

# The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, ID 83628 • 208/337-4681

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )  
 ) ss  
COUNTY OF OWYHEE )

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in TWO (2)  
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

MARCH 8, 15, 2006

SIGNED: \_\_\_\_\_

STATE OF IDAHO  
COUNTY OF OWYHEE )

On this 30<sup>th</sup> day of Mar in the year of 2006 before me, a

Notary Public, personally appeared JOE E. AMAN  
known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



RECEIVED

APR 03 2006

ACCTS PAYABLE

Jennifer Stutheit  
Notary Public of Idaho

Residing at HOMEDALE, IDAHO

My commission expires: JANUARY 3, 2009

## NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Owyhee County are shown to the nearest section -- more specific locations are available upon request.

**Water Right: 02-10011**  
NAME & ADDRESS: RODNEY D & VIRGINIA ST CLAIR, RT 1  
BOX 772, MARSING ID 83639  
SOURCE: SNAKE RIVER  
TRIBUTARY: COLUMBIA RIVER  
PRIORITY DATE: 04/01/1982  
POINT OF DIVERSION: T02N R04W S26 LT 4 (SWSE)  
PURPOSE OF USE: IRRIGATION  
PLACE OF USE: T02N R04W S26 LT 4 (SESU)  
This right is for an enlargement of 10 acres  
**Water Right: 02-10016**  
NAME & ADDRESS: J R SIMPLOT CO, PO BOX 27, BOISE ID 83707-0027

SOURCE: SNAKE RIVER  
TRIBUTARY: COLUMBIA RIVER  
PRIORITY DATE: 12/31/1986  
POINT OF DIVERSION: T06S R04E S03 LT 1 (NENE)  
PURPOSE OF USE: IRRIGATION  
PLACE OF USE: T06S R04E Within Sections 02, 03, 09, 10, & 11  
This right is for an enlargement of 80 acres within the total 712 acres recommended.

**Water Right: 02-10060**  
NAME & ADDRESS: WILSON & WILSON CO INC, PO BOX 33, HAMMETT ID 83627  
SOURCE: SNAKE RIVER  
TRIBUTARY: COLUMBIA RIVER  
PRIORITY DATE: 09/02/1987  
POINT OF DIVERSION: T05S R06E S36 LT 6 (SESESE)  
PURPOSE OF USE: IRRIGATION  
PLACE OF USE: T06S R07E S06 LT 5 (SWNW) SENW NESW LT 6 (NWSW)  
This right is for an enlargement of 23.1 acres.

**Water Right: 02-10171**  
NAME & ADDRESS: HOWARD J FIELD, 23608 FIELD LN, GRAND VIEW ID 83624-5054  
SOURCE: SNAKE RIVER  
TRIBUTARY: COLUMBIA RIVER  
PRIORITY DATE: 03/15/1987  
POINT OF DIVERSION: T05S R04E S34 LT 10 (NWSW)  
PURPOSE OF USE: IRRIGATION  
PLACE OF USE: T05S R03E S23 NWSW SWSW SESW S26 NWNE SWNE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NWSE  
This right is for an enlargement of 87 acres within the total 401 acres recommended.

**Water Right: 02-10172**  
NAME & ADDRESS: TERRY C & JACKIE L CAROTHERS, PO BOX 331, GRAND VIEW ID 83624  
SOURCE: SNAKE RIVER  
TRIBUTARY: COLUMBIA RIVER  
PRIORITY DATE: 03/15/1987  
POINT OF DIVERSION: T05S R04 S34 LT 10 (NWSW)  
PURPOSE OF USE: IRRIGATION  
PLACE OF USE: T05S 03E S23 NWSW SESW S26 NWNE  
This right is for an enlargement of 7 acres within the total 33 acres recommended.

**Water Right: 02-10294**  
NAME & ADDRESS: LITTLE VALLEY MUTUAL IRRIGATION CO, C/O BART FOWERS, PO BOX 160, GRAND VIEW ID 83624  
SOURCE: SNAKE RIVER  
TRIBUTARY: COLUMBIA RIVER  
PRIORITY DATE: 04/01/1985  
POINT OF DIVERSION: T06S R04E S02 NENW  
PURPOSE OF USE: IRRIGATION  
PLACE OF USE: Place of use is within the area served by Little Valley Mutual Irrigation Co  
This right is for an enlargement of 7 acres within the total 4189 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, PO Box 83720, Boise ID 83720-0098 on or before April 17, 2006.

3/8/15/06

# Idaho Department of Water Resources

1987 NAPP Image



Claim Number: 2-10294  
Legal: T06S, R04E  
Reviewed By: SJR 12/10/05



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

12/10/2005

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

RIGHT NUMBER: 2-10294

NAME AND ADDRESS: LITTLE VALLEY MUTUAL IRRIGATION CO  
C/O BART FOWERS  
PO BOX 160  
GRAND VIEW ID 83624

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.140 CFS

Rights 2-2442, 2-2443, 2-7030, 2-7068, 2-7221 and 2-10294 when combined shall not exceed a total diversion rate of 69.11 cfs.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 14725 AF. COMBINED RIGHT NOS.: 2-2442, 2-2443, 2-7068, 57-2202, 57-2203

Right Nos. 2-7068 and 2-10294 are limited to a total combined diversion rate of 51.4 cfs.

PRIORITY DATE: 04/01/1985

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T06S R04E S2 NENW 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          | 0.140 CFS       |

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:

4189 ACRES TOTAL

12/10/2005

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

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USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4189 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 2-2442, 2-2443, 2-7030, 2-7068, 2-7221, 57-2202, 57-2203

Place of use is within the area served by Little Valley Mutual Irrigation Co..

This right is limited to the irrigation of 7 acres within the place of use described above in a single irrigation season.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

This right is based upon an enlargement of Right No. 2-7068 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 7 acres within the place of use described for this right.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

Rights 2-2442, 2-2443, 2-7030, 2-7068 and 2-7221 are also diverted through the point of diversion described above.