

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. The filing of this claim does not confirm the water right claimed. Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Andrew R. Bybee _____
(Name of Claimant)

Mailing Address: 4825 West Hwy 38, Malad, Idaho 83252 _____

Telephone No: 208-766-2651 _____ Email: none _____

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) April 5, 1880 A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, *Idaho Code*.
2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
tributary to Goddard Warm Spring, tributary to Big Malad 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:

(cfs or af)		(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive)	
Quantity			(MM/DD)	(MM/DD)
Quantity	2.2 cfs	Use Irrigation, Domestic, Stock	Period of Use From 4/1	to 10/31
Quantity	0.02 cfs	Use Domestic, Stock	Period of Use From 1/1	to 12/31
Quantity			Period of Use From	to
Quantity		Use	Period of Use From	to

2.22 cfs TOTAL QUANTITY USED
(cfs or af)

A) Location of point of diversion is _____ % of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 3 Township 15 S Range 35 E B. M., Oneida County; additional points
of diversion, if any: none _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change
Diversion Dam at the springs, with a 1/2 mile ditch to carry 2.2 cfs to fields where water is used to flood irrigate on fields. In approximately 2006, a catch basin was added at the end of the 1/2-mile ditch to allow the water to be pumped into a sprinkler irrigation system.

AMENDED

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14 S	35 E	35									19"	25"	39"	26"					109 ^{1/2}
											S	S	S	S					

TOTAL ACRES 100 acres

B. If water is used for purposes other than irrigation, fully describe the use. Be specific.

Stock Water for 200 head of cattle in a year around operation; 3000 head of sheep during lambing and shearing season, and on drives; orchards and gardens watered at L.W. Jones homestead.

NOTE: Include here the type and number of stock watered: Mixed types and max numbers (see above)

7. Remarks: This water has been used by members of my family and myself since the early 1940's. Prior to my family's use, Talisman Hughes, L.W. Jones, Gomer Hughes, and Eli Goddard used the water.

Map -- Attach an 8 1/2"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7 1/2" minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of Idaho

County of Oneida Bannock ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Andrew R. Bykes
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 29 day of May

John M. Waller
Notary Public

Residing at: Reestello, Idaho

My commission expires: 2/13/2013

Received by 6/4/08 Date _____ FOR DEPARTMENT USE ONLY

Prelim. check by _____ Date _____

Fee _____ Receipt # EO34108 EO34173

Publication checked by Date _____

Receipt prepared by 22 Date 6/4/08 6/24/08

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14 S	35 E	35									20	5	40	35					100
											S	S	S	S					

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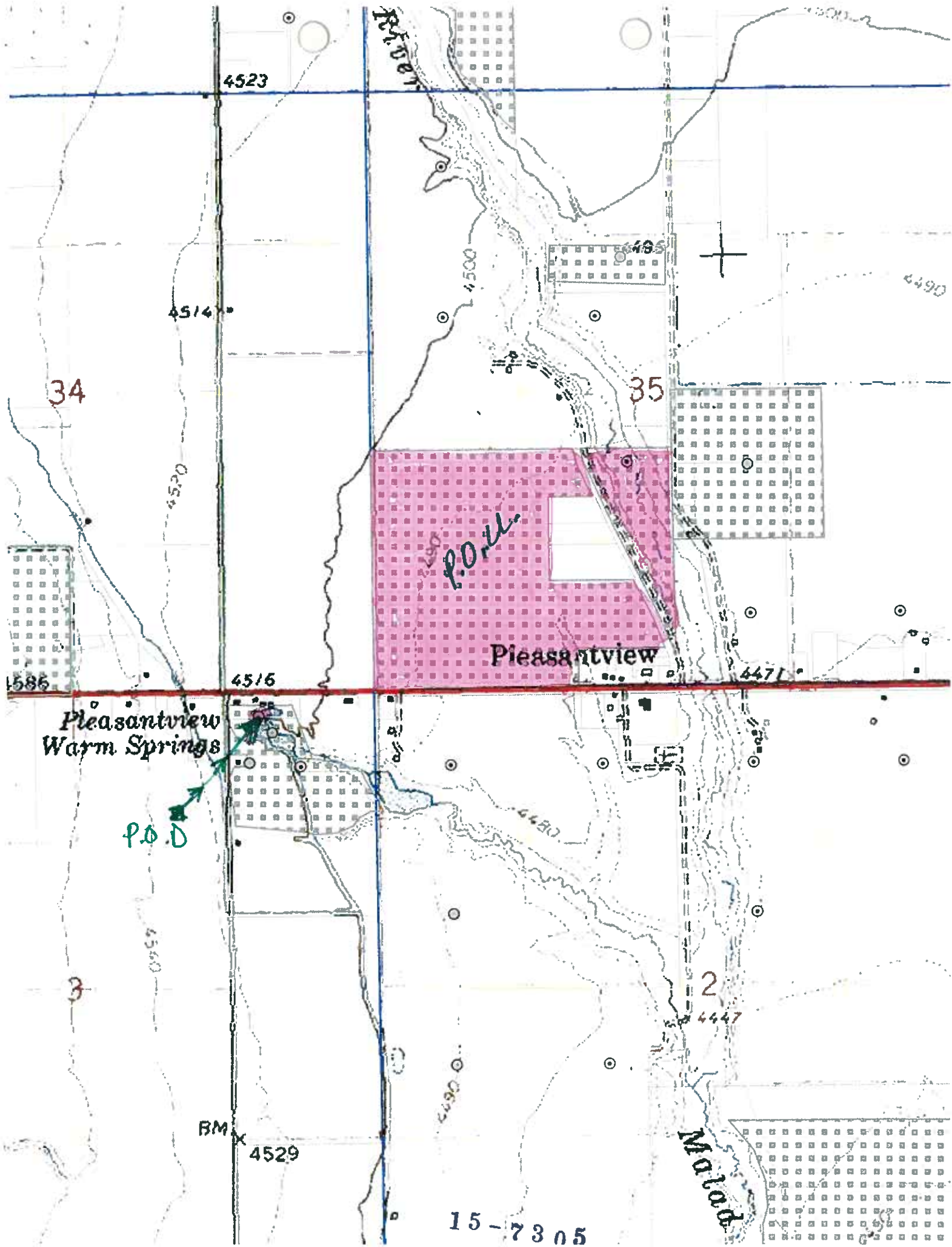
Fee _____ Receipt # E034108 E034173

Receipt prepared by se Date 6/4/08 6/24/08

Published in Idaho
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July 24 & 31, 2008



PLACE of USE
14S 35E SE 35

25

19

SW

39

SW

SE

26

T14S R35E

N↑

SECTION 34 SECTION 35

3691002

376