

Idaho Department of Water Resources



Claim Number: 02-07275
Legal: T06S, R03E, S9 &
T05S, R04E, S34
Reviewed By: JLD 5/4/05

05/04/2005

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

RIGHT NUMBER: 2-7275

NAME AND ADDRESS: LAYNE H ASTLE
HC 85 BOX 341B
GRAND VIEW ID 83624

CARLEEN M ASTLE
HC 85 BOX 341B
GRAND VIEW ID 83624

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.260 CFS
565.000 AFY

PRIORITY DATE: 12/13/1978

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	2.260 CFS 565.00 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 S09	NWNE	35.0	T06S R03E S09	SWNE	39.0
T06S R03E S09	NENW	39.0			

113 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

Right Nos. 02-7059, 02-7060, 02-7061, 02-7062, 02-7064, 02-7168A, 02-7168B, 02-7168C, 02-7237A, and 02-7279 are also diverted through point of diversion described above.

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Mud Flat Canal Co.

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
Irrigation	from March 15	to November 15	at 2.26 cfs and	536.0 acre feet
	from _____	to _____	at _____ cfs and	_____
	from _____	to _____	at _____ cfs and	_____

Subject, however, to the condition that no more than 2.26 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 565.0 acre feet per year, said waters to be diverted within the Gov. Lot 2 (SE1SW1) Section 34, Twp 5S, Rge 4E in the County of Ottawa

[illegible]

Total number of acres irrigated 113

WICKUP FILMED

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

Norman C. Young

Idaho Department of Water Resources



Claim Number: 02-07275

Legal: T06S, R03E, S9 &

T05S, R04E, S34

Reviewed By: JLD 5/4/05

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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: _____ Date: _____

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	3	9		35	39		39												
GIS					35	39														
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: _____

Overlapping FOU Claim #'s:

Total GIS Acres: _____

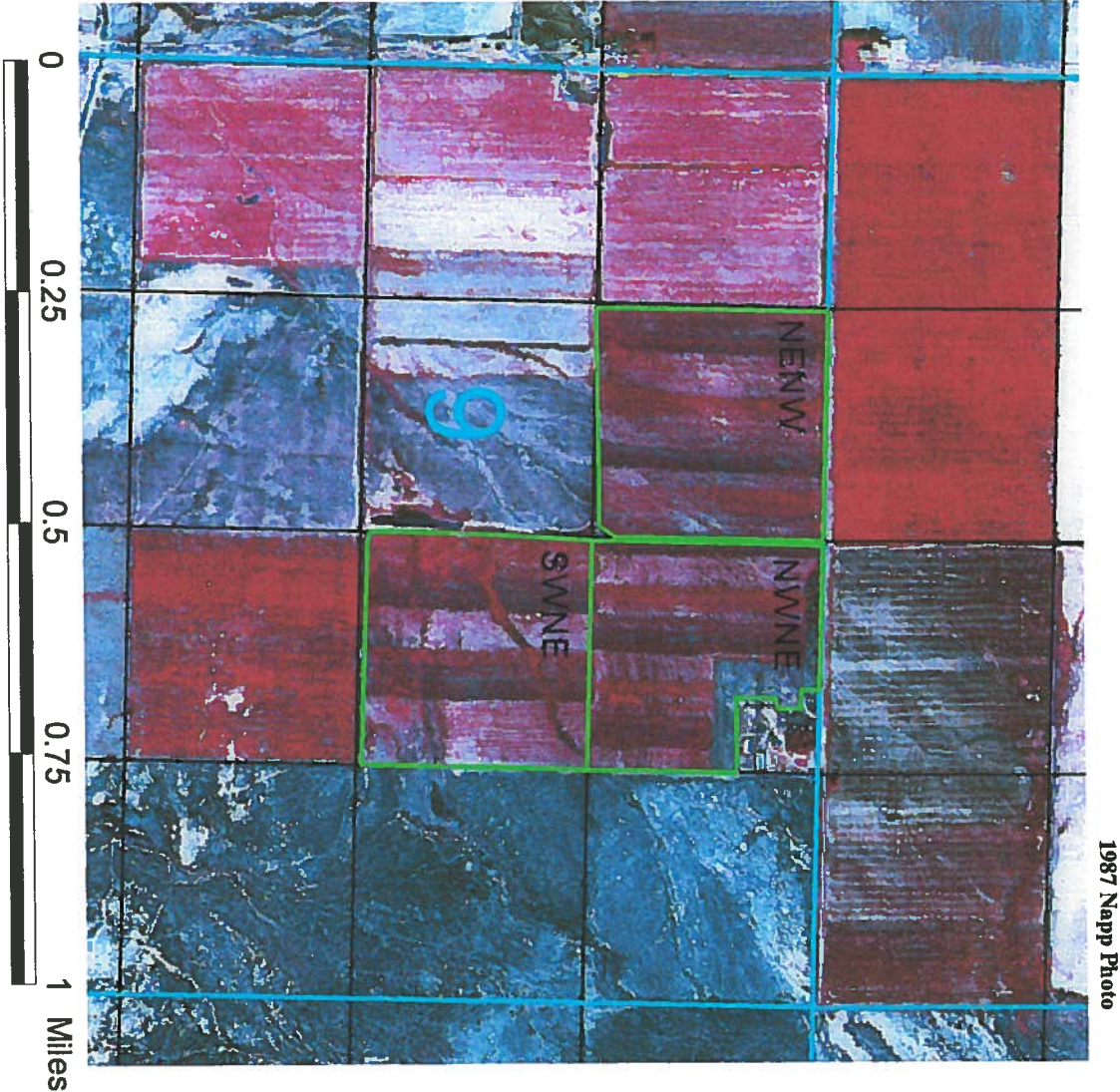
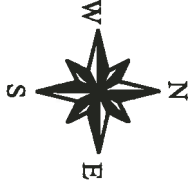
COMMENTS:

Per claim map + image interpretation

Idaho Department of Water Resources

Claim Number: 02-07275
Legal: T06S, R03E, S09
Reviewed By:

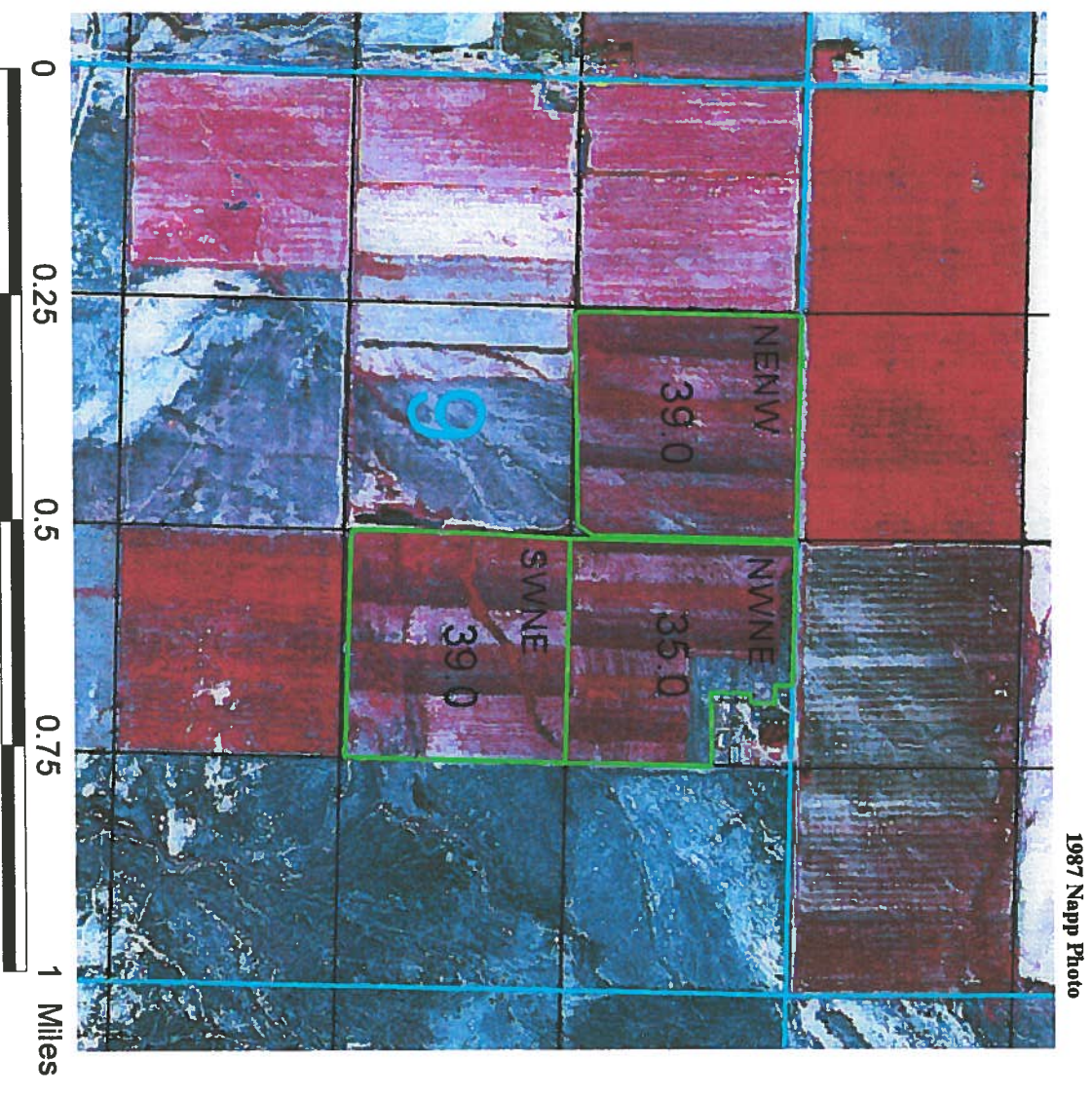
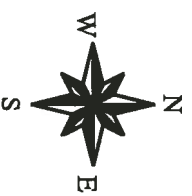
- Point of Diversion
(located outside view)
- Place of Use
- Section Lines
- Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-07275
Legal: T06S, R03E, S09
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

Ident. Number: A02-07275
Date Received: 1/05/1989
Receipt No: W1871
Received By: LL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAYNE ASTLE 208-834-2720
Address: HC 85, BOX 341B
GRANDVIEW, ID 83624

2. Date of Priority: DEC 13, 1978

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		SE	SW	9	OWYHEE

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.260		565.00

7. Total Quantity Appropriated is:
2.260 C.F.S. (and/or) 565.00 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	9	NW	NE		IRR	35.0
			SW	NE		IRR	39.0
			NE	NW		IRR	39.0

Section Acres 113.0

A02-07275

Page 1

Date: 01/05/89

MICROFILMED

AUG 10 1992

10. Place of Use: Continued

Total Acres 113.0

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:

 THIS RIGHT WAS ORIGINALLY IN THE NAME OF MUD FLAT CANAL CO.
 THEY ARE NOW OUT OF BUSINESS AND THE OWNER OF THE PROPERTY, MR.
 ASTLE, IS FILING ON THIS AS IS. HE IS USING THE WATER AND HAS
 A WAY OF GETTING THE WATER TO THE PROPERTY.

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: 2

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): *[Signature]* Date: 1/5/89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of Jan 19 89 *Linda Warner*
Notary Public

Seal

Residing at Boise ID
My Commission Expires 12-8-94

02-7275
T5S, R4E
23 sec. 34



MICROFILMED
AUG 10 1982

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA Daryl yost

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
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7275

I.D. No.

Map No.

\$

Fee Paid

Receipt No.

Notice is hereby given that Mud Flat Canal Co.

(Name of Claimant)

Star Rt. B, Box 30A, 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) 12/13/1970
- (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>2.4 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 _____ (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) 2.4 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 xy xy
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Underground pipe, booster pump.
- (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.

NW¼

SW¼

SE¼

TOTAL

MICROFILMED

AUG 10 1992

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Mud Flat Canal Co.

No. 02-7275 issued pursuant to Application for Permit dated December 13 1979
has complied with the terms and conditions of Permit

that he has applied water to a beneficial use; an examination by the Department is directed to that end.

tributary to Columbia River

irrigation from March 15 to November 15 at 2.26 cfs and 565.0 acre feet

from _____ 10 _____ at _____ cfs and _____
Shark Jaws, Inc. 10/1/78

that the amount of water so diverted and to the extent that the amount of water so diverted at any one time, and

565.0 565.0

_____ in the County of Wayne

Top.	Range	Set.	NEW	WASH	RAMS	SEA

[illegible]

Total number of acres irrigated¹

MICROFILME
AUG 10 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 16, 1988

Charles Flatter
HC 85, Box 341
Grandview, ID 83624

Re: Water Right License No. 02-7275

Dear Mr. Flatter:

The records of the Department of Water Resources show that water right No. 02-7275 authorizes the diversion of 2.26 cubic feet per second (cfs) from the Snake River at a point of diversion located in government Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 34, T5S, R4E, B.M. The place of use listed on the license includes the W $\frac{1}{2}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T6S, R3E, B.M., totaling 113 acres.

In our telephone conversation, you stated that you were attempting to negotiate delivery of your water through the Bybee Lateral rather than the Mud Flat Canal. Approval by the Department of your use of the Bybee ditch to deliver water is not necessary provided that none of the components of the license, including the described point of diversion and the place of use, do not change. Please contact me if you have any further questions.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

MICROFILMED
AUG 16 1994

GS:jf

CC: Western

RECEIVED
FEB 19 1988

Department of Water Resources
Western Regional Office

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

DAN TO OREGON ~~XXXXXXXXXXXX~~
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7275

I.D. No.

Map No.

\$ 10

Fee Paid

18891

Receipt No.

Notice is hereby given that Mud Flat Canal Co.

(Name of Claimant)

Star Rt. B, Box 340 A 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) 12/13/1978 ✓
- (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>2.4 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u>
(Mo., Day) | To <u>11/15</u>
(Mo., Day) |
| (Both dates inclusive) | | | |
| Quantity <u>2.26</u>
(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) 2.26 ~~2.4~~ cfs TOTAL QUANTITY CLAIMED. SW ~~SE~~ SW ~~SE~~
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 SE ~~XX~~ SW ~~XX~~
Sec. 34 ✓, Twp. 5S ✓, Rge. 4E ✓, B.M., Owyhee ✓ County
- Additional Points: SE 1/4 272.0 117492.5
- 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.
Underground pipe, booster pump. Sprinkler irr.
- (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	9		40	40		40												120
				35	39		39												113

Total no. of acres 120 113

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 owners were Darrel F. & Helen I. Yost. (SR USE)
- (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

KEYPUNCH
FEL

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 ~~X~~ DRAINAGE BASIN ~~X~~
BORDER.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-7275	I.D. No.	Map No.
\$ 10	Fee Paid	Receipt No. #18891

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

Star Rt. B, Box 340 A, 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) 12/13/1978
- (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>2.4 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 _____
(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) 2.4 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 9 SE 1/4
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
- Additional Points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Underground pipe, booster pump.
- (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	
6S	3e	9		40	40		40												120

Total no. of acres 120

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 owners were Darrel F. & Helen I. Yost.
- (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

FEL

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____
 JUN 17 1961

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

NOTICE OF CLAIM TO A WATER RIGHT

Department of Water Resources
 Western Regional Office

I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that The U.S.A., acting through the Farmers Home Administration
 (Name of Claimant)

P.O. Box 10 Grand View, Idaho 83624 Telephone No. 208-834-2297
 (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) _____
January 19, 1979
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____
Snake River tributary to J. C. Strike Reservoir
- (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>2.4 CFS</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>March 15</u> To <u>Nov. 15</u>
(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) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 2.4 CFS TOTAL QUANTITY CLAIMED.
 (CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source _____ ¼ _____ ¼
 Sec. _____, Twp. _____, Rge. _____, B.M., _____ 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. _____
- (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	9		40	40		40												120 Acres

Total no. of acres 120 Acres

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: Mud Flat Canal Company
- (8) Remarks The Mud Flat Canal Company has issued 120 shares of stock for the subject property

- (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. 02-7275

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by 9/KH

Date ~~10/3/84~~ 5/2/85

Right No. 02-7275

Claimant Mud Flat Coal 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 ~~A 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~~ 4/24/85

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

9-6-77

POOR ORIGINAL

W27

50

514
8 9

C454
292C

$\frac{1}{4}$ MILE
8" PVC

D $\frac{1}{4}$ MILE
39.4 10" PVC

A
38.4

B
34.8

$\frac{3}{4}$ MILE
10" PVC

F
41.9

G
39.5

C
38.4

H
41.0

I
38.5

MICROFILMED
40.3
AUG 16 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7275 Priority December 13, 1978 Amount 2.26 cfs

THIS IS TO CERTIFY, that Mud Flat Canal Co.
of Grand View, Idaho, has complied with the terms and conditions of Permit
No. 02-7275 issued pursuant to Application for Permit dated December 13, 1978,
and has submitted proof to the Department of Water Resources on January 24, 1980,
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>2.26</u> cfs and	<u>565.0</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 2.26 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
565.0 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	9		35	39		39												113

Total number of acres irrigated 113

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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

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

MUD FLAT CREEK CO.

Route B Box 349 A

Grandview, Idaho 83624

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. Treasure

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AUG 16 1994

Mud Flat Canal Co.
Examined Rights

POOR ORIGINAL

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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AUG 16 1994

POOR ORIGINAL

R 35

9

40

0454
2920

02-7275

39

35

T
6
s

D

39.4

A

38.4

B

34.8

40

02-7059

39

F

41.9

G

39.5

C

38.4

H

41.0

I

38.5

J

40.3

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AUG 15 1994

K

39.6

L

40.4

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

(2)

MEMO TO: MUD FLAT IRRIG. 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 CALLED 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.

MICROFILMED
AUG 16 1994

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, ~~8/11~~ 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 LATE
PART OF SEPTEMBER TO ARRANGE FOR OCTOBER DATE

MICROFILMED

AUG 16 1994

X

June 23, 1981

Robert C. Lowe
FARMERS HOME ADMINISTRATION
P. O. Box 10
Grand View, ID 83624

Re: 02-7275, Darrell F. Yost

Dear Mr. Lowe:

The Department has received your Claim to Water Right for 02-7275 covering land formerly owned by Darrell Yost. However, the claim is returned to you for several reasons.

Copies of three documents are enclosed for your use. I will refer to each in explaining our actions.

Yost, the original holder of the water permit, assigned it to Mud Flat Canal Company. The permit, which I believe you have a copy of, is personal as opposed to real property. Mud Flat filed a Claim to Water Right previously. In addition the company has properly submitted Proof of Beneficial Use as required by the permit.

This summer a field examiner from the Department will inspect this right and the others of Mud Flat. A license, which is appurtenant to the land, will be issued following that examination.

In the past the Department has recommended to the Courts in other adjudications that a water right be decreed in the name of an irrigation company or district when the company or district delivers the water for its shareholder or member. Mud Flat claimed this water right accordingly.

Your letter and a copy of the claim you sent has been included in the file folder with Mud Flat's claim. Your claim has been returned as a precaution to prevent its loss and because a \$10 filing fee was not sent with the claim. If you wish to make your claim a part of the court record, please return it with the filing fee. We will properly receipt it and make it a part of our investigation.

MICROFILMED
AUG 16 1984

Page 2
Robert C. Lowe
June 23, 1981

I hope this letter serves your needs in administering this land. If you have any questions, please feel free to contact me.

Regards,

DONALD V. SHAFF
Adjudication Section Supervisor

DVS:aje

Enclosures

Assignment on 02-7275

PROOF CARD "

COPY CLAIM " BY MUD FLAT

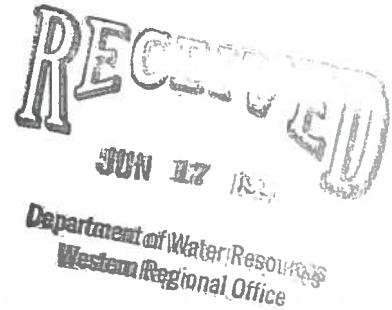
MICROFILMED
AUG 16 1984

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
P.O. BOX 10
GRAND VIEW, IDAHO 83624

SUBJECT: DARRELL F. YOST

TO: IDAHO WATER RESOURCE DEPARTMENT
WESTERN REGIONAL OFFICE
29 SOUTH COLE ROAD
BOISE, IDAHO 83705

JUNE 16, 1981



Please be advised that the property of Darrell F. Yost in Grand View, Idaho more particularly described as:

In Township 6 South, Range 3 East, B.M. Owyhee County, Idaho
Sec. 9: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

has been reconveyed and deeded to the Farmers Home Administration and the U.S. Government now has ownership to the above described land.

We are sending you a completed and signed Notice of Claim to a Water Right so that we are assured the irrigation water has been filed upon.

If you have any questions concerning this matter please feel free to contact our office by calling 834-2297.

Sincerely,

A handwritten signature in blue ink that reads "Robert C. Lowe".

ROBERT C. LOWE
COUNTY SUPERVISOR



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

334-

(208) 384-2190

C. STEPHEN ALLRED

Director

July 8, 1980

David R. Birch, Assistant County Supervisor
USDA Farmers Home Administration
P.O. Box 10
Grand View, Idaho 83624

Dear Mr. Birch:

In response to your letters of June 26, 1980, enclosed are copies of permits 57-7021, 57-7145 and 02-7275.

There is no pending adverse action on any of the above permits, nor is any expected. You will be notified if any should arise.

If you have any further questions or need additional information, please contact this office.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:hlh

Enclosures

MICROFILMED

AUG 16 1994

02-7275

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
P.O. Box 10
Grand View, Idaho 83624

IDAHO WATER RESOURCES DEPARTMENT
Western Regional Office
29 South Cole Road
Boise, Idaho 83705

June 26, 1980

Farmers Home Administration has a mortgage on property owned by Darrel F. and Helen I. Yost, Grand View, Idaho; and therefore has an interest in State of Idaho Water License No. 57-7145 and Application No. 02-7275.

Would you please inform us if any adverse action is taken on this license or application? Also please forward a copy of the previously mentioned items to our office for our records. Thank-you.

The following is the legal description from their mortgage:

IN TOWNSHIP 6 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 9: W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Sincerely,

David R. Birch

DAVID R. BIRCH
Assistant County Supervisor

RECEIVED

JUN 27 1980

Department of Water Resources
Western Regional Office

MICROFILMED
AUG 16 1994

March 14, 1980

Mud Flat Canal Company
Star Route B, Box 341
Grandview, ID 83624

Gentlemen:

Re: Permit No. 02-7275

This office acknowledges receipt of the assignment conveying the above-referenced permit to you and also the receipt of the statement of beneficial use. The assignment has been entered into the Department's records.

For your records, I have enclosed is a copy of the permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise, Idaho, phone: 334-2190)

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure



Department of Natural Resources
Western Regional Office

POOR ORIGINAL

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. 02-7275.

Name(s) of Permit Holder: Mud Flat Canal Company

Post Office Address: ST RT 6 Box 341

Grandview Idaho 83624

Source of Water: Snake River Tel. No. 834-2711

Extent of Use: ☐ Domestic ☐ Stockwater ☒ Irrigation ☐ Other 120

(number of households)
(number and type of stock)
(acres)

Measuring Device: Required? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No
Installed? ☒ Yes ☐ No

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

Jan 27 1980
Date

Ray Hunsaker
Signature of Permit Holder

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, DARRILL F. YOR, hereby assign to MIND Flat Canal Company
of ST. R. B. Box 341 GRANDVIEW IDAHO 83624
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 02-7275
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 _____ day of _____, 19 _____.

[Signature]
Permit Holder

[Signature]
Spouse of Permit Holder

State of Idaho)
County of OWYHEE) ss.

On this 18th day of JANUARY, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

se i

[Signature]
Notary Public residing at

GRAND VIEW, IDAHO

My commission expires:

12-16-80

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

ASSIGNED TO:
Mud Flat Canal Co.
Star Route B, Box 341
Grandview, ID 83624
1/24/80

To appropriate the public waters of the State of Idaho

1. Name of applicant DARREL F. and/or HELEN I YOST Phone 834-2660

Post office address P.O. Box 402, Grandview, Idaho 83624

2. Source of water supply Snake River which is a tributary of J.C. Strike Res.

3. Location of point of diversion is Lot 9 ~~1/4~~ 1/2 of Section 34 Township 5S

Range 4E B.M. Owyhee County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 2.4 cfs for irrigation purposes from March 15 to November 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)

5. Total quantity to be appropriated:

a. 2.4 cfs cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

Underground pipe, booster pump

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

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.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	3E	9		40	40		40												120 acres

Total number of acres to be irrigated 120 acres

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

9. a. Who owns the property at the point of diversion Mud Flat Canal Company

b. Who owns the land to be irrigated or place of use Darrel F. Yost

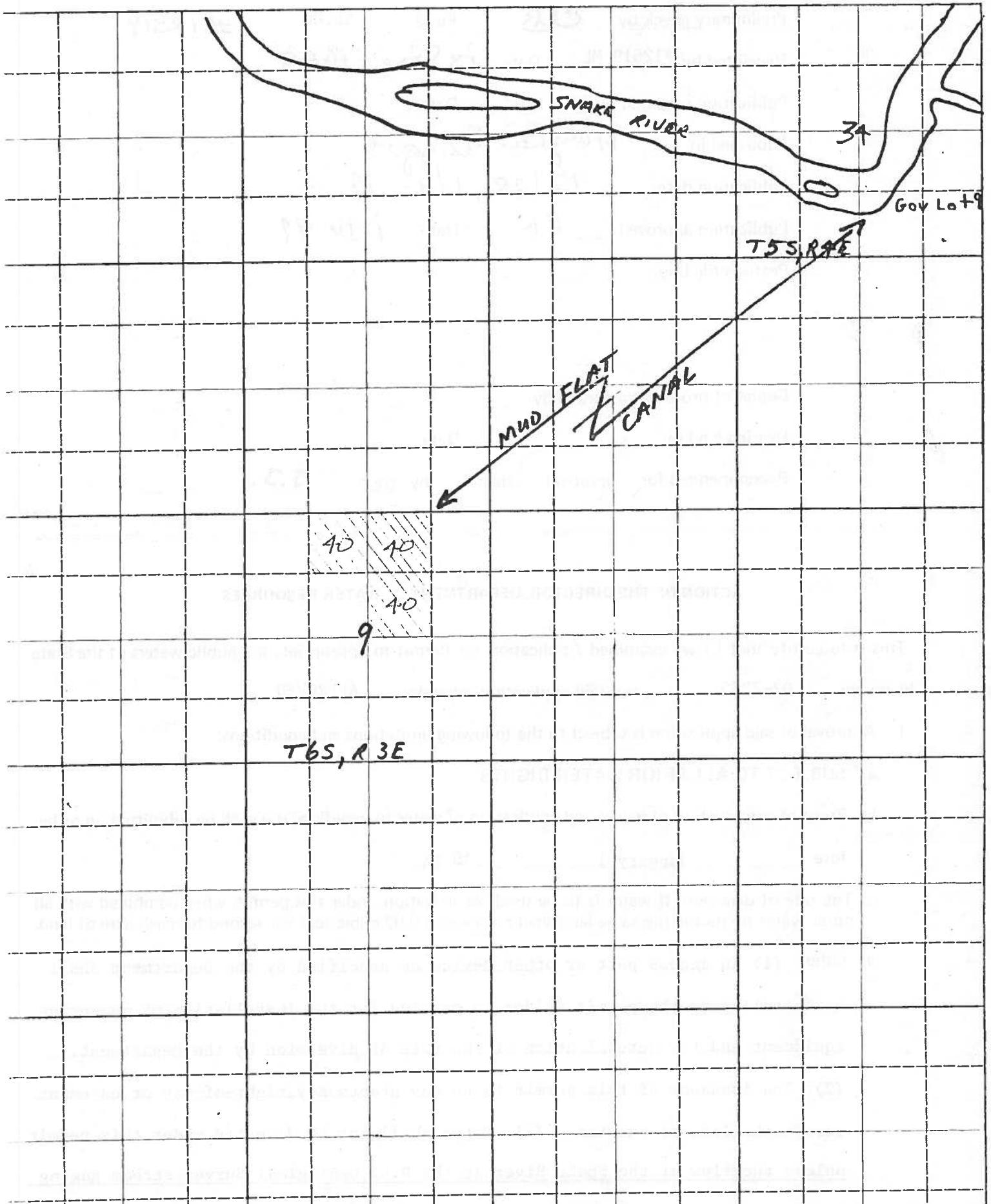
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Darrel Yost is member of Mud Flat Canal Company.

10. Remarks Using Mud Flat Canal as conveyance system. Darrel Yost is member of Mud Flat Canal Company.

AUG 16 1994

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



Proposed Priority 12-13-78

Received by CWB Date 12/13/78 Time 2:00 pm

Preliminary check by CWB Fee \$ 55.00 # 12519

Receipted by #12519 ML Date 13 Dec 1978

Publication prepared by _____ Date _____

Published in Owyhee Nugget

Publication dates 12/28, 1/4, 79

Publication approved KK Date 1-16-79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS J.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7275, 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 January 1, 19 84.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
(2) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (3) Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 cfs. and at Weiser exceeds 4,750 cfs.

Witness my hand this 19th day of January, 1979.

AUG 16 1994
MICROFILMED

J. Glen Saxton

Chief, Operations Bureau