 99336, and myself as their attorney of record.

If you have any questions please feel free to call me. Thank you for your cooperation.

Yours very truly,



S. Bryce Farris

Enclosures

cc: Glen Saxton
Robert Smith w/o enclosures
Dale Van Schoiack w/o enclosures

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 DETERMINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7064	I.D. No.	Map No.
\$ 10	Fee Paid	#18891
		Receipt No.

Notice is hereby given that Mud Flat Canal Co.
340A, (Name of Claimant)

Star Rt. B, Box 3447, 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) 4/23/1970

(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 6.36 Use Irrigation

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

Period of Use From 3/15 To 11/15
(Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 6.36 6.4 cfs TOTAL QUANTITY CLAIMED.

(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE Lot 9 SW
Sec. XX 34, Twp. XX 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	2E	12																	
		13	40	40			40				40			40	40	40			160
6S	3E	18					40												120
							39												40

Total no. of acres 320 318

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 Bennie Chatburn.

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

FEL

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-7064

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

On this 29th day of _____

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

9KN 11/8/85

Notary Public residing at BOISE, ID

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

before me

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7064 Priority April 23, 1970 Amount 6.36 cfs

THIS IS TO CERTIFY, that Mud Flat Canal Co.
of Grand View, Idaho, has complied with the terms and conditions of Permit
No. 02-7064 issued pursuant to Application for Permit dated April 23, 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>6.36</u> cfs and <u>1590.0</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 6.36 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
1590.0 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	2E	12									40			40		40	40		160
		13	39	40		40													119
6S	3E	18					39												39

Total number of acres irrigated 318

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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



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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D. Agenbroad
02-7059 et al

Page 2

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 CANNING CO.
Route B Box 349 A
Grandview, Idaho 83524

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 Aguilera
Secy

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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
02-7237A	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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POOR ORIGINAL

R2E 9-6-77 R3E

R3E

577266

R

40 12 6 7

R3E

A 3.7

C424
260C

02-7060

Don

40

40

40

40

02-7064

C 310

40

40

12 7

39 13 18

29

319.2

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by 9KN

Date 10/12/84 5/2/85

Right No. 02-7064

Claimant Mud Flat Canal Co.

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 ~~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 45 48.44 cfs. Amount recommended 6.36 cfs.

Type of measuring device: anemometer Meter No. 09145-9

Condition Fair Date 10/3/84 Time 1 PM

See 02-7059

4/24/85

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

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks See 02-7059 for measurement & etc.

FILED
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 DETERMINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON WATGAGE BASHN.
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7064 I.D. No.	Map No.
\$ <u>10</u> Fee Paid	# <u>18891</u> Receipt No.

Notice is hereby given that Mud Flat Canal Co.
340A, (Name of Claimant)
Star Rt. B, Box 344V 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) 4/23/1970
- (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</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>6.36</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 6.36 TOTAL QUANTITY CLAIMED. Lot 9 SW
- (5) A) Point of Diversion: Give location of point where water is diverted from its source XXX SE XX XXX SW XX
Sec. XX 34 XX Twp. XXX 5S XX, Rge. 4E XX, B.M., Owyhee XX County
Additional Points: SE 1 272.0 (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 sprinkler system
- (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	2E	12									40					40			160
		13	40	40			40												120
6S	3E	18						40											40
6S	2E	12									40			40		40	40		160
	2E	13	39	40			40	40											129
6S	3E	18					40	39											39
Total no. of acres																			320 <u>318</u>

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 Bennie Chatburn.
- (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. 02-7064

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 Organization _____
County of Ada ss. Seal _____

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; 02-7059, -7060, -7061, -7062, -7064, -7168, -7237A, -7275, AND -7279.

From:

DATE:

FORREST LUTHY

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 DISCUSSED IS 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 RECORD 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 HAOLEY, WHO ASKED FOR A CALL-BACK LATE IN SEPTEMBER. MR. HAOLEY, 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 HAOLEY FOR AN EXAM AT 10:00 AM WEDNESDAY, OCT. 12. ON OCT. 7, A CALL TO MR. HAOLEY 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 HAOLEY REVEALED PENSTOCK HAD SPLIT WHEN THEY HAD SHUT PUMP DOWN. HAOLEY FELT IT WOULD NOT GIVE BEST RESULT TO MEASURE AT THIS TIME.

IT WAS RELATED TO HAOLEY 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 OR 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

(21)

Memo To: MUD FLAT IRRIGATION Co. FILES; 02-7059 ETC. (CONT'D.)
FROM: FORREST LUTHY DATE: 10/26/83
SUBJECT: DOCUMENTATION ON FAILURE TO EXAMINE & ACREAGE INFORMATION.

TO MR. HAULEY 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. HAULEY 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 FLAT 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, -70
-7062, -7064, -7168, 7237A, -7275, & -7279.

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

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

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

MICROFILMED

AUG 16 1984

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 DETERMINATION OF RIGHTS TO THE USE OF SNAKE RIVER FROM BASE OF MILNER DAM TO OREGON DRAINAGE BASIN BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-7064	I.D. No.	Map No.
\$ 10	Fee Paid	#18891 Receipt No.

Notice is hereby given that Mud Flat Canal Co.
340A, (Name of Claimant)
Star Rt. B, Box 344V, 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) 4/23/1970

(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 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 XX XX XX XX
Sec. XX 34, Twp. XX 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	2E	12									40			40		40	40		160
		13	40	40			40												120
6S	3E	18					40												40

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 Bennie Chatburn.

(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. 02-7064

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 (Signature of Claimant)

County of Ada (Signature of Spouse)

On this 29th day of April, in the year 1981 before me

a notary public, personally appeared H. NATHANIEL BOGGS

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

PCOR 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. 02-7064

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, 1980
Date

Mud Flat Canal Co.
A. H. Hatteland (Secy)
Signature of Permit Holder

APR 1 2 1980
MICROFILMED