

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: A63-09237
Date Received: 2/12/1990
Receipt No: COLL 261
Received By: C. Wong

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. LIBBY
Address: 15187 MC VAY LANE
BROOKINGS, OR

503-469-2670

AND/OR

Name: FRANCES L. LIBBY
Address: 15187 MC VAY LANE
BROOKINGS, OR

97415

503-469-2670

97415

2. Date of Priority: MAY 23, 1979

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	05W	25	NW	SE			PAYETTE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.820		409.50

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

409.50 A.F.A.

8. Total consumptive use is 210

Acre Feet Per Annum.

9. Non-irrigation uses:

A63-09237

Page

1

Date: 02/13/90

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	05W	25	NE		NE		IRR	16.0
			NW		NE		IRR	19.0
			SW		NE		IRR	36.0
			SE		NE		IRR	20.0
							Section Acres	91.0
							Total Acres	91.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
BLACK CANYON IRRIGATION CO.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We ^{have not received full} 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: _____

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):

Date: 4/9/90

State of ~~Idaho~~ Oregon

County of Curry) ss.

Subscribed and sworn (or affirmed) before me this 9 day
of April 19 90

e this 9 day
Art Kozmif
Notary Public

Seal

Residing at Brookings Oregon
My Commission Expires 4-21-1991

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AUG 24 1992

Receipt Details for ID C016261

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/13/1990 10:03:42 AM	4/13/1990	State	\$141.00	Check
Payer	LIBBY, JAMES W./FRANCES L			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1922			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$141.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	9237		\$141.00	Claim

[Print Report](#)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393 FEB 02 2007
\$ 00.87⁰
MAILED FROM ZIP CODE 83702

RECEIVED

FEB 08 2007

WATER RESOURCES
WESTERN REGION

RT # 7
INIT W

☐ NO SUCH NUMBER
☐ VACANT
☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED, NOT KNOWN
☐ NO MAIL RECEPTACLE
☐ REFUSED
☒ NOT DEL AS ADDRESSED
☐ UNABLE TO FORWARD

JAMES W LIBBY

FRANCES L LIBBY
15157 MC VAY LN
BROOKINGS SD 57004

63-9237

ADDRESS SERVICE
REQUESTED

FIRST CLASS



JAMES W. LIBBY

FRANCES L LIBBY
15187 MC VAY LN
BROOKINGS OR 97415

RECEIVED

OCT 13 2026

WATER RESOURCES
WESTERN REGION

63.9237

07/21/2006

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

RIGHT NUMBER: 63-9237

NAME AND ADDRESS: JAMES W LIBBY
15187 MC VAY LN
BROOKINGS OR 97415

FRANCES L LIBBY
15187 MC VAY LN
BROOKINGS OR 97415

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.820 CFS
409.500 AFY

PRIORITY DATE: 05/23/1979

POINT OF DIVERSION:

T07N R05W S25 NWSE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.820 CFS 409.50 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within PAYETTE County

T07N R05W S25	NENE	16.00	T07N R05W S25	NWNE	19.00
T07N R05W S25	SWNE	36.00	T07N R05W S25	SENE	20.00

91 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: BASIS OF CLAIM - License

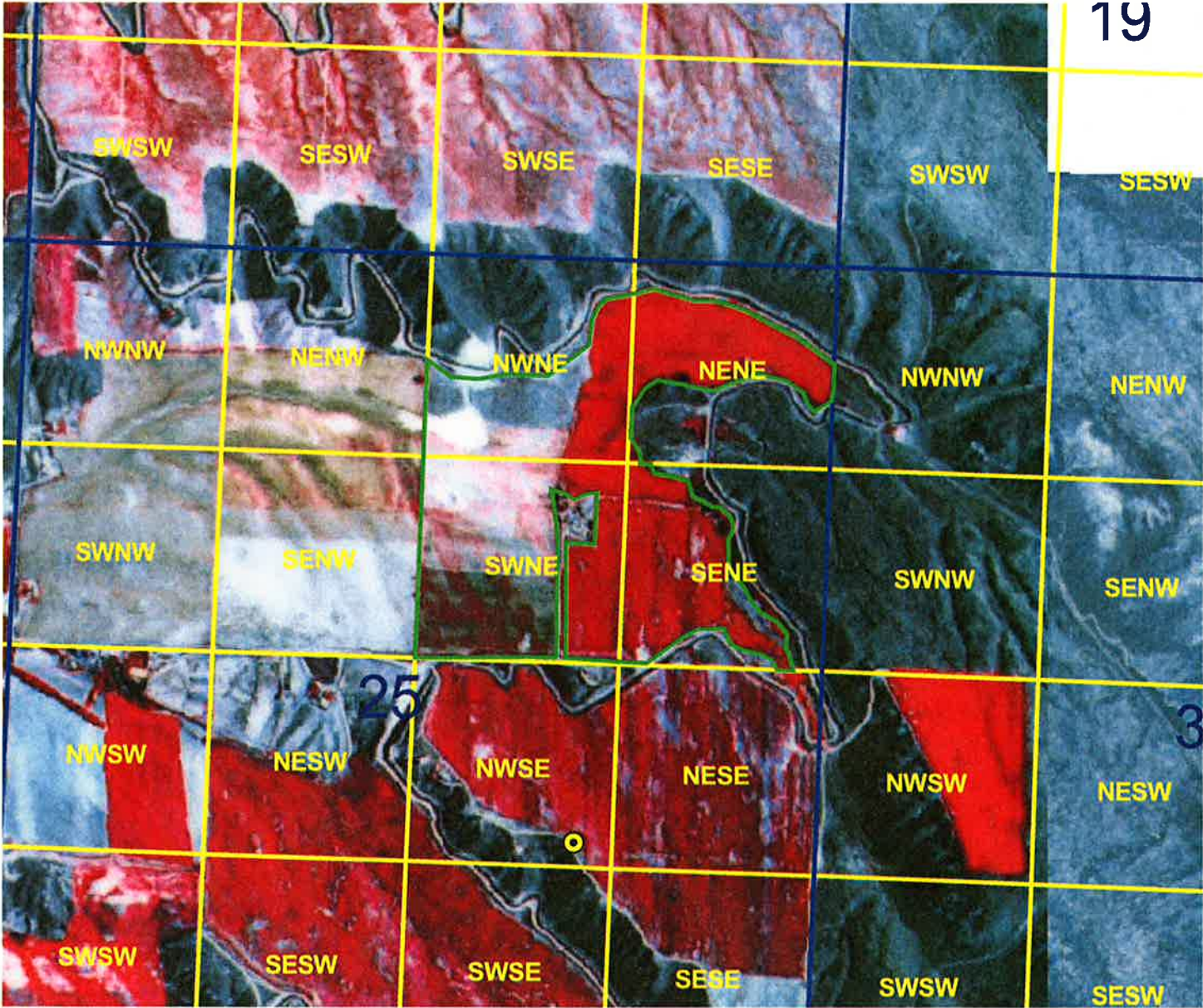
Right No. 63-7487 is also diverted through point of diversion described above.

Use of this right is combined with water from Black Canyon Irrigation District.



State of Idaho
Idaho Department of Water Resources
Western Region

T7N R5W SECTION 25
Water Right (s): 63-9237



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 91



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: July 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

ROY EASTLICK
BOX 422
COUNCIL ID 83612

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).

There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

Name and address of former owner (seller). This will clarify the original owner of the water right.

Name, address and phone number of new owner (purchaser).

This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

X
Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

SEE NEXT PAGE.

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JUL 25 1994

____ Signature of new owner (purchaser) is needed on this form.

X other: The ownership change has been completed on
claim number AG3-07487. Copy enclosed. The warranty deed
submitted does not include the legal description for the property
appurtenant to claim number AG3-09237. If you have purchased
this property from the Libby's also, please send a copy of the deed.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LW:1
Enclosures

MICROFILMED

JUL 25 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 07/09/92

RECEIVED

NOV 23 1992

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 07N Range 05W
Section 25, NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

NOV 24 1992

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

Department of Water Resources
Western Regional Office☐ Water Right Number(s)

Assigned by IDWR:

A 63-09237

☒ Name and Address of Former Owner/Claimant(s)(Seller):

JAMES W. AND/OR FRANCES L. LIBBY
15187 McVAY Lane
BROOKINGS, OR, 97415

☒ New Owner/Claimant (Purchaser):

ROY EASTLICK☒ New Mailing Address:Box 422 Council ID 83612☐ New Telephone Number: () _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes Xno
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached:

SEE attached Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s)

Shirley Eastlick

Date

☒ Signature of Former Owner/Claimant(s):

Roy Eastlick

Date

James W. LibbyDate 7/13/92Frances L. LibbyDate 7/13/92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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JUL 25 1994

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of

FIRST AMERICAN TITLE CO.

July 16, 1992 10:30 A.M. in Book 48, Page 239746

Laura L. Stigile, Ex-Officio Recorder by

Lotti Hutes, Deputy Fee: \$9.00

WARRANTY DEED

For Value Received, JAMES W. LIBBY and FRANCES L. LIBBY, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto ROY EASTLICK and SHIRLEY EASTLICK, husband and wife, the Grantees, the following described premises, located in Payette County, State of Idaho, to-wit:

In Twp. 7 N., R. 4 W., B.M.:

In Sec. 30: Government Lot 3.

In Twp. 7 N., R. 5 W., B.M.:

In Sec. 25: $N\frac{1}{2}SE\frac{1}{4}$ and $SE\frac{1}{4}SE\frac{1}{4}$;

SAVE AND EXCEPT the following described parcel: Commencing at the Northwest corner of said $NW\frac{1}{4}SE\frac{1}{4}$;

thence North $89^{\circ}37'33''$ East along the North boundary of said $NW\frac{1}{4}SE\frac{1}{4}$, a distance of 400.00 feet;

thence South $0^{\circ}24'10''$ West parallel to the West boundary of said $NW\frac{1}{4}SE\frac{1}{4}$, a distance of 950.00 feet;

thence South $89^{\circ}37'33''$ West parallel to the North boundary of said $NW\frac{1}{4}SE\frac{1}{4}$, a distance of 307.75 feet to the center line of a certain irrigation canal;

thence North $58^{\circ}23'7''$ West along the center of said canal, a distance of 64.81 feet;

thence North $49^{\circ}35'13''$ West along the center of said canal, a distance of 48.06 feet to a point on the West boundary of said $NW\frac{1}{4}SE\frac{1}{4}$;

thence N. $0^{\circ}24'10''$ E. along the West boundary of said $NW\frac{1}{4}SE\frac{1}{4}$, a distance of 884.27 feet to the POINT OF BEGINNING.

RESERVING UNTO THE GRANTORS, their heirs, assigns and successors in interest, all minerals and mineral rights in and to the above described premises, together with the right to prospect for, drill, mine, and remove the same; subject to an obligation of the said Grantors, their heirs, assigns and successors, to pay the reasonable value at the time for damage or injury to improvements or the surface of the property or the loss of use thereof by Grantees and Grantees' heirs, successors and assigns in interest.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS to and from the above described property over and across the existing road which runs from near the Northwest corner of the following described property to the Northwest side of and over and across an existing bridge which crosses the "A" line canal of Black Canyon Irrigation District; and thence, continuing from the Southeast side of the said bridge an easement twenty (20) feet in width along the southerly side of said canal as the same traverses the property

to the East side line of the following described property, to-wit:

In Twp. 7 N., R. 5 W., B.M.:

In Sec. 25: A parcel situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 25 more particularly described as follows:
Commencing at the NW corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence N. 89°37'33" E. along the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 400.00 feet;
thence S. 0°24'10" W. parallel to the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 950.00 feet;
thence S. 89°37'33" W. parallel to the North boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 307.75 feet to the center line of a certain irrigation canal;
thence N. 58°23'7" W. along the center of said canal, a distance of 64.81 feet;
thence N. 49°35'13" W. along the center of said canal, a distance of 48.06 feet to a point on the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence N. 0°24'10" E. along the West boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 884.27 feet to the POINT OF BEGINNING.

Together with all water and water rights, ditches and ditch rights, tenements and hereditaments (including 1974 Sequoia 24'x40' mobile home), appurtenances and fixtures (including 200 h.p. G.E. motor and turbine pump, 30 h.p. centrifugal pump, and buried mainline) easements, rights, privileges, permits and licenses thereunto belonging, in anywise appertaining or used in connection therewith, and the reversions, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting incumbrances, reservations, easements, encroachments, restrictions, rights-of-way and dedications appearing of record, of use, and/or existing; and that they will warrant and defend the same from all lawful claims whatsoever excepting the aforesaid incumbrances and exceptions, and any discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose.

DATED this 13th day of July, 1992.

James W. Libby
JAMES W. LIBBY, Principal

Frances L. Libby
FRANCES L. LIBBY

By: Frances L. Libby
 FRANCES L. LIBBY
 Attorney-in-fact for
 James W. Libby

STATE OF Oregon)
 County of Curry) : ss.

On this, the 13th day of July, 1992,
 before me a Notary Public, personally appeared FRANCES L. LIBBY,
 known or identified to me to be the person whose name is sub-
 scribed to the foregoing instrument as the attorney-in-fact of
 JAMES W. LIBBY, and acknowledged to me that she subscribed the
 name of JAMES W. LIBBY, thereto as principal, and her own name as
 attorney-in-fact.

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



Marie Gardner
 Notary Public for said State
 Residing at: Brookings, Or.
 Commission expires: 4/19/96

STATE OF Oregon)
 County of Curry) : ss.

On this, the 13th day of July, 1992,
 before me, MARIE GARDNER, a Notary Public in and
 for said State, personally appeared FRANCES L. LIBBY, known or
 identified to me to be the person whose name is subscribed to the
 foregoing instrument and acknowledged to me that she executed the
 same.

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



Marie Gardner
 Notary Public for said State
 Residing at: Brookings, Or.
 Commission expires: 4/19/96

Until a change is requested, all tax statements shall
 be sent to the following address: P.O. Box 422
 Council, ID 83612

After recording, return to: Same

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9237

WATER RIGHT NUMBER: 63-9237

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES W LIBBY 15187 MC VAY LN BROOKINGS, OR 97415 (503)469-2670
Current Owner	FRANCES L LIBBY 15187 MC VAY LN BROOKINGS, OR 97415 (503)469-2670

Priority Date: 05/23/1979

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

<u>From</u>	<u>To</u>
3/15	to 11/15

Diversion Rate

1.820 CFS

Annual Volume

409.50 AF

Total Diversion:

1.820 CFS

409.50 AF

Location of Point(s) of Diversion

GROUND WATER

PAYETTE County

NW1/4SE1/4

Sec. 25, Twp 07N, Rge 05W, B.M.

Place of UseIRRIGATION Within PAYETTE County

T07N R05W S25 NENE 16.0 T07N R05W S25 NWNE 19.0

T07N R05W S25 SWNE 36.0 T07N R05W S25 SENE 20.0

Total Acres: 91

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

add shoulder remark for 311

W144 Black Canyon Irr D water
S39 son shoulder for 311
F05 63-7497 also diverted here.

overlaps - same POD as 63-7497 but different POI

[illegible]

5/17/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

Page2

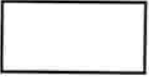
Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	07N05W25	X	X	X	X	X	X	X	X	X	X	X	X		X	X		0
Claim	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	07N05W25	X	X	X	X	X	X	X	X	X	X	X	X		X	X		0
Rec	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	07N05W25	X	X	X	X	X	X	X	X	X	X	X	X		X	X		0

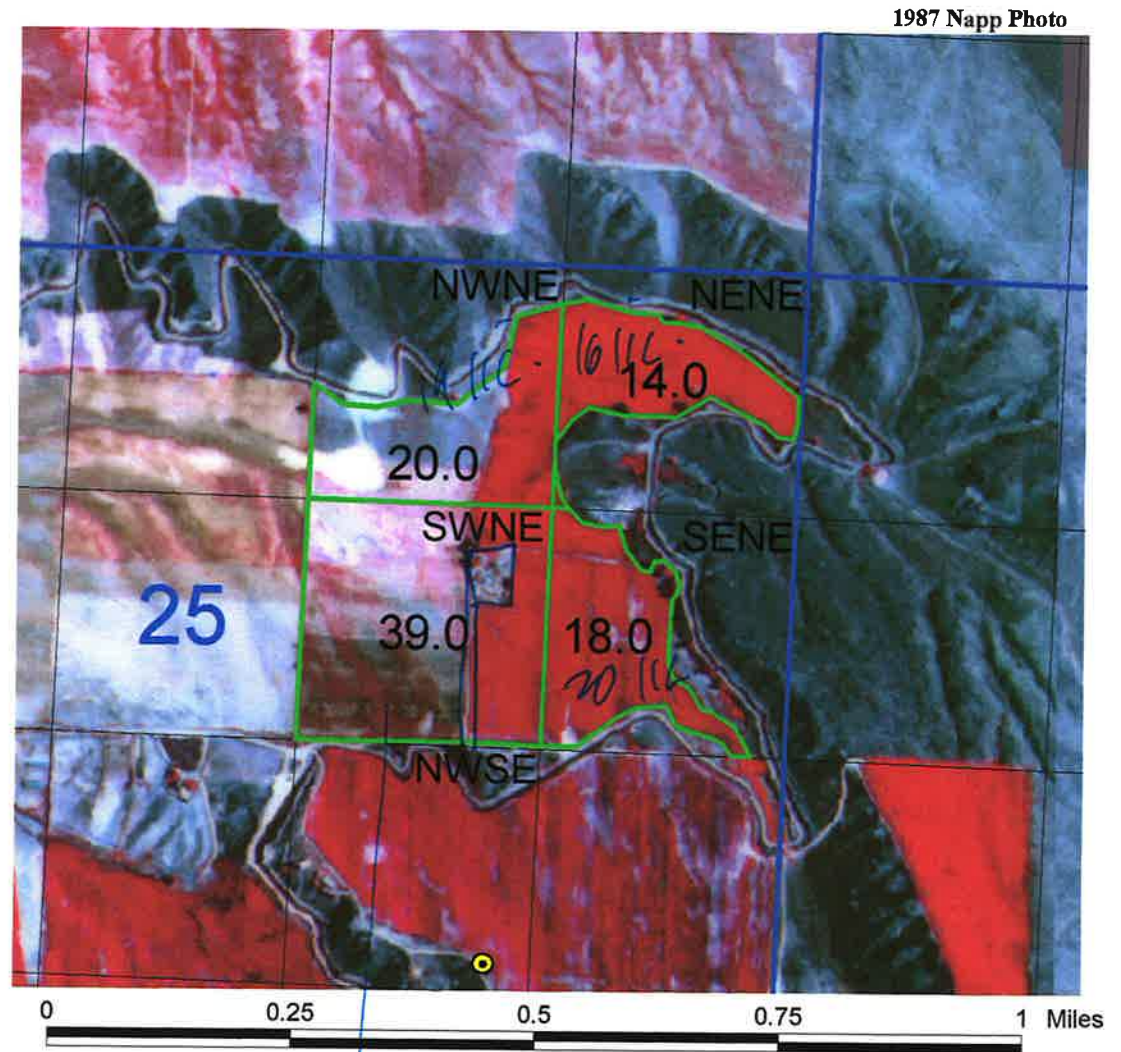
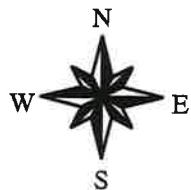
Idaho Department of Water Resources

Claim Number: 63-09237

Legal: T07N, R05W, S25

Reviewed By:

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



36 lic. remove house & rd.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9237

07/21/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-7487	Claim	07N	05W	25	NW	SE		GROUND WATER	ROY EASTLICK
63-9237	Claim	07N	05W	25	NW	SE		GROUND WATER	JAMES W LIBBY
63-30044	Claim	07N	05W	25	NW	SE		GROUND WATER	FRANCES L LIBBY
63-7487	Water Right	07N	05W	25	NW	SE		GROUND WATER	JAMES W LIBBY
63-9237	Water Right	07N	05W	25	NW	SE		GROUND WATER	FRANCES L LIBBY
63-30044	Water Right	07N	05W	25	NW	SE		GROUND WATER	DOUG MC ALVAIN

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9237

07/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9237	Claim	07N	05W	25	NE	NE		IRRIGATION	16/91	JAMES W LIBBY
2900	Claim	07N	05W	25	NE	NE		IRRIGATION		BLACK CANYON IRRIGATION DIST
9237	Water Right	07N	05W	25	NE	NE		IRRIGATION	16/91	FRANCES L LIBBY
9237	Claim	07N	05W	25	NW	NE		IRRIGATION	19/91	JAMES W LIBBY
2900	Claim	07N	05W	25	NW	NE		IRRIGATION		BLACK CANYON IRRIGATION DIST
9237	Water Right	07N	05W	25	NW	NE		IRRIGATION	19/91	FRANCES L LIBBY
9237	Claim	07N	05W	25	SW	NE		IRRIGATION	36/91	JAMES W LIBBY
2900	Claim	07N	05W	25	SW	NE		IRRIGATION		BLACK CANYON IRRIGATION DIST
9237	Water Right	07N	05W	25	SW	NE		IRRIGATION	36/91	FRANCES L LIBBY
30050	Water Right	07N	05W	25	SW	NE		STOCKWATER		DOUG MC ALVAIN
30050	Water Right	07N	05W	25	SW	NE		DOMESTIC		DOUG MC ALVAIN
9237	Claim	07N	05W	25	SE	NE		IRRIGATION	20/91	JAMES W LIBBY
2900	Claim	07N	05W	25	SE	NE		IRRIGATION		BLACK CANYON IRRIGATION DIST
9237	Water Right	07N	05W	25	SE	NE		IRRIGATION	20/91	FRANCES L LIBBY

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-9237

Priority: May 23, 1979

Amount: 1.82 CFS

409.5 AFA

This is to certify, that JAMES W. LIBBY
FRANCES L. LIBBY

30841 44TH AVE. S. W.
FEDERAL WAY, WA 98023

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 23, 1979, and has submitted proof to the Department of Water Resources on June 25, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.77 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>	
Irrigation	03/15 to 11/15	1.82 cfs	409.5 afa	
<u>LOCATION OF POINT OF DIVERSION(S):</u>		NWSE, Sec. 25, Township 7N, Range 5W Payette County		
<u>PLACE OF USE:</u> Irrigation				
<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
7N 5W 25	NENE 16	NWNE 19	SWNE 36	SENE 20
Total number of acres irrigated:				91

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of April, 1987.

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Acting for the Director

Norman Young

MAY 12 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant JAMES W & FRANCES L. LINDY Phone 674-2105

Post office address RT. 2, BOX 203, PARMA, ID

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of S12 $\frac{1}{4}$ of Section 25 Township 7N

Range 5W B.M. PAYETTE County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.30 for IRRIGATION purposes from 5/15 to 11/15 (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. 3.3 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

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

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 16 inches; proposed depth of well is 352 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

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

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

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

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

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

[illegible]

Total number of acres to be irrigated 165

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

BLACK CANYON IRRIGATION CO.

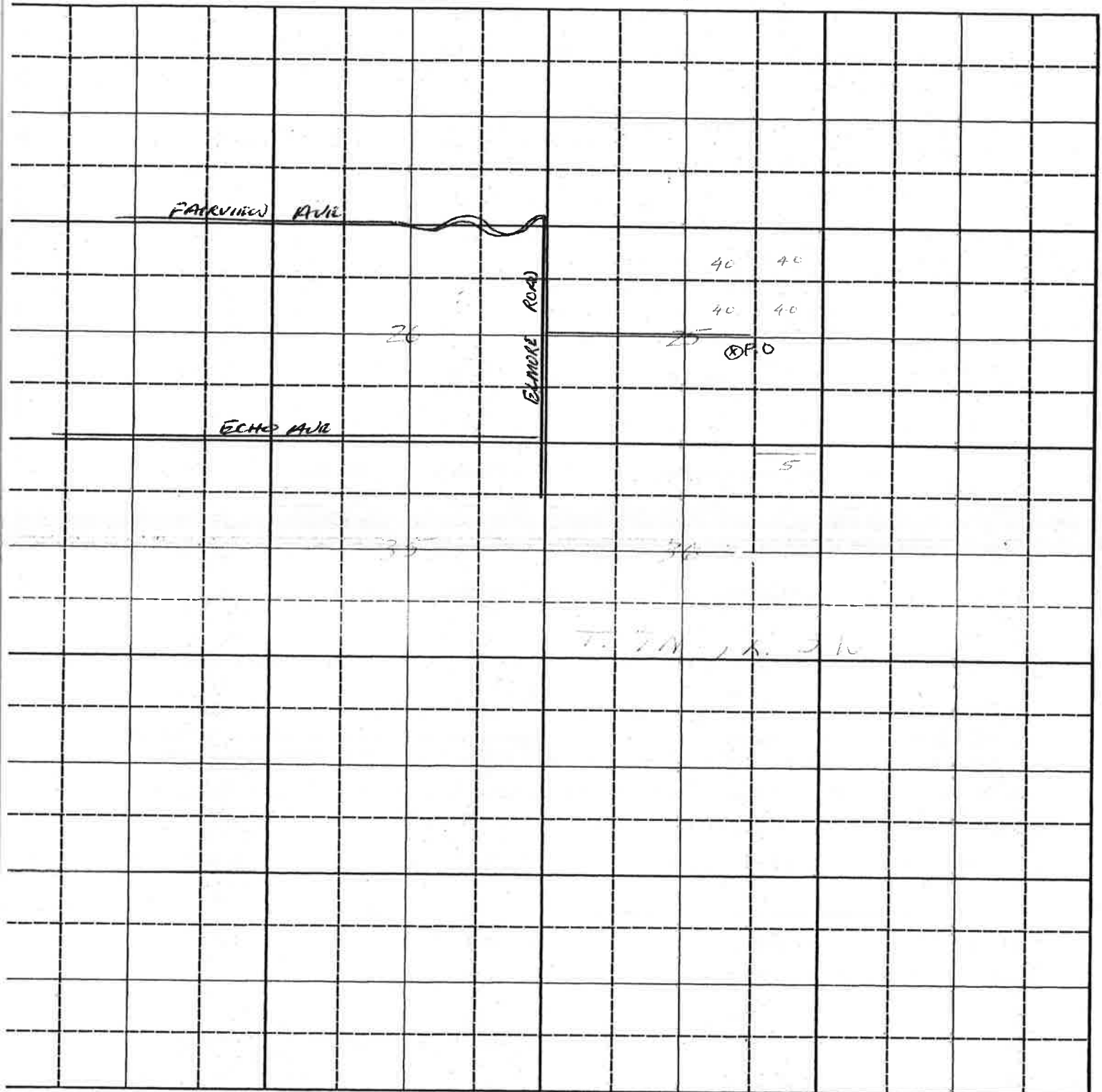
9. a. Who owns the property at the point of diversion PLANNED

b. Who owns the land to be irrigated or place of use AGRICULT

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

10. Remarks

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



Scale: 2 inches equal 1 mile.

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

James L. Libby
(Applicant)

Received by CWB Date 5/23/79 Time 2:00pm
 Preliminary check by _____ Fee \$ 65.00 # 13100
 Receipted by KK Date 5/23/79
 Publication prepared by KK Date 5/31/79
 Published in Independent Enterprise
 Publication dates 6/7 & 6/14/79
 Publication approved KK Date 6/25/79
 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by 26 June 79 S.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. 63-9237, 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 August 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: 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.

Witness my hand this 11 th day of July, 1979.

A. Glen Saxton
 Director

JAN 27 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPUNCHED

A. GENERAL INFORMATION

Permit No. 63-9237

1. Owner: James W and/or Frances L. Libby

Phone No. 206 838-5151

Current Address: 30841 44th Ave S.W., Federal Way, WA 98023

2. Accompanied by: Crawford Otto

EXAM. DATE: 8-20-86

Address: Rt 2 Box 2368, Parma, ID 83660

Phone No. 674-2105

Relationship to Permit Holder: Reater

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: Black Canyon Irrigation District

☐ Copies Attached

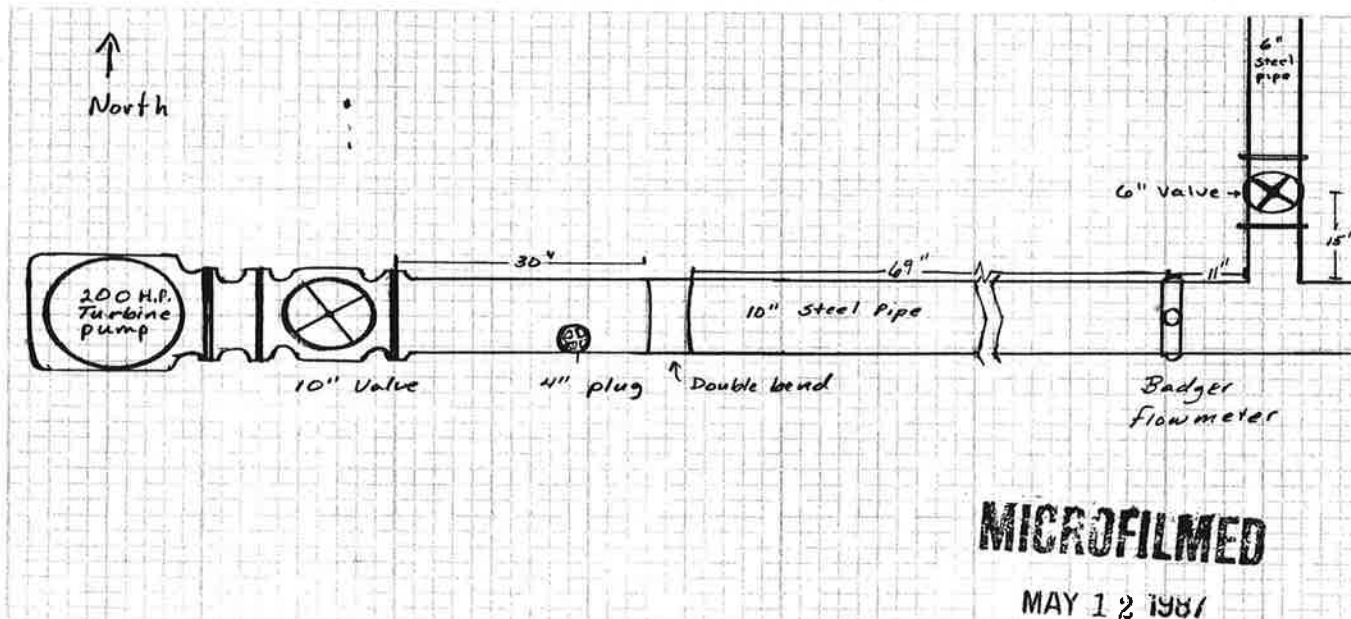
2. Other water rights with same point of diversion: 63-7487 same well additional acres added to system

☒ Copies Attached

☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 2'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The Badger flow meter appeared to be in good condition and two readings were taken, both resulting in 1000 gal pumped in 28 seconds. The 10" gate valve at the pump was opened as much as possible and it ~~seems~~^{appears} the readings taken represent the maximum flow possible from this pump. Also of note, the bowls were serviced in the summer of 1985. This system is used to supplement water from Black Canyon Irrigation District. The 5 acres in NENE Sec 36 7N 5W has not been developed. The land is all sprinkler irrigated with hand lines. Crops include sugar beets, hay & small grain.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Irrigation	3-15	11-15	1.82	409.5
Totals:			1.82	409.5

2. Recommended Amendments

- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

J. AUTHENTICATION

Field Examiner's Name Carter Fritschle
Signature Carter Fritschle
Certification Date _____
Field Report Preparation Date 8-20-86

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAY 12 1987

D6D
149D

T547

24 15
25 30

A 19

B

36

E
22.3

D 20

New aerial photo
shows 90.6 acres
Irrigated in NE 1/4 of Sec 25

F
61.1

H
18.5

G
7.8

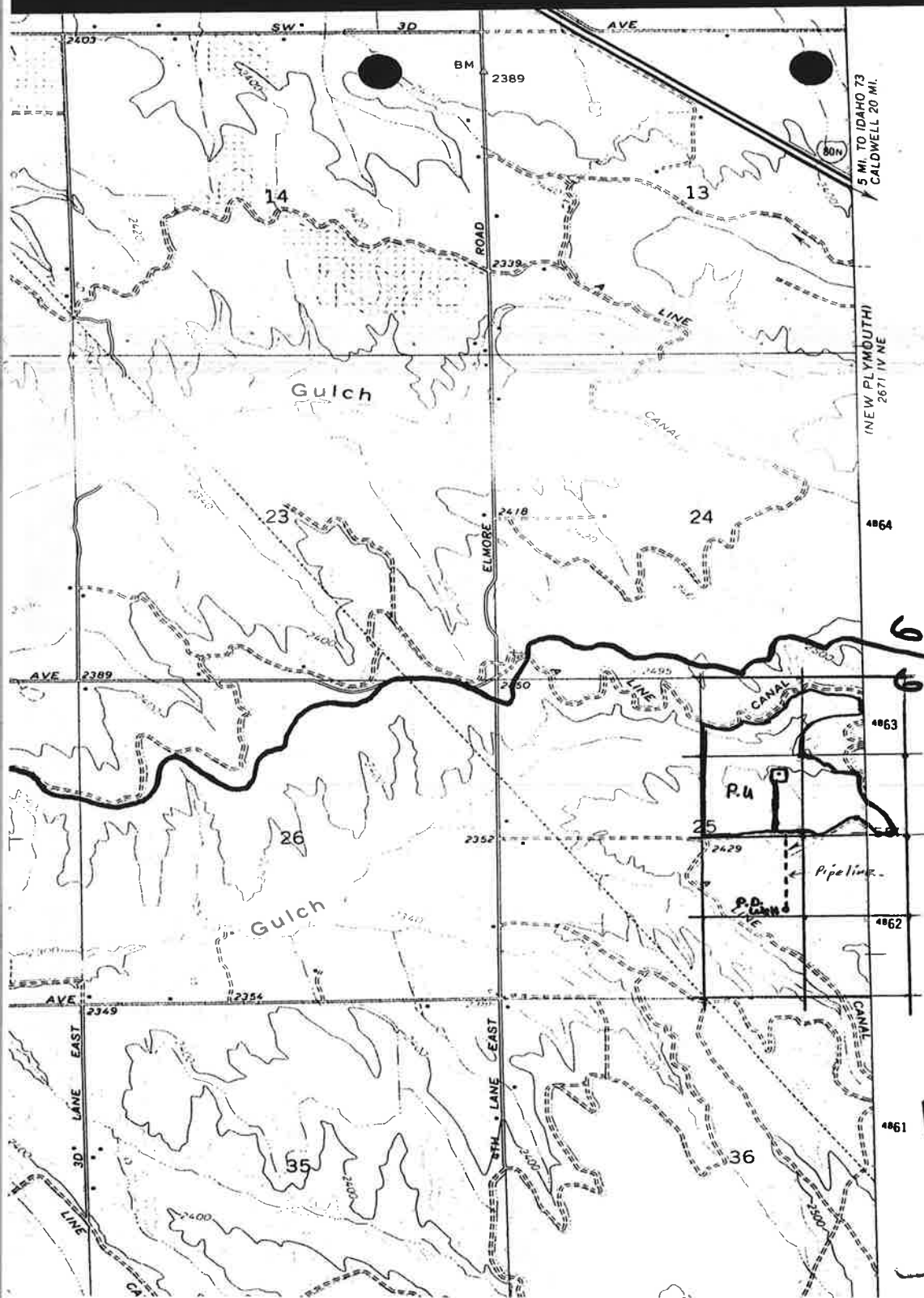
RD well

I
29.4

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25 30
36 31



5 MI. TO IDAHO 73
CALDWELL 20 MI.

(NEW PLYMOUTH)
2671 IN NE

65
63

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