

09/26/2006

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

RIGHT NUMBER: 1-2079

NAME AND ADDRESS: BYRD
3854 SWAN VALLEY HWY
PALISADES ID 83437

JOSIE BYRD
3854 SWAN VALLEY HWY
PALISADES ID 83437

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.980 CFS

PRIORITY DATE: 12/09/1912

POINT OF DIVERSION:
T01S R45E S6 SENW Lot 6 Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	1.980 CFS
PLACE OF USE:	<u>IRRIGATION Within BONNEVILLE County</u>		
	T01N R44E S36 SWNW	0.20	T01N R44E S36 NWSW 15.00
	T01N R44E S36 SWSW	34.00	T01S R45E S06 Lot 2 NWNE 13.00
	T01S R45E S06 SWNE	27.00	T01S R45E S06 SENE 5.50
	T01S R45E S06 Lot 3 NENW	2.90	T01S R45E S06 Lot 6 SENW 1.60
	99.2 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.

The remainder of this right was forfeited for non-use from 1956 to 2006

EXPLANATORY MATERIAL: BASIS OF CLAIM -

Water is delivered through the Byrd Pump.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



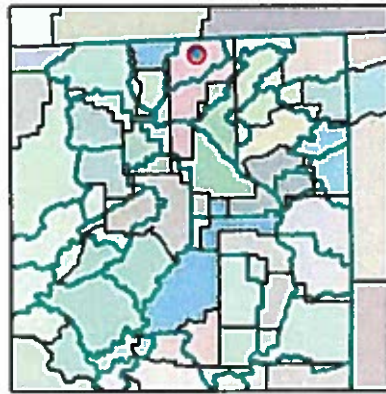
Idaho Department of Water Resources

SRBA Recommendation:

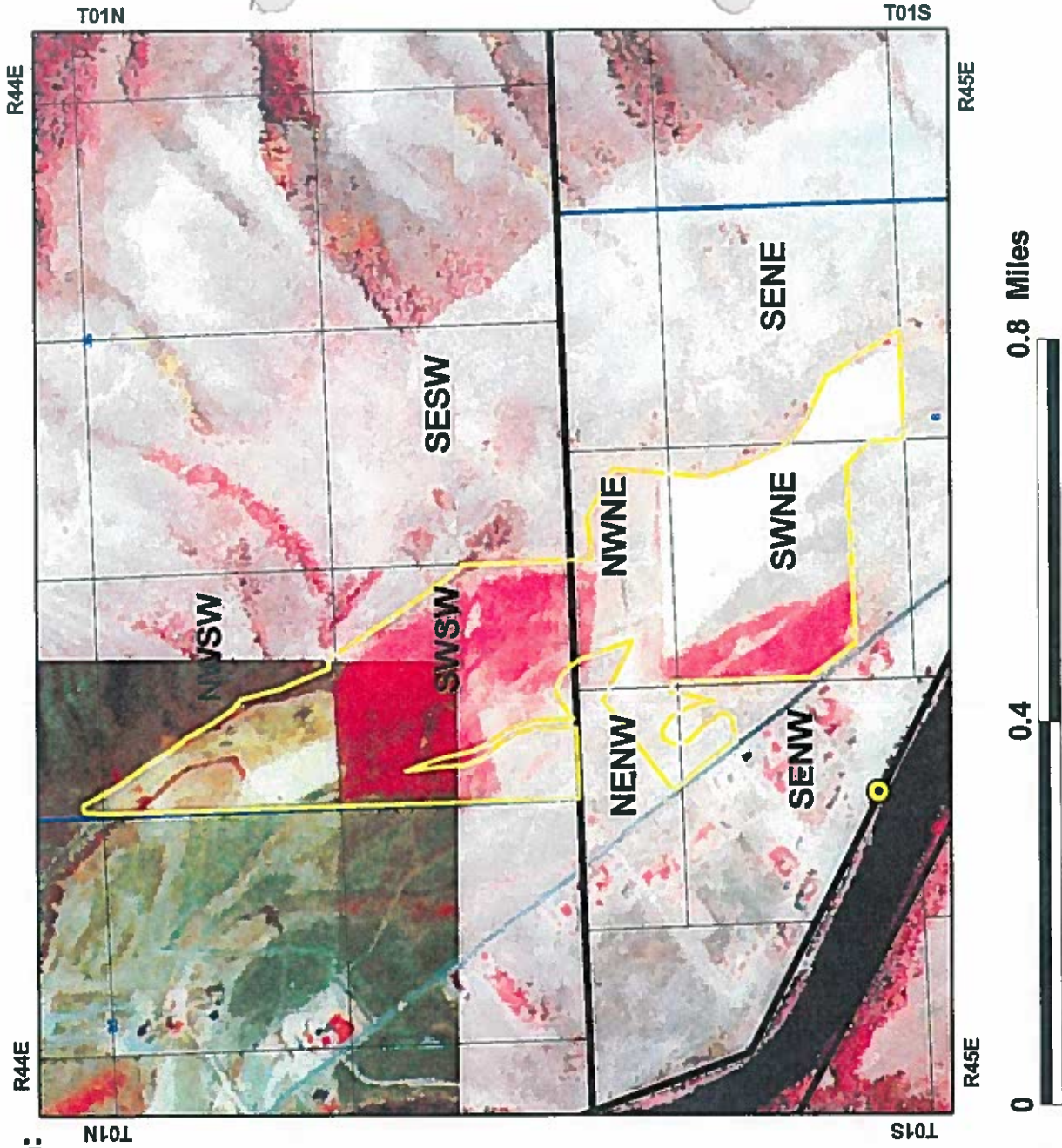
1-2079

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Bonneville County
IDWR Basin 1



Prepared by D. Dunn
On Tuesday, September 26, 2006
1987/88 Aerial Photography

County: Bonneville.
 Stream: Sheep Creek,
 Amount: 3.6 sec. ft.
 Use: Irrigation.
 Priority: 12-9-12.
 District No. 36-F.

STATE OF IDAHO

Water License No. 8948.
 Water District No. 36-F.

WHEREAS, On the 9th day of December, A. D. 1912,

Mabel Tolman,

of Irwin, County of Bonneville, State of Idaho, duly made application (No. 13504) to me for a permit to use 5.94 cubic feet per second of the waters of Sheep Creek in Water District No. 36-F., County of Bonneville, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 21st day of December, A. D. 1912, Permit No. 8948 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 21st day of December, A. D. 1914, and for the application to beneficial use of said water on or before the 21st day of December, A. D. 1915, and,

WHEREAS, On the 26th day of October, A. D. 1914,

Mabel Tolman,

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 5.94 cubic feet per second of said waters, as evidenced by my Certificate No. 8948 dated November 18, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 5.94 cubic feet per second of said water, with date of priority of December 9, 1912, and

WHEREAS, On the 25th day of October, A. D. 1915, the time for beneficial use of water under said permit was extended to the 21st day of December, A. D. 1916, and,

WHEREAS, On the 2d day of January, A. D. 1917, the time for beneficial use of water under said permit was extended to the 1st day of August, A. D. 1917, and,

WHEREAS, On the 1st day of July, A. D. 1917,

Mabel Tolman,

the holder of said permit, duly made proof of the application to beneficial use of 3.6 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

Mabel Tolman,

of Irwin, County of Bonneville, State of Idaho, the holder and owner of said Permit No. 8948, a perpetual right, dating from December 9, 1912 to the use of 3.6 cubic feet per second of the waters of Sheep Creek,

in the County of Bonneville and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point N. 44° E. 4418' from the S. W. Cor of the SE $\frac{1}{4}$ of Sec. 5, T. 1 S., R. 45 E., B. M.,

and conducted to and upon 179 acres, divided as follows: 20 acres in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and 30 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 5; 24.10 acres in Lot 7, 31.29 acres in Lot 12, and 40 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 6; 4.20 acres in Lot 1, Sec. 7, and 29.60 acres in Lot 1, Sec. 8, all in T. 1 S., R. 45 E., B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS My hand and the seal of my office at Boise, Idaho, this 11th day of February, A. D. nineteen hundred and eighteen.

J. H. Smith,

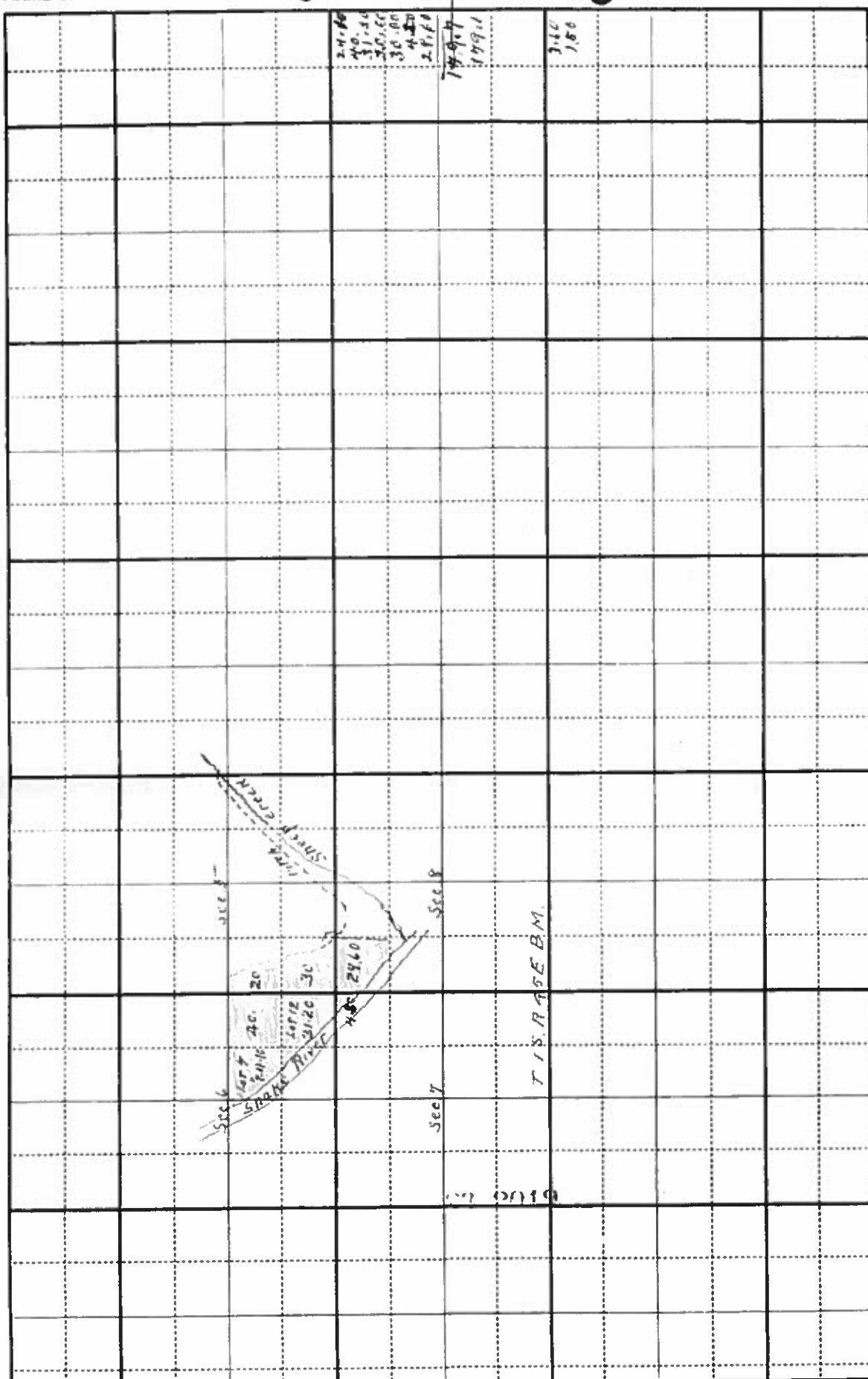
State Engineer.

(Seal)

23 2019

NAME OF APPLICANT

Form No. 0



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

David Barber
334-4141

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Region 1

PALISADES PROJECT, IDAHO

ANNUAL PROJECT HISTORY.

VOLUME VII

CALENDAR YEAR 1957

Palisades Project Office

Palisades, Idaho

SCANNED

NOV 22 2004

PROFILED

CHRONOLOGY

1932	First reconnaissance investigations by E. B. Debler and J. F. Riter.
1934 and 1935	Investigations by Sullivan Contracting Company and Bureau forces.
1941 and 1942	Investigation of conditions at dam site and construction materials explorations.
December 22, 1944	Project authorized by Congress (58 Stat. 908) on the basis of recommendations of House Document 452 77th Congress.
January 14, 1945	I. Donald Jerman, Project Engineer, arrived at Palisades Project. Project Office was established in the City Building in Idaho Falls, Idaho.
April 1945	Preconstruction field operations began following the arrival of a drill and crew from Coulee Dam.
August 1945	Project Office moved to the Armory Building in Idaho Falls.
February 1, 1946	Project Office moved to 530 North Capitol Avenue, Idaho Falls, Idaho.
September-November 1946	Erection by Government forces of forty prefabricated houses, furnished by Green Lumber Company of Laurel, Mississippi, under Specifications No. 1297.
March 31, 1949	Date of Notice to Proceed with work of Contract I74r-924, Specifications RL-38, Drilling, Sampling, and Logging 14 to 20 Test Holes Along Proposed Route of Relocated Highway U. S. 26 and 89.
April 26, 1949	Bids were opened for work covered in Specifications No. RL-40, Construction of Goshen to Palisades 115- and 44-kv Transmission Line. The low bid of \$585,516.39 was submitted by Askevoid Construction Company and Darnell Construction Company of Missoula, Montana.

SCANNED

NOV 22 200

PROFILED

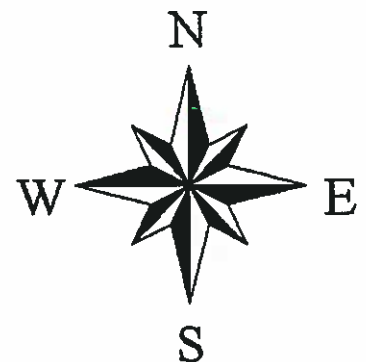
Josie Byrd Farm

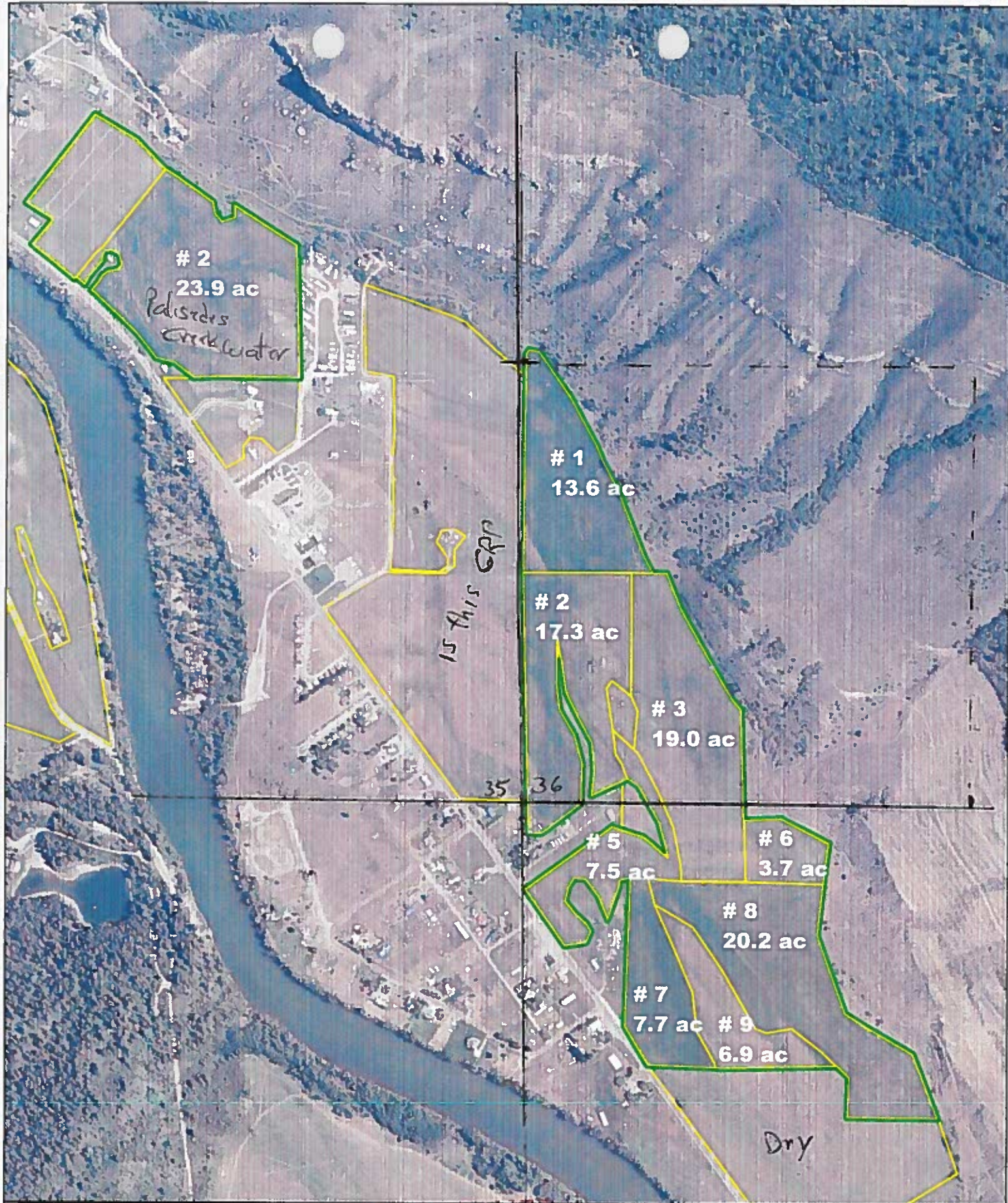


0.3 0 0.3 0.6 Miles



- 01-2079.shp
- GCDB01S45E GCDB
- GCDB01N44E GCDB
- Recommendation POD
- Administrative BasinsAdminbas.shp





JOSIE BYRD FARM

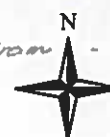
SCANNED

NOV 2 2 2004

PROFILED

Common land unit -
- 13a - CRP - pool program
Clu_a_d019.shp

0.07 0 0.07 0.14 0.21 0.28 Miles



Map Printed: Aug 30, 2004



JOSIE BYRD FARM

SCANNED

NOV 22 2004

PROFILED

Clu_a_id019.shp

0.07 0 0.07 0.14 0.21 0.28 Miles



Map Printed: Aug 30, 2004

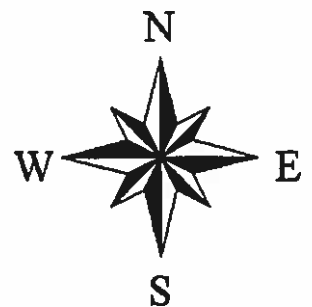
Josie Byrd Farm



0.3 0 0.3 0.6 Miles

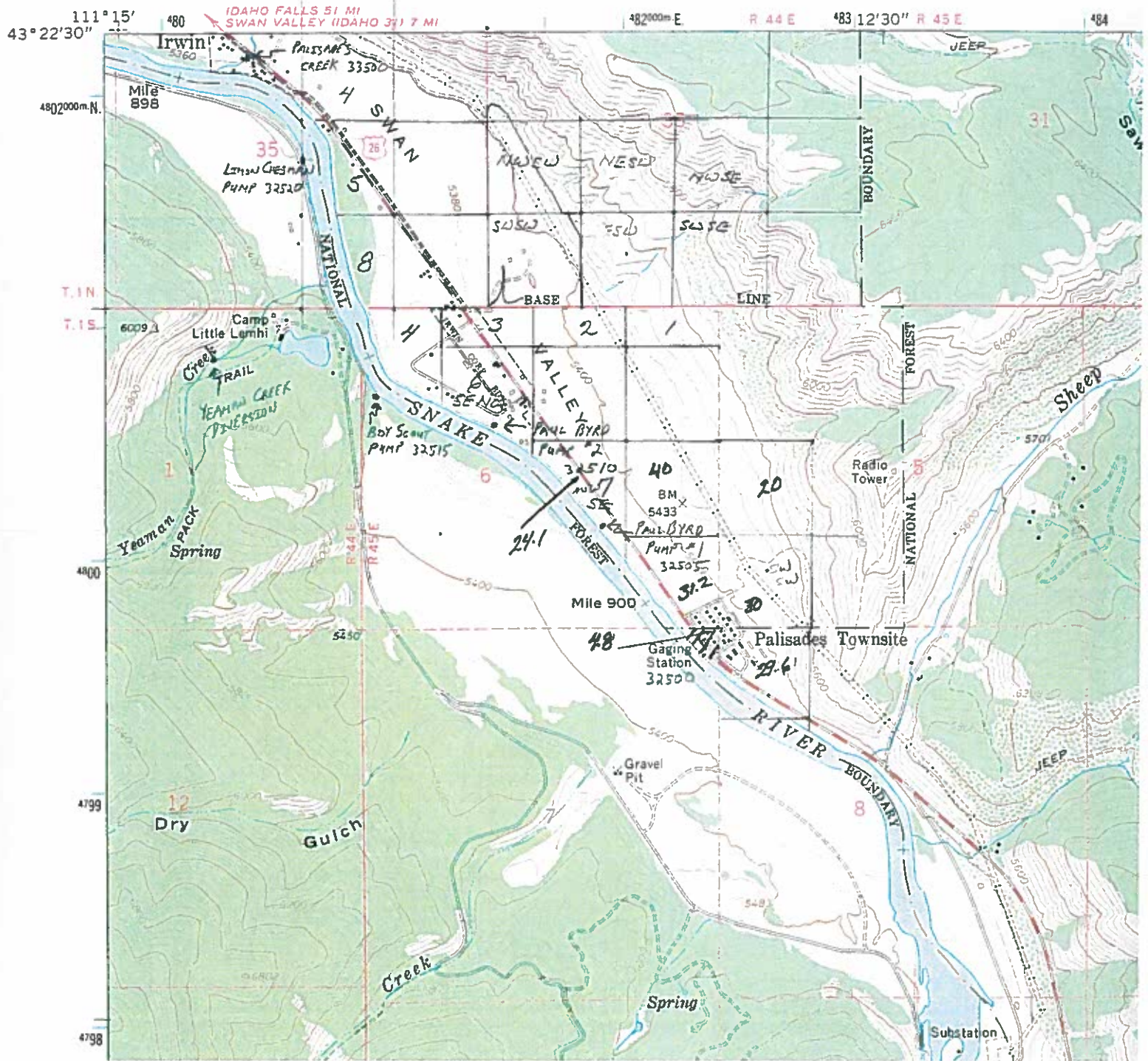
99.21 Acres

-  01-2079.shp
-  Administrative Basins Adminbas.shp





3770 IV NE
WAN VALLEY



* Conversation with Rhett Bradford upon questioning Josie Byrd. Her husband changed the place of use in 1956 or thereabouts.

Claim no. A01-02079

Claimant Contact Log

5-9-2006

Date 8-30-04

Remarks

Agent initials

Huf

Exam was done on-site with Rhett Bradford who farms the Josie Byrd place. This was on 8-25-2004.

There is a 40hp pump in the Snake River with mainline to sprinklers.

GPS Jctg - 2724569
1354268

Existing GPS tag # A0012425
GPS File # - 012079

Projection of GPS point for P.O.D on Arc View project put pump in wrong area on the west side of the River. I had Ryan Milesell move the point to the correct pump site.

The places of use map & acreages were provided by Sheila Rigby of the USDA, Farm Service Agency. The total irrigated acres under Snake River irrigation was 95.9 acres as opposed to the 180 acres claimed.

Rhett Bradford helped with field boundaries to construct map. Rhett can be contacted at 208-483-3424

Photo #1 shows the pump station & photo #2 shows the pump name plate.

Exam done by Arnold Jones
of Water Rights Contracting
Services

SCANNED

NOV 22 2004

PROFILE D



United States Department of Agriculture
Farm Service Agency

Sheila Rigby

Program Technician

1120 E Lincoln Road, Suite B, Idaho Falls, ID 83401-2122

Voice: (208) 522 6250 • FAX: (208) 522 0280
Email: sheila.rigby@id.usda.gov



A01-02079 Pump name plate - 40hp

SCANNED

NOV 22 2004

PROFILED

GPS
Tag

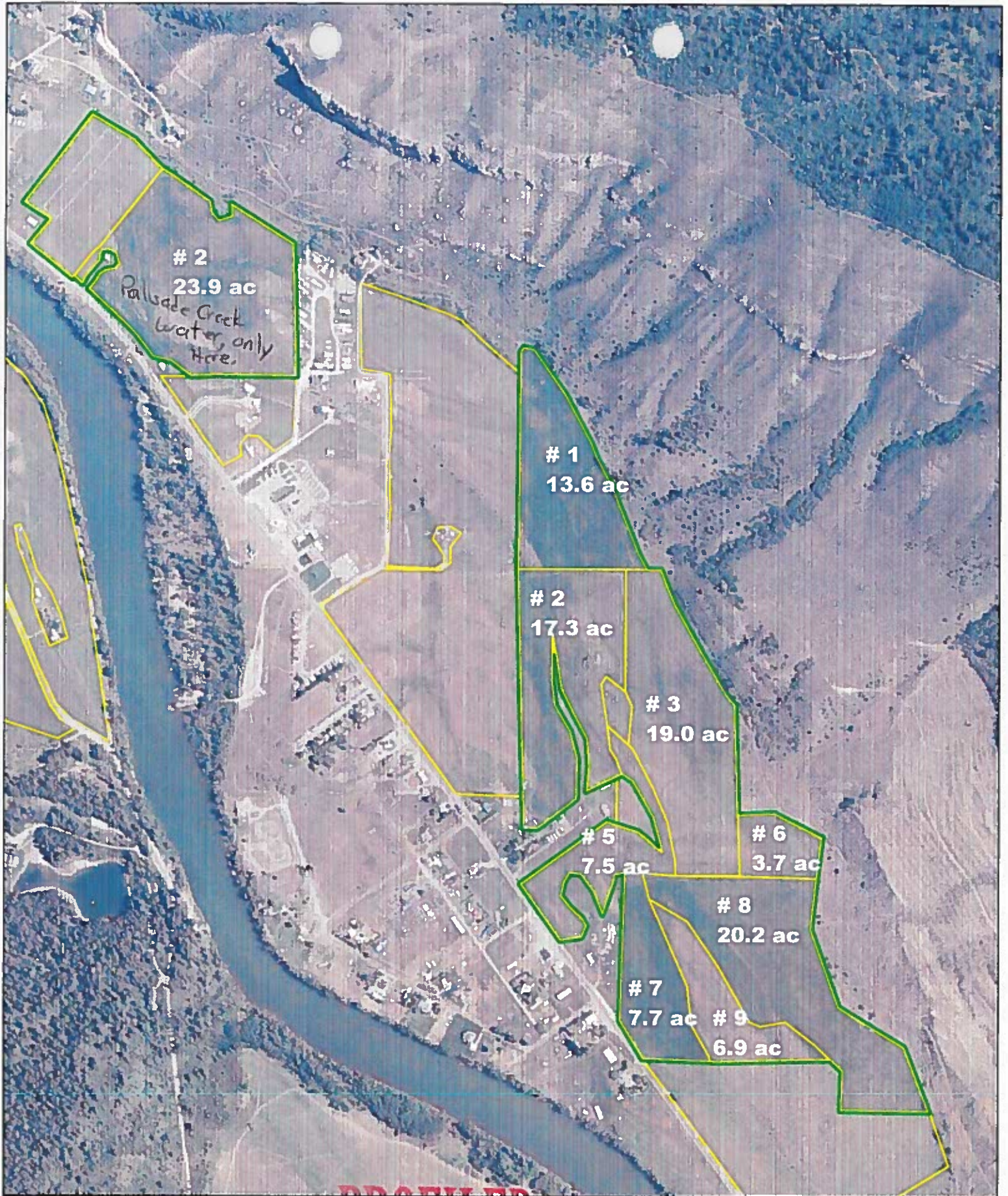


A01-02079 Pump Station

SCANNED

NOV 22 2004

PROFILE



JOSIE BYRD FARM
SCANNED

NOV 22 2004

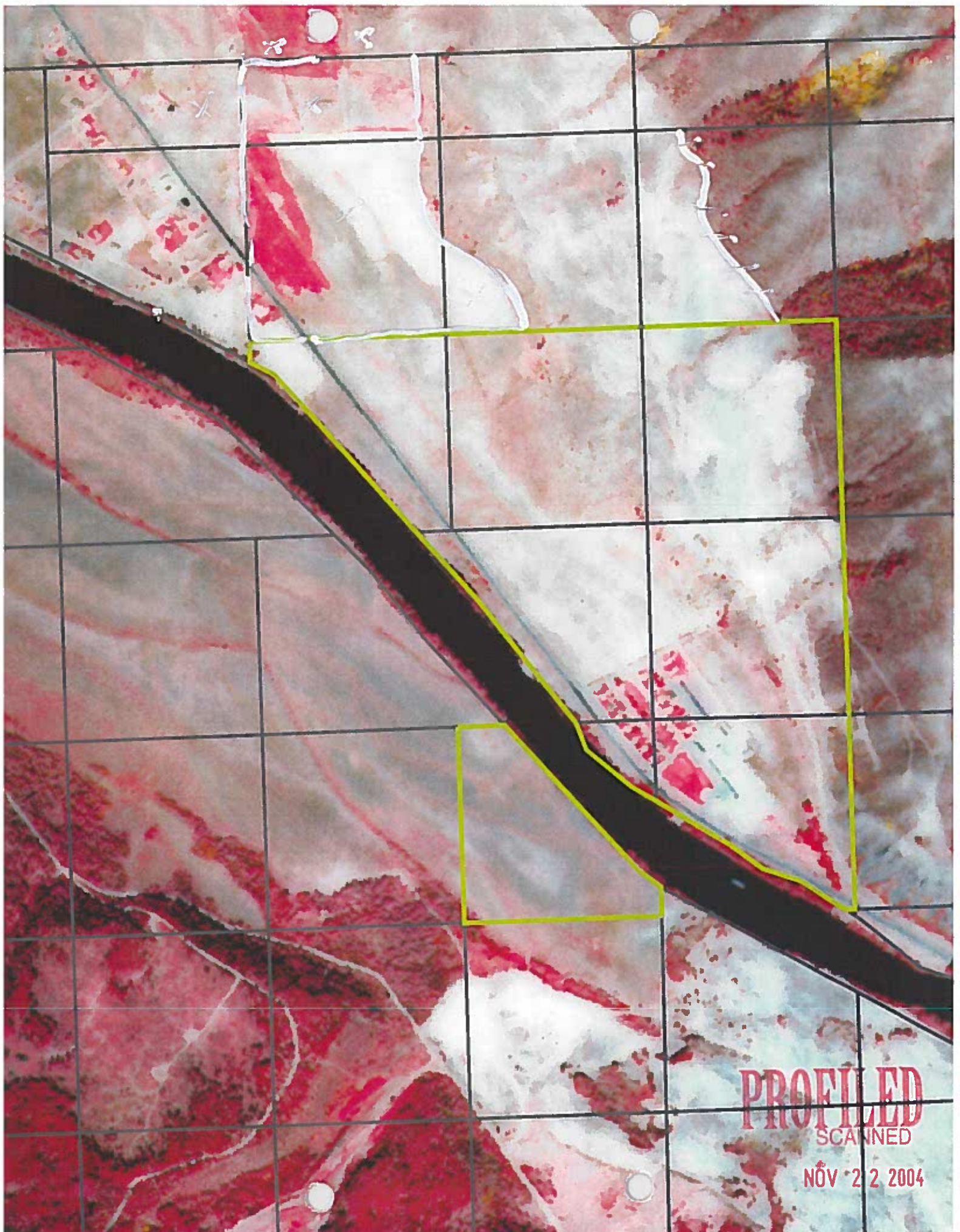
PROFILED

Clu_a_id019.shp

0.07 0 0.07 0.14 0.21 0.28 Miles



Map Printed: Aug 30, 2004



PROFILED
SCANNED

NOV 22 2004

SCANNED

AUG 24 2001

OCTOBER 26, 1992

JOSIE BYRD
PO BOX 762
PALISADES ID 83437

RE: RENUMBERED NOTICE

Dear Josie:

The Department has changed the identification number for Notice of Claim #A23-02019. The new number is #A01-02079. We have also modified receipt #M003861 to reflect the new number.

A copy of the receipt and the Notice of Claim is enclosed for your records.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

MICROFILMED
DEC 09 1992

M003861

7/10/1989

BYRD, JOSIE

ADJUDICATION FEE

410162

9337

6490

443.00

CHECK

1378

\$443.00

Water Right Numbers

A23-10107
A01-02079

A23-10108

-

A23-10109

-

A23-10271

-

A23-00051A

-

Region: MOBILE I

Signature:

Harla Cox
10/26/92

Renumbered from A23-02019

MICROFILMED
DEC 09 1992

AUG 24 2001

5 230

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

Renumbered: A01-02079

Ident. Number: ~~A23-02019~~ 10/26/92

Date Received: 7/10/1989

Receipt No: 11003861 SC.Received By: HWT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSIE BYRD 208-483-2774
Address: P.O. BOX 762
PALISADES, ID 83437

Name: ~~BYRD~~ 208-483-2774
Address: ~~P.O. BOX 762~~
~~PALISADES, ID~~ 83437

A0102079



2. Date of Priority: DEC 09, 1912

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
01S	45E	6	SE		NW	6	BONNEVILLE

5. Description of diverting works:
PUMP TO SPRINKLER LINES

6 DMP
21 Sept 06

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.600		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A23-02019

Page 1

Date: 07/10/89

MICROFILMED
DEC 09 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	45E	5	NW	SW		IRR	20.0
			SW	SW		IRR	30.0
					Section Acres		50.0
		6	NE	SE		IRR	40.0
			NW	SE	7	IRR	24.0
			SE	SE	12	IRR	31.0
					Section Acres		95.0
		7	NE	NE	1	IRR	5.0
					Section Acres		5.0
		8	NW	NW	1	IRR	30.0
					Section Acres		30.0
					Total Acres		180.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 253.
AC. IRR. = 179.7.

15. Basis of Claim: LICENSE
Water Right Number: 8948

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: _____

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): X Josie Byrd Date: X 7-10-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10th day

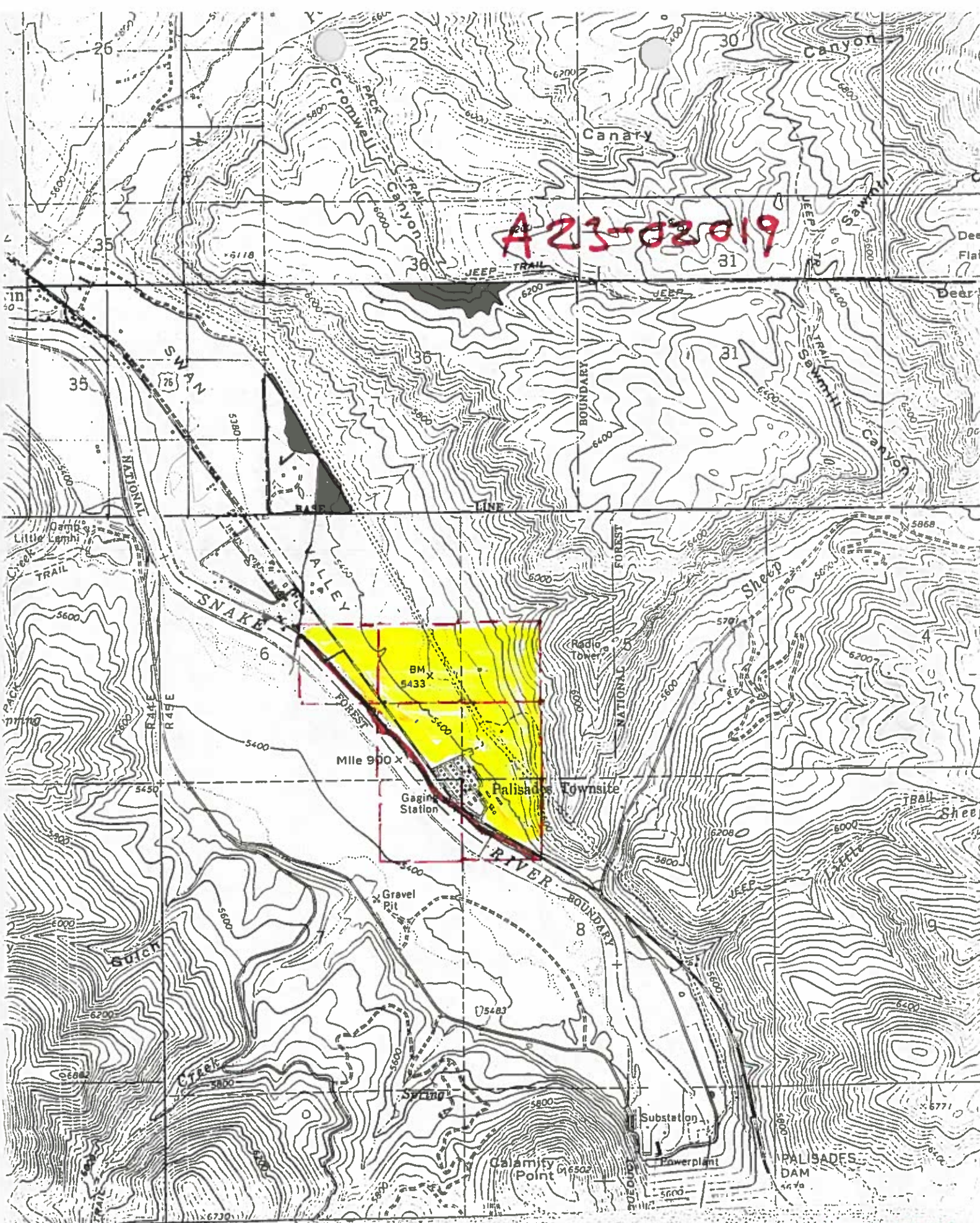
of July 19 89

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires EXPIRES: 6-30-94

A23-02019



MICROFILMED

DEC 09 1992