

Dept. of Water
COMBINATION OF THE OWYHEE CHRONICLE AND OWYHEE NUGGET
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 am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the 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, Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche**, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of 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 in a supplement thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

August 6, 1987
August 13, 1987

(Signed).....

Joe E Aman

Subscribed and sworn to before me this 13th day of Aug A.D., 1987

Alisa Aman Bethrick

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

**NOTICE OF CLAIMS TO
WATER RIGHTS**

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

57-4108 *✓ SP*

BYBEE, D.O.

RT. B BOX 322, GRAND VIEW, ID 83624

Source: GROUNDWATER

Diversion Pt: SWNW Sec 26 T 05S R 03E

Use: COMMERCIAL (1.5 CFS)

HEATING (0.5 CFS)

Priority Date: 6/1/1962

In: SENE Sec 27 T 05S R 03E SWNW Sec 26 T 05S R 03E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

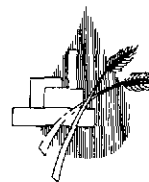
Publish August 6 & 13, 1987 21

RECEIVED

SEP 08 1987

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that D. O. Bybee

(Name of Claimant)

Route B, Box 322, Grandview, ID 83624
(Mailing Address)

Telephone No 834-2737

(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) June 1962

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)

Ground water tributary to -----

(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 af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.50</u>	Use <u>Space heating</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>1.50</u>	Use <u>Commercial</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 1.50 TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ NW ¼, Sec 26 Twp 5S Rge 3E B M, County of Owyhee

Additional points of diversion _____

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. Two drilled wells over 2,000 feet deep. Water temperature 180°F +. Both flow at land surface. Buried pipelines to homes and greenhouses.

(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	
5S	3E	27				G													---
5S	3E	26							G										---

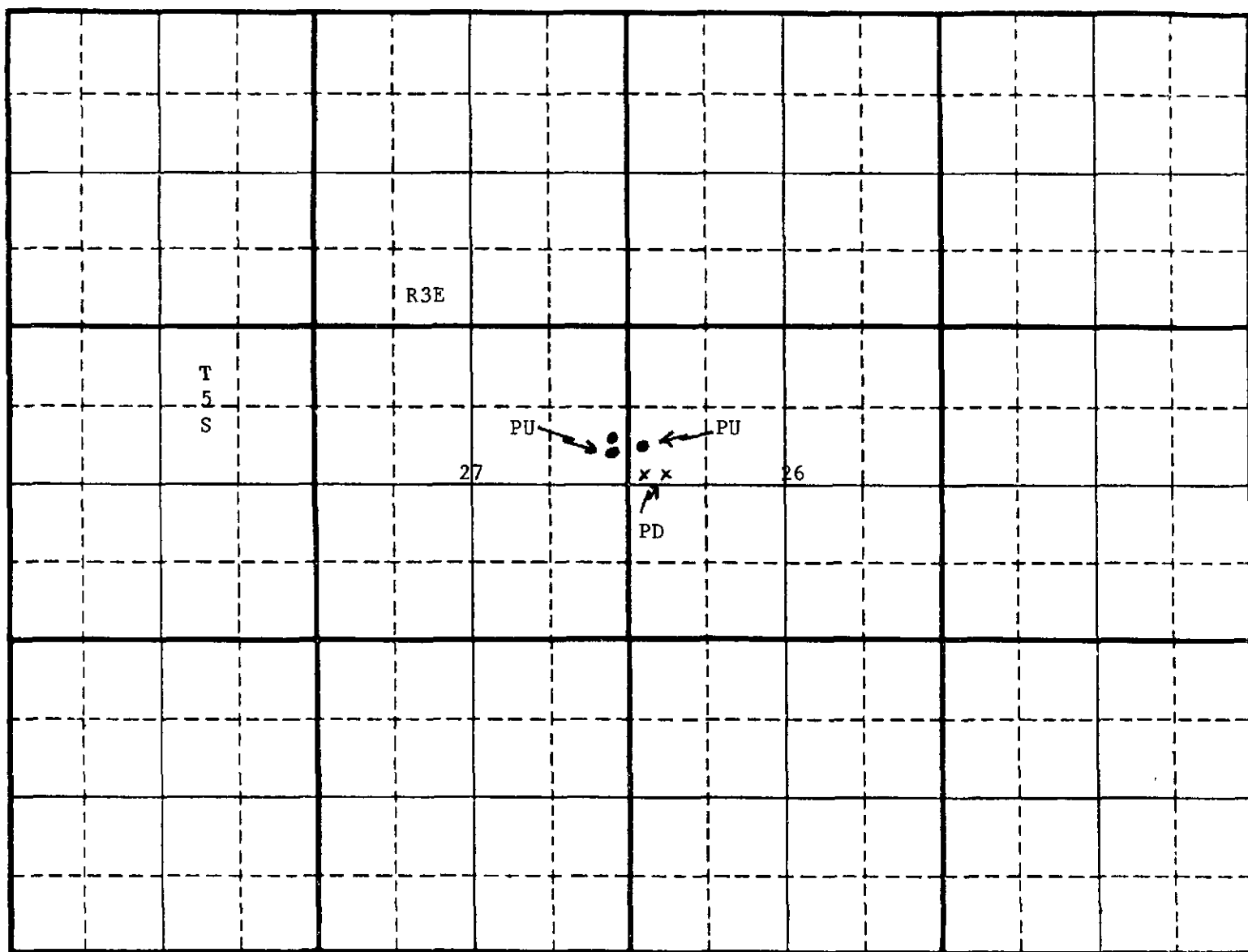
No. of acres 1-0-

B) If water is used for other than irrigation, fully describe that use, being as specific as possible Space heating for two older single family residences and heating of two large greenhouse complexes. Shop heating for large metal shop is a part of the space heating use.

NOTE Include here the type and number of stock watered: None

(7) If you are claiming water as a member of an organization, list name of organization: N/A

(8) Remarks _____



Scale. 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Adair) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing 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.

Sworn to before me this 15th day of July, 1987

Notary Public
Residing at 7-16-87

My commission expires Oct 15 1991

FOR DEPARTMENT USE ONLY

Received by nl Date 6-30-87 Exception filed by _____ Date _____
Prelim check by nl Date 7-16-87 Forwarded to claimant by _____ Date _____
200 ~~\$30.00~~ fee received by 30 Date 7/1/87 # 44981
Published in Owyhee Avalanche
Dates 8/5 + 8/12/87

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shulte

Right Number 54-4108 Applicant BYBEE

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion. 10 LOTS
- ☒ Location of use. 10 LOTS
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 9/8/87
- ☒ Claim published correctly. original published 8/5 + 8/12/87
200/44981
- ☐ Exceptions processed.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Claim review complete

By _____ Date _____

Claim returned to Sheryl Chapman on 7/14/87 for notarization of Mr. Bybee's signature. Jan Shulte
7/14/87

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 am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the 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, Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of 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 in a supplement

thereto, in said newspaper, in Two (2) (consecutive)
calendar weekly issue(s) of said newspaper, in the following date(s):

August 6, 1987
August 13, 1987

(Signed) Joe E Aman

Subscribed and sworn to before me this 13th day of Aug
A.D., 1987

Notary Public in and for the State of Idaho,
residing at Homedale, Idaho.

My commission expires 10/1/91

**NOTICE OF CLAIMS TO
WATER RIGHTS**

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:
57-4108 ✓ 18

BYBEE, D.O.
RT. B BOX 322, GRAND VIEW, ID
83624

Source: GROUNDWATER
Diversion Pt: SWNW Sec 26 T 05S R
03E

Use: COMMERCIAL (1.5 CFS)
HEATING (0.5 CFS)

Priority Date: 6/1/1962
In: SENE Sec 27 T 05S R 03E SWNW
Sec 26 T 05S R 03E

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Western Region,
Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Publish August 6 & 13, 1987

RECEIVED

SEP 08 1987

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 29, 1987

OWYHEE AVALANCHE
P.O. BOX 97
HOMEDALE, ID 83628

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 24, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 08/05 & 08/12/87.

57-4108

BYBEE, D. O.

RT. B BOX 322, GRANDVIEW, ID 83624

Source: GROUNDWATER

Diversion Pt: SWNW Sec 26 T 05S R 03E

Use: COMMERCIAL	(1.5 CFS)
HEATING	(0.5 CFS)

Priority Date: 06/01/1962

In. SENE Sec 27 T 05S R 03E SWNW Sec 26 T 05S R 03E