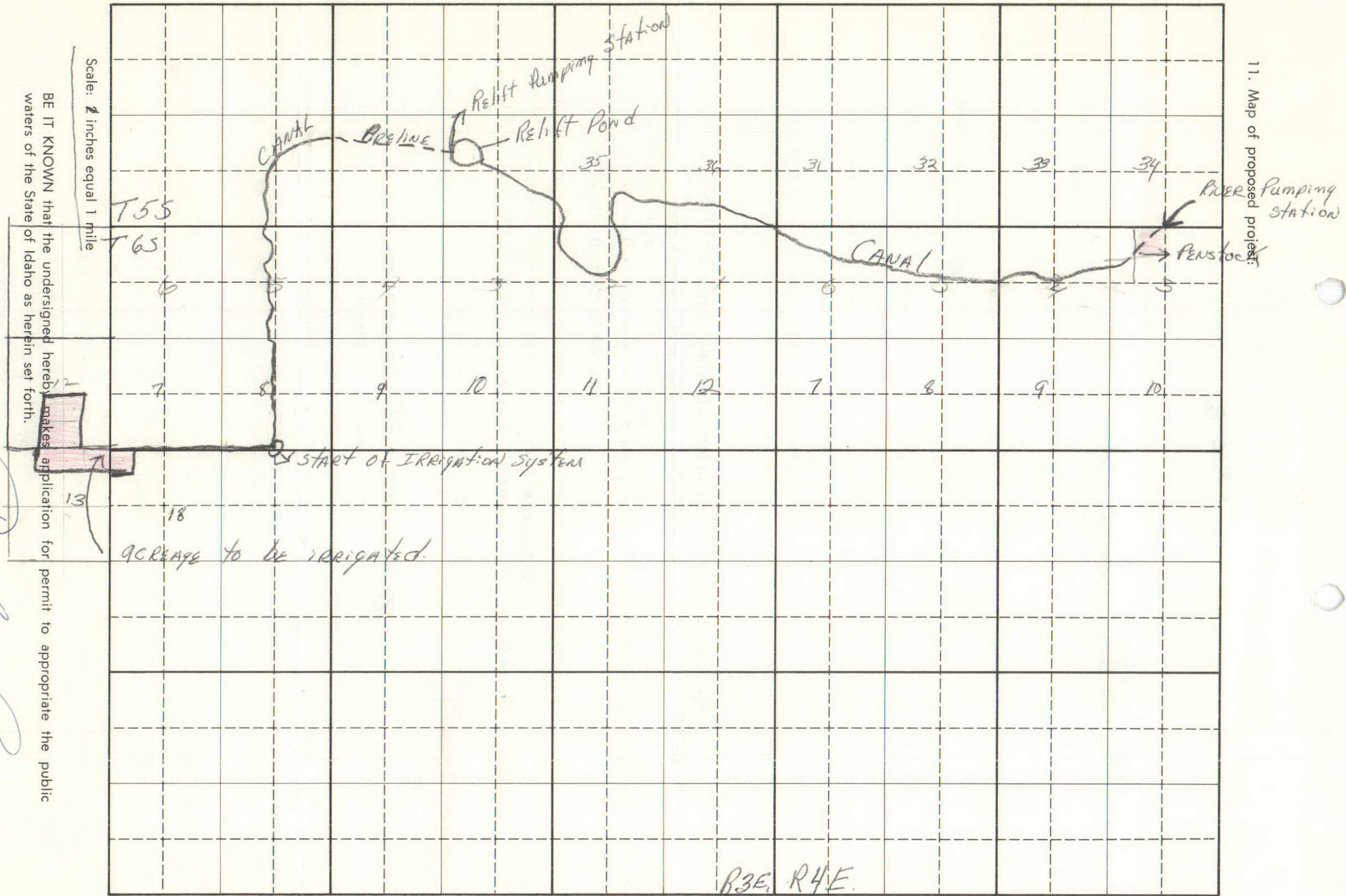


11. Map of proposed project:



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 Donald McArthur
(Applicant)
2 7064

RECEIVED

MAY 19 1970

Department of Reclamation

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 7 day of May, 1970, and the last publication being on the 14 day of May, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 14 day of May, 1970.

Leona Shaver
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

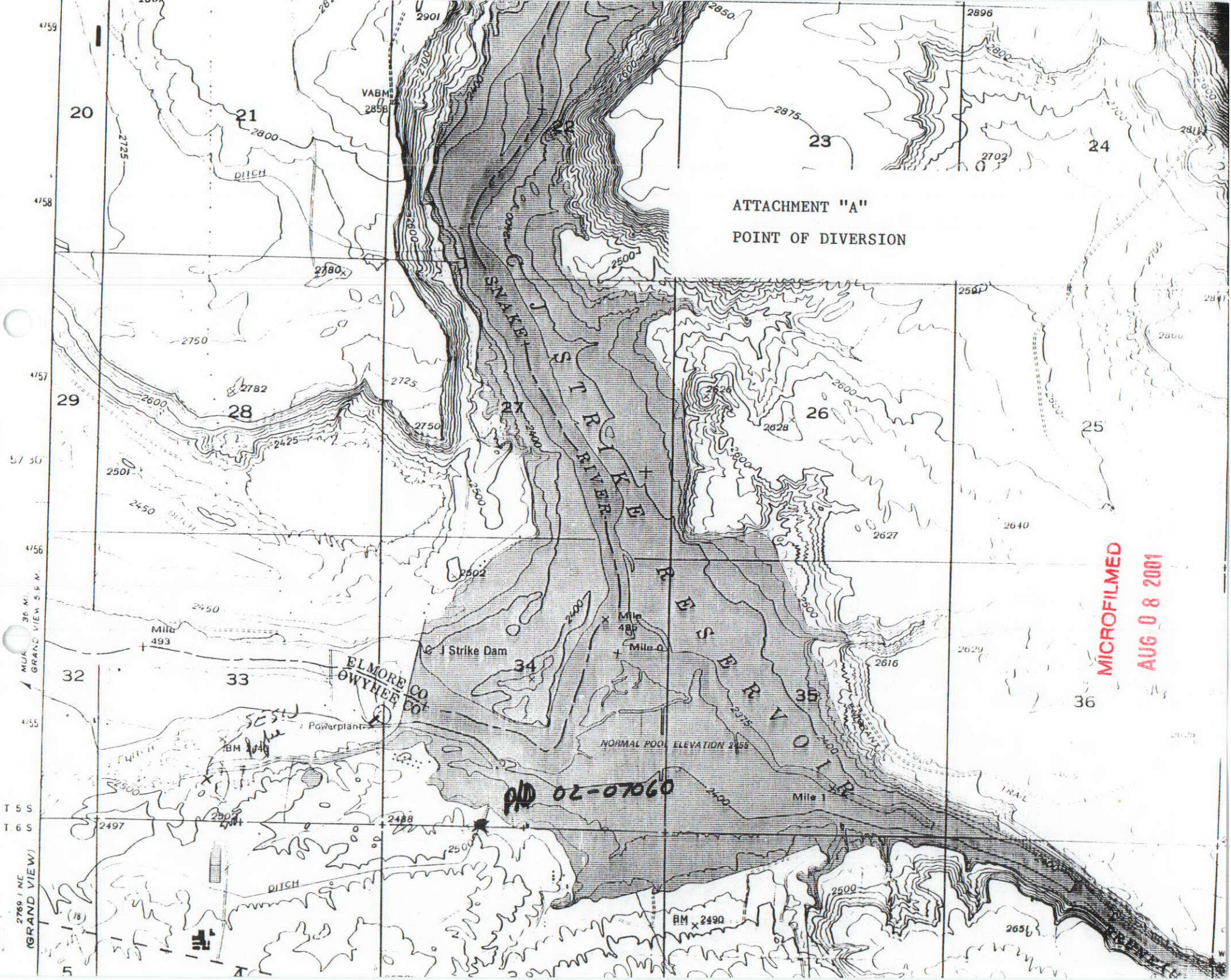
Notice is hereby given that Bennie Gerald Chatburn, Box 66, Albion, Idaho, has on April 23, 1970, submitted Application No. 02 - 7064 to appropriate the public waters of the Snake River.

The application proposes a maximum diversion and appropriation of 6.4 cubic feet per second of water to be diverted by pump, canal and pipeline within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 6 S., R. 4 E., B. M., Owyhee County, and is to be used within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T. 6 S., R. 3 E., B. M. and N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 12, T. 6 S., R. 2 E., B. M. from March 15 to November 15 for the irrigation of 320 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 25, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Owyhee Nugget, Marsing, Idaho, on May 7 and May 14, 1970.

2 7064



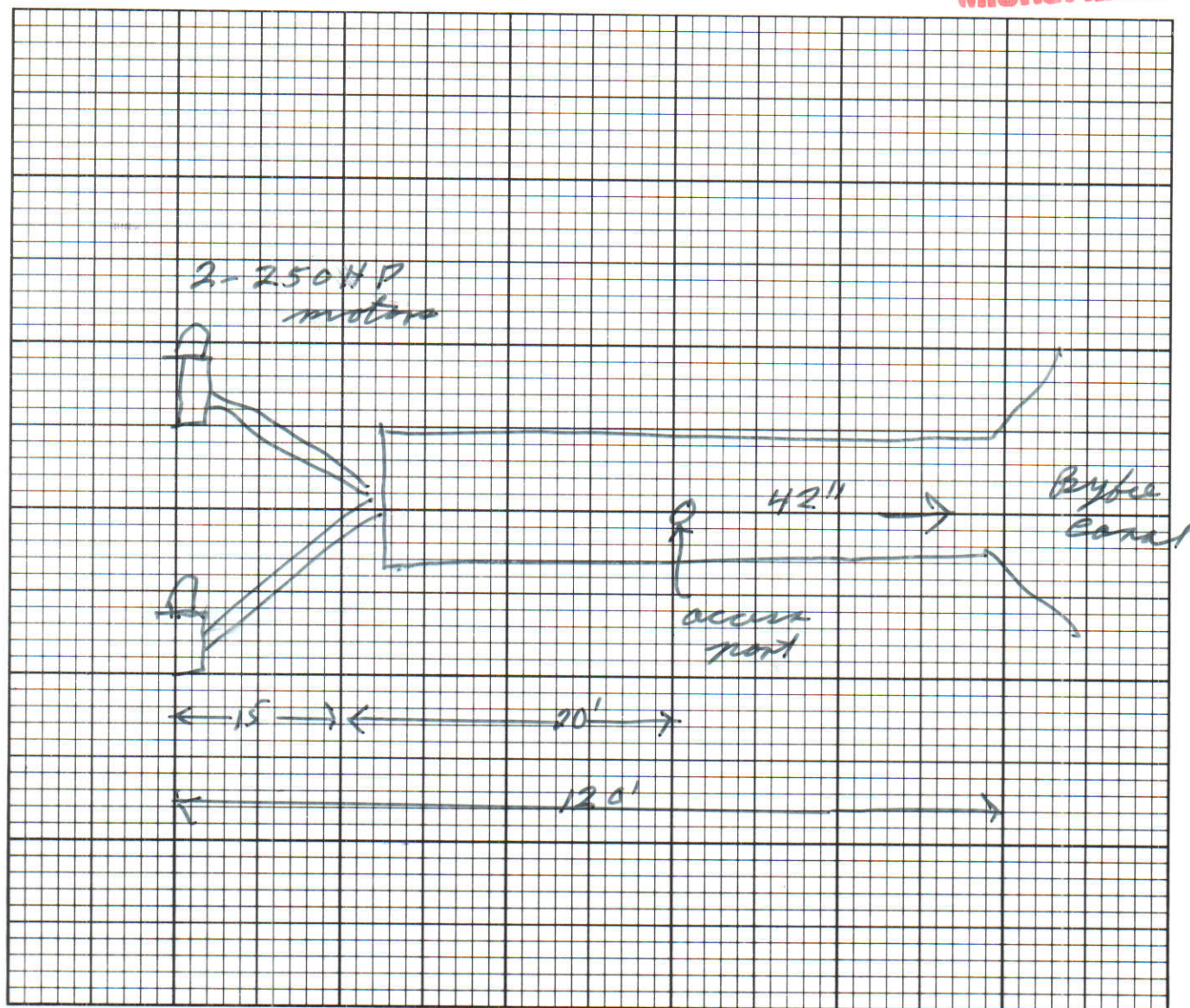
ATTACHMENT "A"
POINT OF DIVERSION

MICROFILMED
AUG 08 2001

P.D. 02-07060

10. Other water rights on these lands none
11. Other water right diverted from same p.d. 02-7237A, 02-7168, 02-7275
02-7279, 02-7062, 02-7060, 02-7061, 02-7059
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

MICROFILMED



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature John K. Noyes Date 10/17/84

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

R2E 9-6-77 R3E

R3E

572266

R

6
12 7

R3E

A
3.7

B
4.4

20.0

C424
2600

C
76.3

40

19

40

02-7060

Creek

40

40

40

40

02-7064

C 320

12 7

39 13 18

40

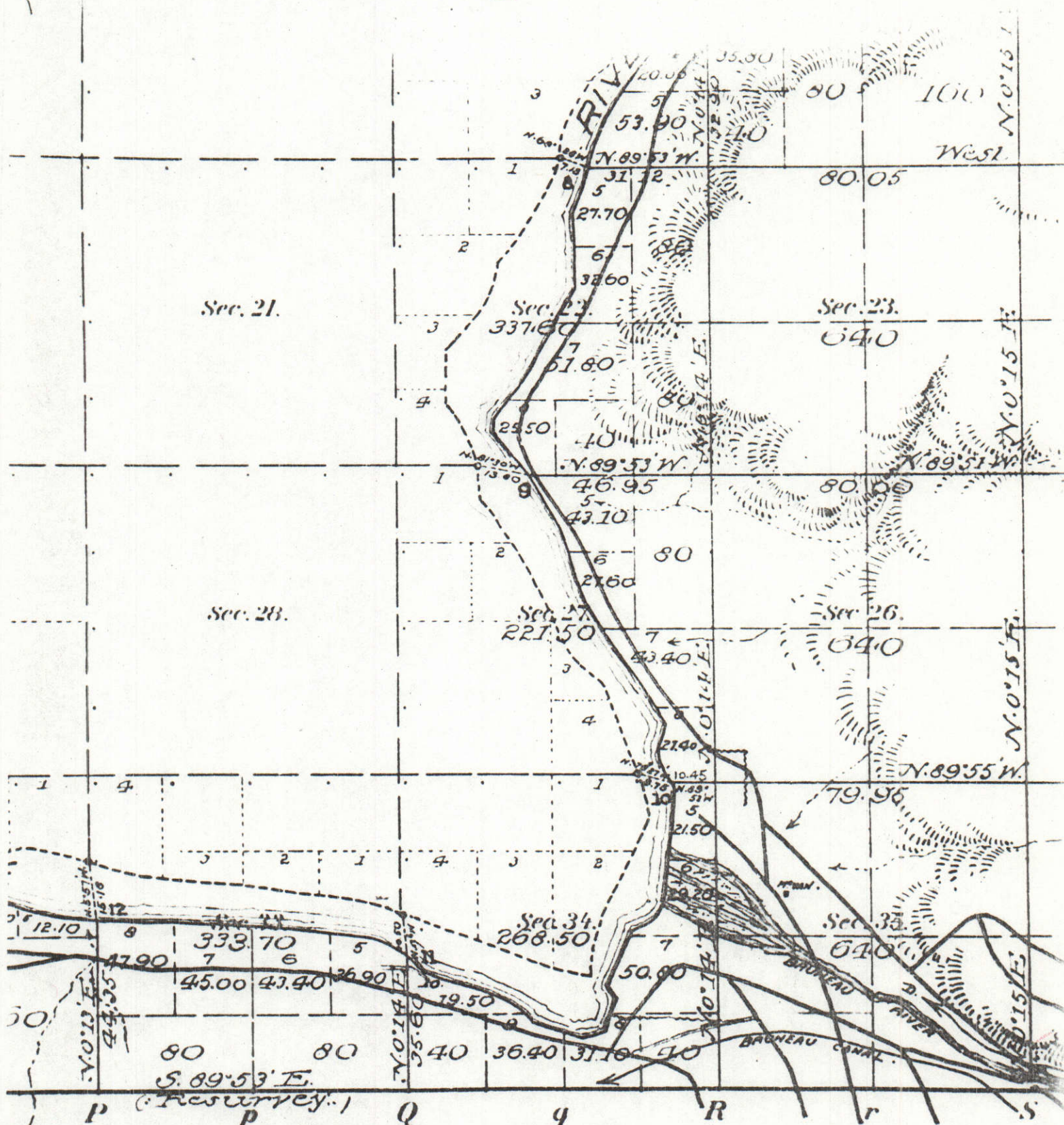
40

Creek

319.2

UNCONFIRMED

55-4E



Total number of Acres 7537.55 (additional :)

Amount of Surveys M.	Ch.	Lk.	When Surveyed	Mean Declination
5	49	10	July 30-Aug 5-1894	
18	19	81	July 31-Aug 5-1894	18° 20' E.
11	14	08	"	
2	08	32	"	

MICROFILMED

The above Map of the
Boise. Meridian
notes of the survey there
Surveyed General
Boise City, Id.
Ellis

RECEIVED
JAN 05 1987

Department of Water Resources
State of Idaho
Statehouse Mail
Boise, ID 83720

Department of Water Resources

RE: Water Right License Nos. 02-7060 and 02-7064

You are hereby advised that the title to the following described real property has been transferred to Robert G. Dirks and Mechelle Dirks, ~~Route B~~^{AC 85}, Box 344, Grandview, Idaho:

In TOWNSHIP 6 SOUTH, RANGE 2 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 12: NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 13: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

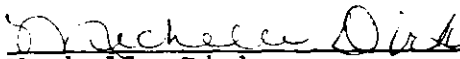
IN TOWNSHIP 6 SOUTH, RANGE 3 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 7: Lot 4
Section 18: Lot 1

A copy of the recorded Deed is attached as proof of ownership.

While we acknowledge that the name on the original license will remain please update your records to show Dirks claiming current use of said rights.

Dated this 23rd day of December.


Robert G. Dirks


Mechelle Dirks

MICROFILMED
AUG 08 2001

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7064 Priority April 23, 1970 Amount 6.36 cfs

THIS IS TO CERTIFY, that Mud Flat Canal Co.
of Grand View, Idaho, has complied with the terms and conditions of Permit
No. 02-7064 issued pursuant to Application for Permit dated April 23, 1970,
and has submitted proof to the Department of Water Resources on May 11, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 48.44 cfs of water from Snake River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation from <u>March 15</u> to <u>November 15</u> at <u>6.36</u> cfs and <u>1590.0</u> acre feet			
from _____ to _____ at _____ cfs and _____			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 6.36 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1590.0 acre feet per year, said waters to be diverted within the Gov. Lot 2 (SE 1/4 SW 1/4)
Section 34, Twp 5S, Rge 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	2E	12									40			40	40	40			160
		13	39	40			40												119
6S	3E	18					39												39

Total number of acres irrigated 318

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

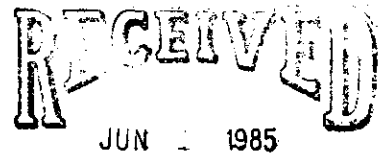
b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of OCTOBER, 19 85.

Acting for the Norman C. Young
Director

STATE OF IDAHO



Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use

APPROVED

Comes now Mud Flat Canal Co. Phone _____

of (address) Rt. B, Box 341 Grand View, ID 83624, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 02-7064, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Section 34, Township 5S, Range 4E, B.M., County of Owyhee. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
No change

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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:
No change

TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated = _____

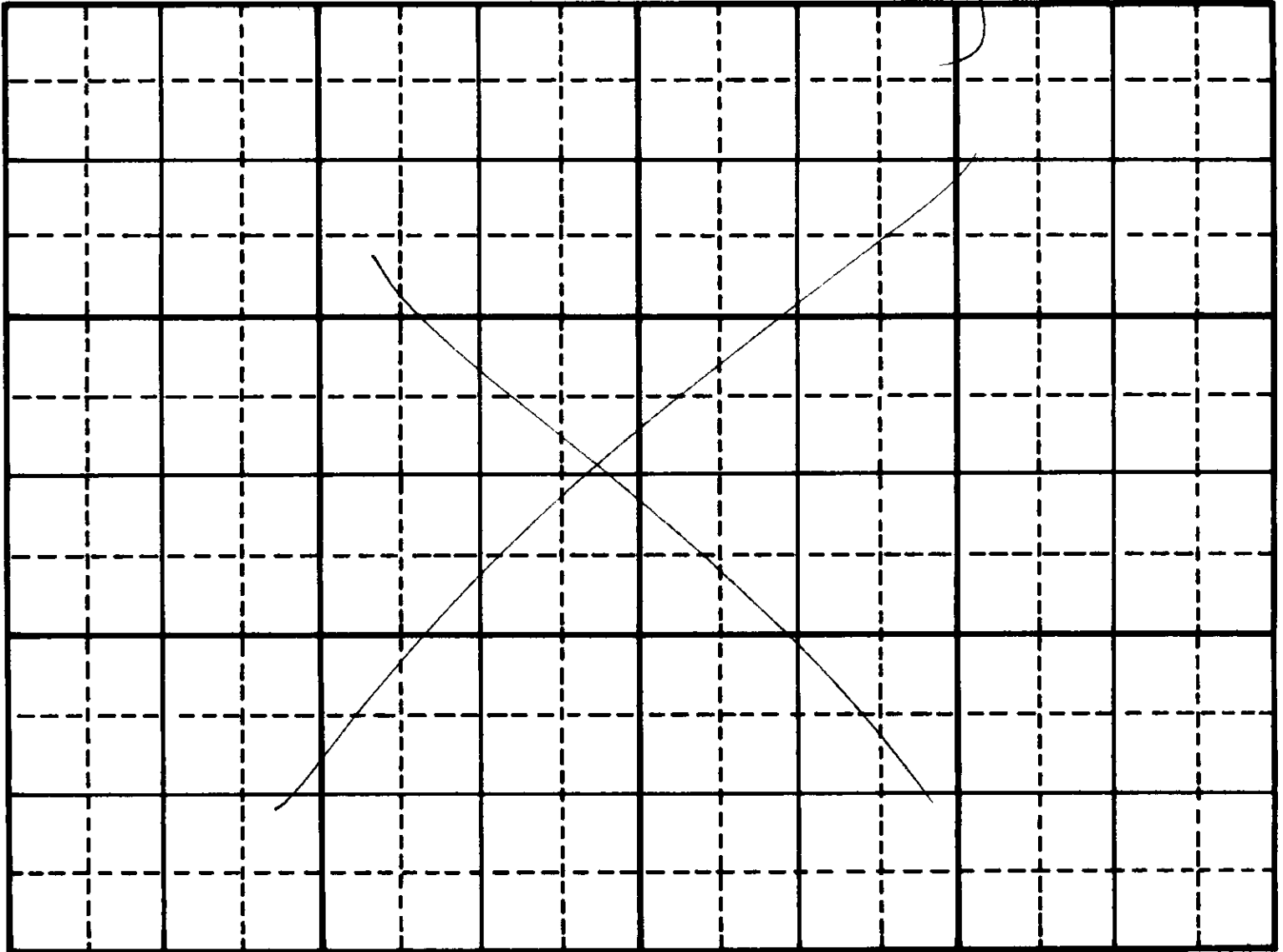
4. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or the place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary MICROFILMED



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 28 day of May, 19 85.

Daniel Updegraff
(Signature)
Sec. Treas.

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ✓

Received by 19 Date 6-5-85 #36578

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 02-7064.

Witness my hand this 29TH day of OCTOBER, 19 85.

Norman C. Young
Acting for the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

APR 30 1980

To provide additional time in which to submit
proof of beneficial use on a water right permit

Department of Water Resources

Mud Flat CANAL Company of RT. B. Box 341 GRAND View,
(Name) (Address) 83624

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to appropriate the Public Waters of the State of Idaho No. 02-7064.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 19 80.

That he has heretofore performed the following work described under said permit: _____

Cleared land of sagebrush and has had a
sprinkler irrigation system installed on the land.

Costing \$ 200,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Idaho Power Company as of this date
has not completed all necessary electrical service
to allow the application of the total number of
inches of water to the land.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 19 ~~80~~ 85 (see conversational memo of 6/2/1980)

[Signature] - Board of Directors
(Signature)* Mud Flat Canal Co

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to June 1, 1985.

Signed this 2nd day of June, 19 80.

[Signature]
L. GLEN SAXTON
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 2-7064)

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Field Mutual Canal Co., hereby assign to Mud Flat Canal Co.
of Rt B Box 341 Grand View, Idaho
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 027064
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 17 day of MAY, 19 77.

Wm O Field
Permit Holder

Pres Field Mutual Canal Co

Spouse of Permit Holder

State of Idaho)
County of OWYHEE) ss.

On this 17th day of MAY, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (~~she~~)=~~(they)~~ executed the same.

Byrne C. Huxwell

Notary Public residing at

GRAND VIEW, IDAHO

seal

My commission expires:
5-14-80

MICROFILMED

REF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

State of Idaho)

County of Owyhee)

Permit No. 02-7064

Wm. O. Field, President

Field Mutual Irrigation Company of Box 209, Grand View,
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 02-7064.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before June 1, 1975.

That he has heretofore performed the following work described under said permit:

organization of canal company

Costing \$

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: The desert entry for which this permit was
to be used has not been allowed although it has been classified.
The Field Mutual Irrigation Company has requested to be recognized
as a source of water.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to June 1, 1980.

Wm O Field
(signature) *

Subscribed and sworn before me this 24th day of April, 1975.

s e a l

W. L. Adams
Notary Public residing at

Grand View, Id.

My commission expires 11-29-75

ACTION OF THE DEPARTMENT OF WATER RESOURCES
Operations Division

I, A. KENNETH DUNN, Administrator ~~Director~~ of the Idaho Department of Water Resources,
hereby approve the above application for extension of time for Permit No. 02-7064
to June 1, 1980.

Witness my hand this 12th day of May, 1975.

A. Kenneth Dunn
~~Director~~ Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

MICROFILMED

State of Idaho

Department of Water Administration.

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Bennie Gerald Chatburn, hereby assign to Field Mutual Irrigation
of Box 209, Grand View, ID 83624 Company
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 02-7064
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Made this 25th day of April, 19 75.

Bennie Chatburn
Permit Holder

a single man

Spouse of Permit Holder

State of Idaho)
County of Cassia) ss.

On this 25th day of April, 19 75, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Jeff Speller
Notary Public residing at

Albion, Idaho

My commission expires: June 10, 1975

MICROFILMED

Please send a
copy to the B.H.M.
I.E. Mr Curtis Taylor
Thank you.
I 2135

Identification No. 02-7064
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

ASSIGNED TO: MUD FLAT
CANAL CO. - 5-17-1977

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK) ASSIGNED TO: FIELD MUTUAL IRRIGATION CO

4/29/75 Box 209
Grand View, ID 83624

1. Name of applicant BENNIE GERALD Chatburn
post office address Box 66 Albion, Idaho 83311
2. Source of water supply SNAKE RIVER which is a tributary of _____
3. a. Location of point of diversion is NE 1/4 of NW 1/4 of Section 13 Township 6S
Range 4E B.M. Owyhee County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:
Amount 6.4 for irrigation purpose from MAR 15th to NOV 15th (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:
a. 6.4 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, Penstock, Canal, Relief, Steel pipeline, Canal and then irrigation system on the land.

b. Height of storage dam 10 feet, active reservoir capacity 15 acre feet; total reservoir capacity 30 acre feet, materials used in storage dam: GRAVEL & CLAY
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 22,000.

8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp 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: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
65	3E	18						40											40
65	2E	13	40	40			40												120
65	2E	12									40			40		40	40		160

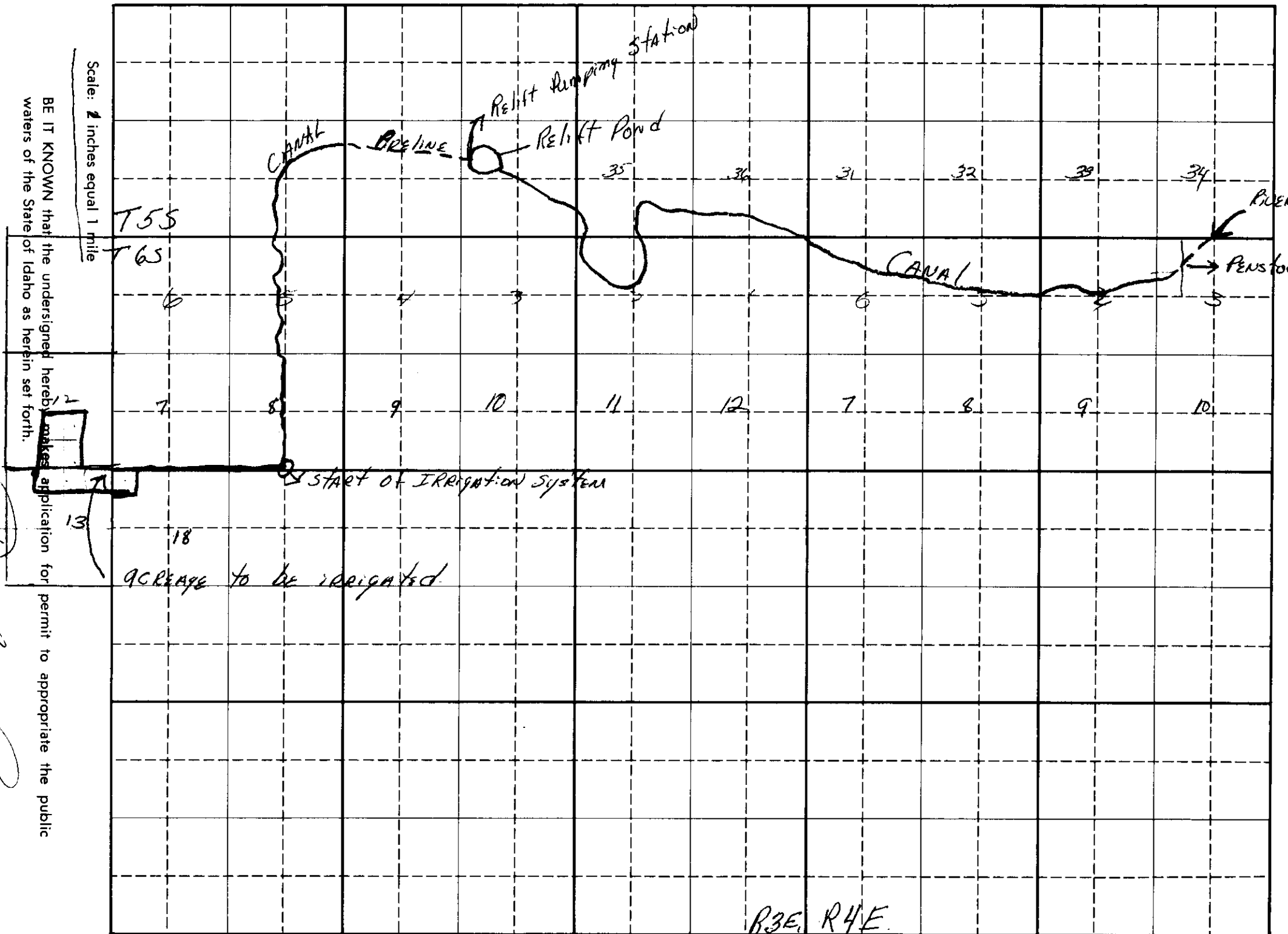
Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion John Tate
- b. Who owns the land to be irrigated or place of use BENNE GERALD CHATBURN
- 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:



James Donald Hocking
(Applicant)

2 2004

Received by ej Date 4-23-70 Time 8:00 a.m.
Preliminary check by Dee Fee \$ 51.00
Receipted by ej Date 4-23-70
Publication prepared by de Date 4-29-70
Published in Oregonian Nugget
Publication dates 5-7+14-70
Publication approved de Date 5-20-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Dee CH

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7064, 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 June 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 1st day of June 19 70.

F. Kirk Higgs
State Reclamation Engineer

2 7064

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No.	02-7064		Name	Bennie Gerald Chatburn	
Source	Snake River				
Point of Diversion	NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 6S, R. 4E, B.M., Owyhee County				
Quantity	6.4	Use	irrigation	Period	Mar. 15 - Nov. 15
Quantity		Use		Period	
Quantity		Use		Period	
Well Size		Diameter		Proposed Depth	
Use	320 acres ~~desert entry~~				
Date Forwarded	4-29-70		Date Returned	5-5-70	
			Received by	<i>Dec</i>	

RECOMMENDATIONS: LOCATED ON SOUTHWEST EDGE OF
MAIN POND AT C. J. STRIKE DAM WEST OF
BRUNO - NEAREST FLOW MONUMENTS
AT KING HILL OR MURPHY - KING HILL
DURRES 18,500 cfs

Qty.	6.4	Use	320 A	Period	3-15/11-15AF	5.0	AFA	1600
Qty.	6.4	Use	320	Period	3-15/11-15AF	5.0	AFA	1600
Qty.		Use		Period		AF		AFA

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial: _____

INVESTIGATION By *[Signature]* Title *Asst. Ref. Engr*

Date _____

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 7 day of May, 1970, and the last publication being on the 14 day of May, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 14 day of May, 1970.

Leona Schaner
NOTARY PUBLIC

My commission expires 4-10-72

(SEAL)

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Bennie Gerald Chatburn, Box 66, Albion, Idaho, has on April 23, 1970, submitted Application No. 02 - 7064 to appropriate the public waters of the Snake River.

The application proposes a maximum diversion and appropriation of 6.4 cubic feet per second of water to be diverted by pump, canal and pipeline within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 6 S., R. 4 E., B. M., Owyhee County, and is to be used within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T. 6 S., R. 3 E., B. M. and N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6 S., R. 2 E., B. M. from March 15 to November 15 for the irrigation of 320 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before May 25, 1970.

R. KEITH ELGINSON,
State Reclamation Engineer
Published in the Owyhee
Nugget, Marsing, Idaho, on May
7 and May 14, 1970.

2 7064



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 26, 2001

Robert L. Smith
Outback Farms
64 Merry Lane
Burbank, WA 99323

RE: RIGHTS IN THE WATER SUPPLY BANK

Dear Mr. Smith:

As requested in your letter dated November 21, 2001, the four (4) water rights described below will be retained in the Water Supply Bank through December 31, 2002.

The water rights as shown in department records are described as follows:

<u>Identification No.</u>	<u>Rate of Div.</u>	<u>Priority</u>
02-10189	2.83 cfs	February 25, 1963
02-10181	3.20 cfs	April 9, 1970
~~02-07064~~	6.36 cfs	April 23, 1970
02-07237A	5.90 cfs	December 23, 1976

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - Regional Office

Outback Farms
Robert and Connie Smith
64 Merry Lane
Burbank Wa 99323
509-545-8364 or Fax. 509-547-5308

November 21, 2001

State of Idaho
Dept. Of Water Resources
L Glen Saxton, P.E.
P.O. Box 83720
Boise, Idaho 83720

RE: Right: RIGHTS IN THE WATER SUPPLY BANK

Dear Mr. Saxton,

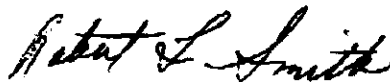
The purpose of this letter is to inform you that it is our intention to retain the rights listed below in the water bank until December 31, 2002. We have several water rights in the bank at this time. On June 25, 2001 we received three different letters pertaining to those rights. It would be helpful, if in fact these rights have been re-numbered, for you to verify those numbers. The numbers we show are, #02-07237A for 5.9 cfs, (Formerly owned by Nate & Jeff Good), #02-10181 for 3.2 cfs. (Formerly owned by Robert Dirks), #02-07064 for 6.36 cfs. (Formerly owned by Robert & Michelle Dirks), and #02-2209 for 2.83 cfs. (Formerly owned by Cottonwood Mutual Canal Company).. Could you please inform us if there are any other rights other than the rights listed above, and verify the numbers as we have them listed.

02-10189 ✓

Please confirm in writing, that these rights will in fact remain in the water bank.

Thank you.

Sincerely,



Robert L. Smith

CONFIDENTIAL**FAX**

Number of pages including cover sheet 2

RECEIVED

NOV 23 2001

Department of Water Resources

FROM: Outback Farms
Robert L. & Connie J. Smith
64 Merry Lane
Burbank, WA 99323
Phone 509-545-8364
Fax Phone 509-547-5308

TO: Idaho Water Resources
Attn.: L. Glen Saxton, P.E.
Fax# 1-208-327-7866
Date

REMARKS: ☐ Urgent ☒ For your review ☐ Reply ASAP ☐ Please Comment

Dear Mr. Saxton:

Enclosed in this fax is our request to have our water rights remain in the Idaho Water Bank. We would like to do this on an annual basis, giving us the option of what is best for are situation.

Thank you for your cooperation



Bob Smith



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2001

Robert and Connie Smith
64 Merry Lane
Burbank, WA 99323

RE: RIGHTS IN THE WATER SUPPLY BANK - 02-07064 AND 02-10181

Dear Mr. and Mrs. Smith:

Department records show that the above referenced water rights have been leased to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board through December 31, 2001.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2001, unless you advise me, in writing, prior to December 31, 2001, that you want the rights retained in the bank for an extended period. If so, please respond by letter and designate the date to which you want the rights retained in the bank.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR – Regional Office

**RINGERT
CLARK**
CHARTERED
LAWYERS

RECEIVED

MAR 12 2001

March 9, 2001

Department of Water Resources

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furey
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaulman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Allyn L. Sweeney
Samuel Kaufman (1921-1986)

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

Re: Notice of Change of Ownership for Water Right Nos. 02-02209, ~~02-07060A~~, ~~02-07064~~ and 02-07237A.

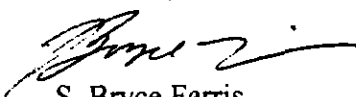
Dear Sir or Madam:

This law firm represents Robert and Connie Smith who recently purchased the above-mentioned water rights. Enclosed please find a Notice of Change in Water Right Ownership for the above-referenced water rights, along with copies of the recorded Deeds to the water rights.

All of these water rights are currently in the Water Supply Bank. Thus, please update your ownership records accordingly, and notify the Water Supply Bank to update their records. Also, all of these water rights have been claimed in the SRBA, thus, no filing fee is necessary. However, I would request that any documents pertaining to these water rights filed in the SRBA, including recommendations, be sent to the new owners of record, their engineer Mr. Dale Van Schoiack, SCM Consultants, Inc., 7601 W. Clearwater Ave, Ste. 301, Kennewick, WA 99336, and myself as their attorney of record.

If you have any questions please feel free to call me. Thank you for your cooperation.

Yours very truly,


S. Bryce Farris

Enclosures

cc: Glen Saxton
Robert Smith w/o enclosures
Dale Van Schoiack w/o enclosures

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AUG 08 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 12 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Department of Water Resources

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
02-07060A	A02-07060A	X			
02-07064	A02-07064				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Robert and Mechelle Dirks
HC 85, Box 344, Grandview, ID 83624
4. New Owner/Claimant(s) Robert and Connie Smith
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
64 Merry Lane
 New Mailing Address
 City, State and ZIP Code Burbank, WA 99323
 New Telephone Number 509) 545-8364
5. Date you acquired the property December 29, 2000

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JUG 08 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership includes the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>02-07060A/A02-07060A</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>3.2 cfs</u>	<u>160 acres</u>
Stock		
Domestic		
Other		
Total	<u>3.2 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Robert L. Smith
Connie J. Smith

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED

AUG 08 2001

NOT OF
Ringert Clark Chart.
SEE # 6-

234730

FILED - RECORDED

01 JAN -4 PM 1:41

DEED TO A WATER RIGHT

OWN
BY *B. Herpa*

FOR VALUABLE CONSIDERATION, the receipt and sufficiency which are hereby acknowledged, and pursuant to the Agreement dated the 29th day of December 2000, Robert and Mechelle Dirks, husband and wife, HC 85 Box 344, Grandview, Idaho 83624, do hereby grant and convey unto Robert and Connie Smith, husband and wife, 64 Merry Lane, Burbank, Washington, 99323, **6.36 cfs** of Water Right **02-07064**, originally appurtenant to 318 acres of land in the Section 12 and Section 13, Township 6 South, Range 2 East, B.M., Owyhee County, Idaho and Section 18, Township 6 South, Range 3 East, B.M., Owyhee County, Idaho, as described in the place of use for the right. The described water right shall, however remain appurtenant to the above described lands until such time as Robert Smith and Connie Smith, or their successors or assigns shall elect to sell, transfer, or otherwise remove, modify, amend, change, or dispose of the water right.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Robert Smith and Connie Smith, and to their successors and assigns forever.

IN WITNESS WHEREOF, Robert and Mechelle Dirks have executed this document this 28th day of December, 2000.

MICROFILMED
AUG 08 2001

234730

ROBERT DIRKS and MECHELLE DIRKS
husband and wife

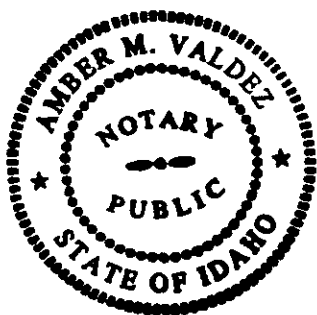
Robert Dirks
Robert Dirks

Mechelle Dirks
Mechelle Dirks

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of December, 2000, before me, Amber Valdez, the undersigned, a notary public in and for said state, personally appeared Robert Dirks and Mechelle Dirks, known or identified to me to be the husband and wife that executed the foregoing instrument and acknowledged to me that they executed the same.

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



Amber M. Valdez
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 6/29/04

MICROFILMED
AUG 08 2001

234729

1 OF
Ringert Clark Chart
FEE *\$6.00*

FILED - RECORDED

01 JAN - 4 PM 1:41

COPIED BY *b. Kuyra*

DEED TO A WATER RIGHT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency which are hereby acknowledged, and pursuant to the Agreement dated the 29th day of December, 2000, Robert and Mechelle Dirks, husband and wife, HC 85 Box 344, Grandview, Idaho 83624, do hereby grant and convey unto Robert and Connie Smith, husband and wife, 64 Merry Lane, Burbank, Washington, 99323, 3.2 cfs of Water Right 02-07060A, originally appurtenant to 160 of 280 acres of land in Section 12 and Section 3, Township 6 South, Range 2 East, B.M. Owyhee County, Idaho, as described in the place of use for the right. The described portion of the water right shall, however, remain appurtenant to the lands identified in the right until such time as Robert Smith and Connie Smith, or their successors or assigns shall elect to sell, transfer, or otherwise, remove, modify, amend, change, or dispose of the water right.

TO HAVE AND TO HOLD, all and singular the above mentioned and described property together with the appurtenances unto Robert Smith and Connie Smith, and to their successors and assigns forever.

IN WITNESS WHEREOF, Robert and Mechelle Dirks have executed this document this 28th day of December, 2000.

MICROFILMED

AUG 08 2001

334729

ROBERT DIRKS and MECHELLE DIRKS
husband and wife

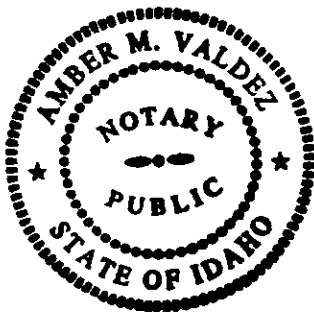
Robert Dirks
Robert Dirks

Mechelle Dirks
Mechelle Dirks

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of December, 2000, before me, Amber Valdez, the undersigned, a notary public in and for said state, personally appeared Robert Dirks and Mechelle Dirks, known or identified to me to be the husband and wife that executed the foregoing instrument and acknowledged to me that they executed the same.

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



Amber M. Valdez
Notary Public for Idaho
Residing at Boise, Idaho
My Commission Expires 6/29/04

MICROFILMED
JUN 08 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 16, 2001

S. Bryce Farris
RINGERT CLARK
455 S. 3rd Street
P.O. Box 2773
Boise, ID 83701

RE: WATER SUPPLY BANK INQUIRY

Dear Mr. Farris:

In your letter dated March 9, 2001, you advised that parts of certain water rights which presently are in the Water Supply Bank ("bank") have been purchased by your clients, Robert and Connie Smith. You also asked when the rights would be released from the bank. Department records show the following with respect to the rights or portions thereof acquired by your clients:

02-02209 (part)	-	2.83 cfs	Indefinite (No date designated)
02-07060 (part)	-	3.20 cfs	December 31, 2001
02-07064	-	6.36 cfs	December 31, 2001
02-07237A	-	5.90 cfs	December 31, 2002

These rights do not have to stay in the bank until the designated release date, if the rights have not been rented from the bank. To date, these rights have not been rented for use during 2001.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: W. Region
Gary Spackman

MICROFILMED

AUG 08 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

January 2, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROBERT DIRKS
HC 85, BOX 344
GRAND VIEW, ID 83624

RE: RIGHTS IN THE WATER SUPPLY BANK – 02-07060 AND 02-07064

Dear Mr. Dirks:

The Department has received your recent letter advising that you would like the above referenced water rights retained in the Water Supply Bank ("bank") for an additional year.

As I'm sure you are aware, the following conditions apply to rights that have been leased to the bank:

1. There is no payment to the owner of a right if the right is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.

Please consider that the rights will be retained in the bank through December 31, 2001 unless the rights are released earlier by the Board upon a request from the owner of the rights.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

MICROFILMED

AUG 08 2001

c: IDWR – Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Robert Dirks
HC 85, Box 344
Grand View, ID 83624

RE: RIGHTS IN THE WATER SUPPLY BANK - 02-07060 and 02-07064

Dear Mr. Dirks:

Department records show that the above referenced water rights have been accepted into the Water Supply Bank operated by the Idaho Water Resource Board. Department records also show that when the rights were leased to the bank, the intent was to take the rights out of the bank on December 31, 2000.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2000, unless you advise me in writing that you would like to have the right(s) retained in the bank for an extended period. If so, please designate the date to which you want the retention extended.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - Regional Office

*Please Extend Water Rights
No. 02-07060 and 02-07064 for 1 year
OR until Dec 31 2001*

MICROFILMED

AUG 08 2001

Thank You



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Robert Dirks
HC 85, Box 344
Grand View, ID 83624

RE: RIGHTS IN THE WATER SUPPLY BANK – 02-07060 and 02-07064

Dear Mr. Dirks:

Department records show that the above referenced water rights have been accepted into the Water Supply Bank operated by the Idaho Water Resource Board. Department records also show that when the rights were leased to the bank, the intent was to take the rights out of the bank on December 31, 2000.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2000, unless you advise me in writing that you would like to have the right(s) retained in the bank for an extended period. If so, please designate the date to which you want the retention extended.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR – Regional Office

MICROFILMED

AUG 08 2001

Water Supply Bank No. _____

Water Right No. _____

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

RECEIVED

JUN 22 1999

WATER RESOURCES
WESTERN REGION

Name of Seller/Lessor Robert Dirks Phone 834-3344

Post office address HC 85, Box 344, Grand View, ID 83624

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 02-07064 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Snake River tributary to Columbia River

3. Date of priority 4/23/70

4. Water is used for the following purposes:

amount 6.36 for Irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 6.36 cubic feet per second
&/or
b. 1590 acre feet per annum

6. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34

Township 5S Range 4E, B.M. in Owyhee County

Additional points of diversion, if any N/A

MICROFILMED
JUN 22 2001

7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	2E	12									40			40		40	40		160
6S	2E	13	39	40			40	39											158

Total number of acres to be irrigated 318

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second

&/or

b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

MICROFILMED

AUG 08 2001

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Applicant owns the property to which the water is appurtenant. Contract of sale is
attached.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

Land has been in CRP. Contract documents are attached.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

Water is available through an existing canal system serving other irrigators. Flow records
available if required.

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

None. The present place of use will not be irrigated while the water is in the water bank.

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

Attached

MICROFILMED

AUG 08 2001

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.

1

12

T6S

13

R2E

Point of diversion is shown on the attached map.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

AUG 08 2001

9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale
XXX For lease for period from 1999 to 2000
(year) (year)
_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

Existing water bank rate.

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

XXX Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

6/9/99
(Date)


(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by  Date 6/22/99 Preliminary check by 

Watermaster recommendation requested on N/A Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED

AUG 08 2001

AJ0729NP
No. A02-07064

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT G DIRKS	04/23/1970	IRRIGATION	03-15 11-15	6.36 CFS	1590.00 AFA
C	MECHELLE DIRKS					
	HC 85 BOX 344					
	GRANDVIEW ID 83624					
	(208) 834-2404					
				TOTAL DIVERSION:	6.36 CFS	1590.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T05S R04E S34 Lot09(SESW)

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06S	02E	12	:													40		40		160.0
06S	02E	13	:	39		40						40						40	40	119.0
06S	03E	18	:									01-39								39.0
																			TOTAL ACRES	318.0

POU County: OWYHEE

Non-Irrigation Uses: NONE.

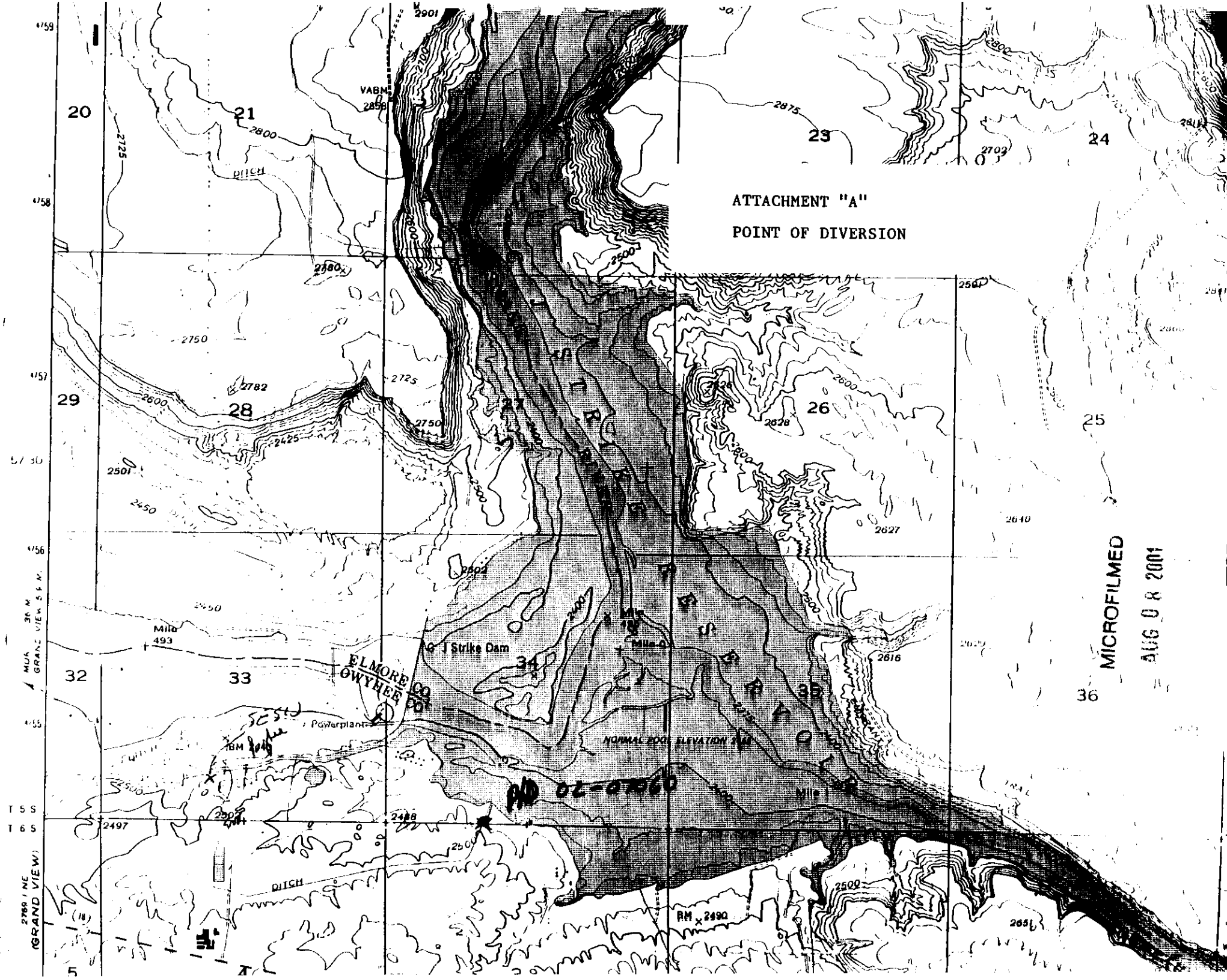
Other Rights: CLAIM NO. A02-07060.

Remarks: GEN DESC. OF DIVERTING WORKS - PUMPING PLANT IN C.J. STRIKE RES. INTO
BYBEE CANAL WITH PUMP FROM BYBEE CANAL INTO THE MUDFLAT CANAL
WITH RE-DIVERSION POINTS ALONG THE MUDFLAT CANAL FOR SPRINKLER
IRRIGATION. NOTE: THIS PROPERTY IS PRESENTLY UNDER THE CRP
PROGRAM AND WILL BE FOR APPROX. 10 YEARS.

Dates: Exam Made Date: Verified Date: 11/12/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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ATTACHMENT "A"
POINT OF DIVERSION

MICROFILMED

AUG 08 2001

CRP-1
(02-21-86)U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

Form Approved - C-48 No. 0560-0125

ST. & CO. CODE & 2. CONTRACT NO.

C/D

3

CONSERVATION RESERVE PROGRAM CONTRACT

16 073 0 C-486 73

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (17 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the to as "Owner" and "Operator", respectively (acres) identified in Items 8-17 below and on the Conservation Reserve Program ("CRP") for also agree to implement on such designated as conservation district based upon the conservati other conservation practices as are identified i agree to comply with the terms and conditions Conservation Reserve Program Contract (refer Appendix has been provided to the Owner and on file in the County Agricultural Stabilization CCC a period of 30 days from the close of the application sign-up period to accept this Contract and agree to pay requested damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

Post-It® Fax Note

7671

Date	7/7/99	# of pages	3
To	Glen Saxton	From	G
Co./Dept.	EDWR	Co.	Western
Phone #		Phone #	
Fax #		Fax #	

is and operators (referred referred to as "designated he designated acreage into The Owner and Operator id by the applicable local RP-1A Addendum or such er and Operator and CCC titled Appendix to CRP-1, idges that a copy of the pendix which will be kept orator also agree to allow

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS

Robert Dirks
HC 85 Box 344
Grandview, ID 83624

SHARE

SSN

519 56 5917 1

SIGNATURE

DATE

100%

Robert Dirks

5/14/86

B. OWNER NAME AND ADDRESS

Conn. Gen. Life Insur. Co
% Tippet Land & mortgage
1705 N. Cole Rd
Boise, ID 83704

SHARE

SSN

0%

Alvin B. Tippet for
Conn. Gen. Life Insur. Co.

DATE

5/14/86

C. NAME AND ADDRESS

On 3-18-87 Robert Dirks present proof of purchase of this farm at the Owyhee County office. Conn. Gen. Life Insur. Co. therefore no longer has any interest in this land or contract.

SHARE

SSN

SIGNATURE

DATE

D. NAME AND ADDRESS

SHARE

SSN

SIGNATURE

DATE

%

Robert Dirks

5. ACRES FOR CRP

6. RENTAL RATE PER ACRE

7. CONTRACT PERIOD

633.2

\$

39.99

5-16-86

9-30-97

9-30-98

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
T 849	1	CP-4	160.0	Pay 65% Seed 50%					
"	2	CP-4	159.4	"					
"	3	CP-4	156.3	"					
"	4	CP-4	81.3	"					
"	5	CP-4	76.2	"					

18. ANNUAL PAYMENT

25321.50

19. CCC USE ONLY - Payments according to the shares are approved.

CCC REPRESENTATIVE'S SIGNATURE

William R. Strickland

DATE

9-3-86

25322.07 MICROFILMED ORIGINAL - COUNTY OFFICE COPY

AUG 0 8 2001

ASCS-578
(5-7-78)

CRP

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without its assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

OF

KEY	FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND	OPERATOR	OTHER INTERESTED PRODUCERS		ASSIGNMENT	
						NAME AND ADDRESS	OTHER FARMS	CROP	JOBS
1	C-496	Robert Dirks	640	637.2	OWNER				
2	C-496	Conn. Gen Life Insur. Co. 701 Tippetts Land + Mort. 1705 N. Cole Rd. Boide, ID. 83704			PROGRAM YEAR 1986				
3									
4									
5									
6									
7									

SECTION I - FARM FIELD REPORT (NOTE: Gray Shaded Area to be Filled In by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY					KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	REDUCTIONS		NET ACRES	INITIAL DATE
			1985	1984	1983	1982	1981						IDENT./MEAS.	ACRES		
T844	1	New Seedings ALFAIFA 3.6 T (Eligible)	160.0	160.0	New Seedings	Barley	Pot	Pot	Corn							
					Err	Err	Err	Err	Err							
		Class 3s CP-4			Conv	Conv	Conv	Conv	Conv							
T844	2	New Seedings ALFAIFA 3.2 T (overstrawable)	159.4	159.4	Err	Err	Err	Err	Err							
					Conv	Conv	Conv	Conv	Conv							
		Class 3s CP-4			New Alfaifa	Barley	Pot	Corn	Corn							
T844	3	New Seedings ALFAIFA 4.2 T (elg)	156.3	156.3	Err	Err	Err	Err	Err							
					Conv	Conv	Conv	Conv	Conv							
		Class 3s CP-4			New Seedings	Boats	Corn	Corn	Boats							

TOTAL OPERATOR REPORT

TOTAL REPORTER'S REPORT

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land given to and from me are true and correct. Further, my signature constitutes authority for ASCS.

P. D. N.

3412

[illegible]

SKETCHES OF REMARKS

*U.S. Government Printing Office: 1962-505-833/7820 2-1

AUG 08 2007

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The acres indicated in the eligible column are

2-17-01 *Tim D. [Signature]*



—State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 30, 1985

RE: Licenses Issued

Mud Flat Canal Co.
Rt. B, Box 341
Grand View, ID 83624

Gentlemen:

Enclosed are copies of the Water Right Licenses issued on Permit Nos. 02-7275, 02-7279 and 02-7237A, along with copies of the Water Right Licenses and approved Applications for Amendment issued on Permit Nos. 02-7059, 02-7060, 02-7061, 02-7062 and 02-7064.

Also enclosed is Departmental Receipt No. 36578 in the amount of \$100.00 submitted for the amendments.

If you have any questions, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

NOV 7 1984

02-7064
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

See annex report. Total capacity 45.0 cfs

318 acres $\times 1.02 = 6.36$ cfs

Theoretical

$560 \times 8.8 \times 85 = 3740 = 44.9$ cfs

60 ft lift $\times .4375$ (23.25) = 83.25

See Re-measurement made 4/24/85.

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 318 \times 5 = 1590 \checkmark$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 6.36 \times 245 \times 1.9835 = 3090.7$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1590 \checkmark$

- c) Volume Calculations for Other Uses:

none

2. Overlap Review

- a) Other water rights with same place of use: none

- b) Other water rights with same point of diversion: 02-7237A, 02-7148, 02-7275

02-7279, 02-7062, 02-7060, 02-7001, 02-7059

- c) Analysis:

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RECOMMENDED AMOUNTS

30 day #1

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3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	02-7064	4-23-1970	6.36	4-23-1970	5-11-1981	~~45.0~~ 44.94 cfs 48.44 cfs

4. Permit Holder: Mud Flat Canal Co.

Address: RT B Box 341 Grand View, Ga 30624

5. Source: Snake River tributary to Columbia River

6. Beneficial Use Period of Use From To Rate of Diversion Q (cfs) Annual Volume V (afa)

Irrigation 3/15 11/15 6.36 1590.0 AF

Allowable Maximums: 6.36 1590.0 AF

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	<u>49</u>	<u>SW</u>	<u>SE</u>	<u>SW</u>	<u>34</u>	<u>5S</u>	<u>4E</u>	<u>Owyhee</u>

8. Place(s) of Use ☒

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	2E	12									40			40		40	40	160	
		13	39	40			40	~~40~~										119	
6S	3E	18						39										39	
Total Acres 318																			

9. Recommended Conditions/Remarks:

10. 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

11. Examiner's Signature John K. Meyer

Date 10/17/84

Checked in Regional Office by 645

Date 11/2/84

Approved in State Office by K. Walker

Date 11-27-84

June 6, 1985

Darrel Agenbroad, Secretary
Mud Flat Canal Company
Route B Box 340A
Grand View, Idaho 83624

Re: 02-7059 et al

Dear Mr. Agenbroad,

Your letter received by the Department on June 4, 1985, has been forwarded to me for reply. In that letter you indicated your Company is continuing to increase the diversion capacity of its pump after Proof of Beneficial Use has been submitted and the field examination has been made for nine (9) water right permits.

The advantage of the permit system for developing water rights is to establish a priority date for the water right and to begin after the filing date to construct the diversion works and to put the water to beneficial use. The permit, however, has a defined time period within which to develop the water right. The date when Proof of Beneficial Use is due establishes that time period. Only that development whether in terms of diversion or applying the water to beneficial use within the permitted time period can have its priority relate back to the permit.

More specifically, your Company apparently submitted Proof of Beneficial Use within the statutory time period to secure the priority dates for water right permits 02-7059, 02-7060, 02-7061, 02-7062, 02-7064, 02-7168, 02-7237A, 02-7275 and 02-7279. When those proofs were filed the Company declared the water rights had been developed for those permits in terms of the amount of water diverted and the land irrigated at that time. Any further development beyond that time is not covered by the above numbered permits. On April 24, 1985, John Noyes measured from the system existing at that time 48.5 cfs. If the review of the field examination shows this amount of water has been put to beneficial use under the permits numbered above, the licenses that define the water rights will be issued with 48.5 cfs as the maximum amount of water that was diverted under the permits.

D. Agenbroad
02-7059 et al

Page 2

The critical point here is the permits numbered above defined the maximum amount of water that could be developed for diversion within the time period specified by the permits. The difference between the amount of water covered by the permits and the amount of water perfected into water rights existed on paper and is relinquished when the permitted development period ends. Any further development will require the Company to gain a new permit.

If you have any questions about this matter or water right matters in general please contact me or Jim Johnson. Pending communication from the Company the final action on the permits numbered above will be held until July 1, 1985.

Regards,

Donald V. Shaff
Adjudication Unit Leader

cc: J. Johnson

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MUD FLAT CANNEL CO.
Route B Box 340 A
Grandview, Idaho 83524

RECEIVED

JUN 4 1985

Department of Water Resources

Sirs

We are still in the process of
Establishing our pump capacity. I have
Been in contact with John Noyce, That
is why I didn't send in the permits.
We are currently installing an additional
Pump To achieve our allowed CFS

Sincerely

Daniel Agabroad
Secy. Treasure

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4. Attn: Jim Johnson

CONVERSATION MEMORANDUM

DATE 5/3/85

FILE _____

NAME OF PARTY Mud Flat Canal Co.

EMPLOYEE John K. Moyer

RE: Re examination of Mud Flat Canal
company pumping plant was made
4/24/85 with a total diversion
of 48.44 cfs.

John made the ^{re-exam} request of
Mud Flat Canal Co. pursuant
to the license letter of 4-18-85
finding the amounts shown in the
Jim

MICHAEL J. BROWN

Mud Flat Canal Co.
Examined Rights

Max Div. = 48.5

<u>No.</u>	<u>Pri. Date</u>	<u>Acres</u>	<u>Amt.</u>	<u>Cum.</u>
02-7059	4/09/1970	320	6.4	
02-7060	4/09/1970	320	6.4	12.8
02-7061	4/09/1970	316	6.32	19.12
02-7062	4/09/1970	205	4.1	23.22
02-7064	4/23/1970	318	6.36	29.58
02-7168	8/30/1974	480	9.6	39.18
02-7237A	12/23/1976	295	5.9	45.08
Min. Stream Flow Requirement				
02-7275	12/13/1978	113	2.26	47.34
02-7279	2/08/1979	345	6.9	54.24
Limit Condition Required				

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RE-MEASUREMENT
SNAKE RIVER PUMPS
4/24/85

Permit No. A.D. & C.L.M. 02-705

Phone No. _____

1. Owner: MUD FLAT CANAL CO. Phone No. _____
Current Address: STAR RT B, Box 340A GRANDVIEW ID 83624

2. Accompanied by: KENNY RENNER EXAM. DATE: 4/24/1985
Address: GRANDVIEW, ID Phone No. 834-2305

Relationship to Permit Holder: DITCH RIDER

3. Source: SNAKE RIVER tributary to COLUMBIA RIVER

3. Source: SNAKE RIVER tributary to COLUMBIA RIVER

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1, Pump #1	G.E.	250	KNJ 1012016	VERTILINE	
#1, Pump #2	"	"	KNJ 102015	"	
RE-LIFT, PUMP #1	"	200	JMJ 922109	"	} NOT OPERATING AT TIME OF MEASURE
" #2	"	"	FMS 622101	"	
" #3	"	600	MOD SK 623 X0347A SER # KNJ 101202	"	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Pump #1 & #2 From Snake River Through 42" Steel Penstock Having
Approximately 60' Lift Into Bybee Canal Operating At Time Of Exam.
RE-MEASUREMENT - "

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
MANOMETER, 48"	CONSTRUCTED	IDWR	—	—		—
ANNUBAR	75	DIETRICH STD.	~~XX-XXX~~	091459	41.8"	—
EAGLE-EYE METER	PORTABLE	" "	670	#65806 510# 091469	0-13"	4/27/83

7. Measurements ☒ Additional data/computation sheets attached

MANOMETER READING MAX $23.5'' - 12.7'' = 10.8''$ MIN $23.6'' - 12.9'' = 10.7''$ AVE. $= 10.75''$
EAGLE-EYE READING MAX. $11.0''$ MIN. $10.8''$ AVE. $10.9''$

8. Point(s) of Diversion:	Indicate Method of Determination
---------------------------	----------------------------------

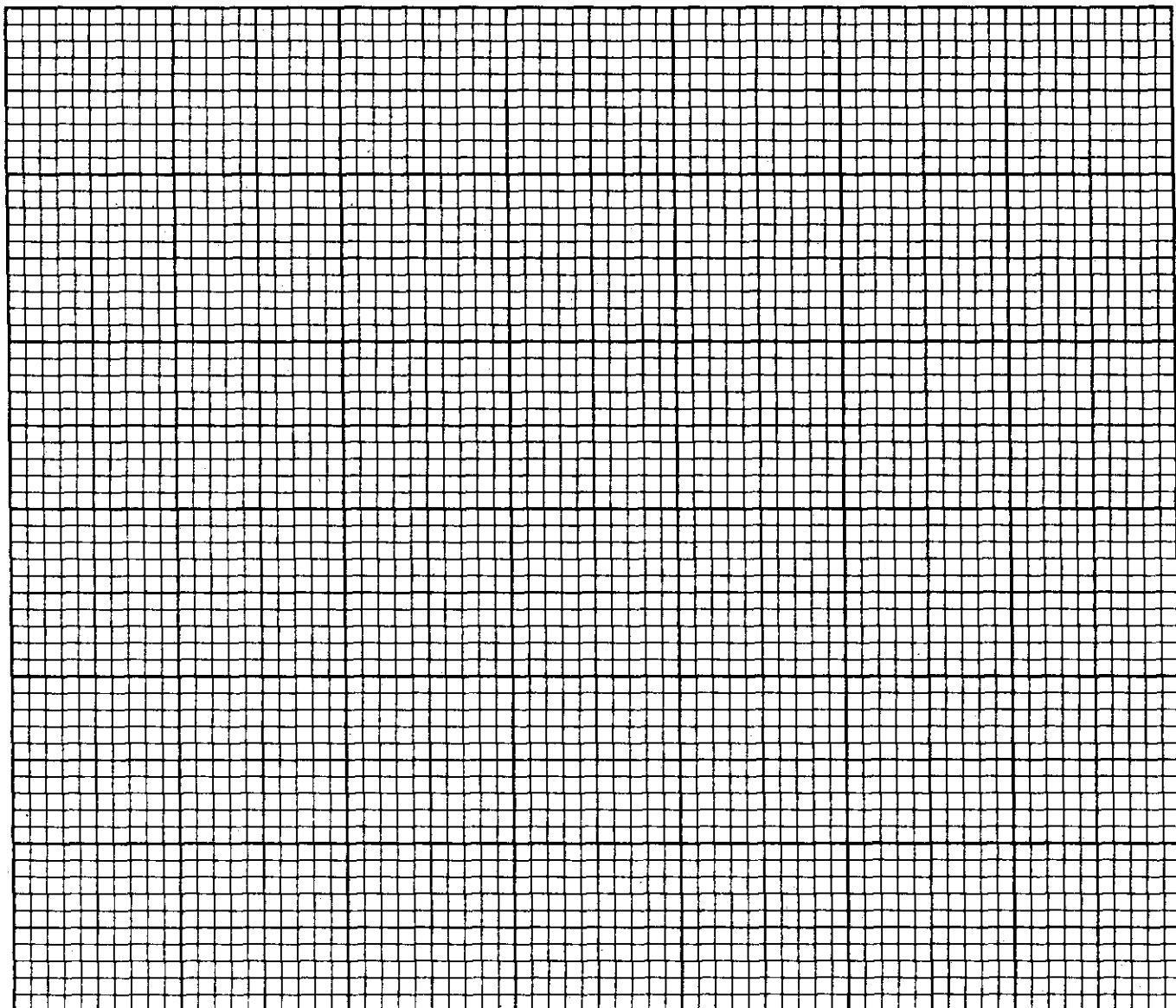
[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination RE-LIFT NOT IN OPERATION

[illegible]

Total Acres _____

10. Other water rights on these lands none
11. Other water right diverted from me p.d. 02-7059, 02-7370, 02-7275
02-7041, 02-7062, 02-7064, 02-7060, 02-7168, 02-7279
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks Re-examination requested by MWD Field
canal officer - Used Manometer

15. 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

16. Examiner's/Consultant's Signature John K. Noyes Date 5/2/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR MANOMETER MEASUREMENT

Measured by: JOHN K. NOYES

Date 4/24/1985

Owner: MUD FLAT CANAL CO

Permit No. ADJ CLM. 02-7059

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

PUMPS #1 & 2 FROM SNAKE R. AT L7.9, SE SW, SEC. 34, T055, R04E. 42" STEEL PEN-
STOCK HAVING APPROXIMATELY 60' LIFT INTO BYBEE CANAL. RE-MEASUREMENT OF MAIN
PUMPS. RE-LIFT PUMPS FROM BYBEE CANAL
NOT IN OPERATION AT TIME OF EXAM.

MEASURED 42" PIPE. I.D. TAKEN FROM TABLE COMPILED FROM MAN-
UFACTURERS' LITERATURE FOR WESTERN U.S. USED .250" WALL THICKNESS
FOR 42" PIPE GIVEN I.D. OF 41.50" (A) 41.50"

Measured inside diameter of pipe in inches

Size of Annubar used in test 41.25"

State ID No. 091459

Model No. of Annubar ~~Model~~ Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size ~~MANOMETER~~ MANOMETER Used 48"

State ID No.

Date of Last Calibration of Meter N/A

Observed inches of H₂O read on ~~MANOMETER~~ MANOMETER

(B) MAX. 23.5" - 12.7" = 10.8", MIN. 23.6" - 12.9" = 10.7"
Ave. = 10.75"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) N/A

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $\frac{A^2}{448.8} (\sqrt{B}) C =$

= 48.44 cfs measured

$A^2 = (41.50)^2 = 1722.25$, $\sqrt{B} = \sqrt{10.75} = 3.279$
SKETCH (If not shown on Field Report):

$Cfs = \frac{(1722.25)(3.279)(3.85)}{448.8} = 48.44$ CFS

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 31, 1985

RE: Permit Nos. 02-7062, 02-7061, 02-7060 & 02-7064

Mud Flat Canal Co.
Rt. B, Box 341
Grand View, ID 83624

Dear Permit Holder:

On April 18, 1985, we forwarded amendments to you to be completed to amend the permits to correspond with the findings of the field examiner so that we could issue the licenses.

As of this date, we have not received the amendments. If we do not receive them within fifteen (15) days, we will assume you no longer have any interest in the permits and cancellation proceedings will begin.

If you have any questions, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

April 18, 1985

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RE: Permit No. 02-7064

Mud Flat Canal Co.
Rt. B, Box 341
Grand View, ID 83624

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 02-7064 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 6.36 cfs Source: Snake River trib to Columbia River

The maximum quantity diverted shall not exceed 1590.0 acre feet
per year.

Point(s) of diversion: Gov. Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 34, Twp 5S, Rge 4E

Beneficial Use: Irrigation of 160 acres within E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12; 119 acres within N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13; Twp 6S, Rge 2E, and 39 acres within NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp 6S, Rge 3E

Priority date established: April 23, 1970

Conditions (if any):

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

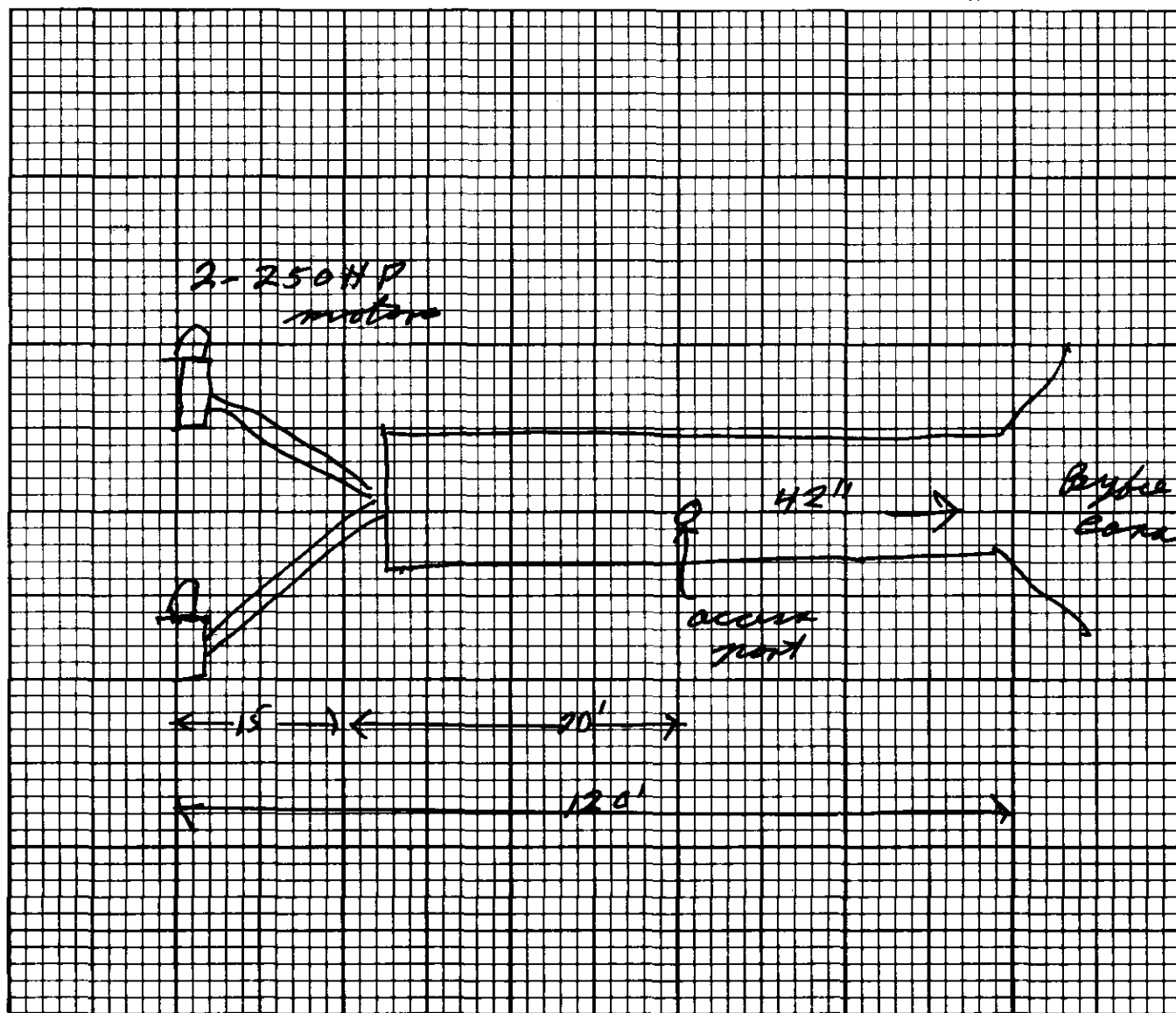
JIM JOHNSON
Water Distribution Supervisor
JJ:sc
Enclosure

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Place(s) of Use:		Irrigation - give acres served by system at time of exam. Indicate Method of Determination																		
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
65	2E	12												40			40	40	40	160
		13	39	40			40													119
65	3E	18					39													39
																			Total Acres	318

10. Other water rights on these lands none
11. Other water right diverted from same p.d. 02-72378, 02-7168, 02-7275
02-7279, 02-7062, 02-7060, 02-7061, 02-7054
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

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13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

16. Examiner's/Consultant's Signature John K. Noyes Date 10/17/84

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

SHT 2

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: John K. Meyer
Owner: Mud Flat Canal Co.

Date 10/3/54
Permit No. numerous permits

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Lot 9 Sec SW Sec 34 T5S R4E Reservoir
Numerous lifts out of canal system
2 - 250 HP motors

Measured inside diameter of pipe in inches

(A) 40.5"

Size of Annubar used in test 41.25

State ID No. 091459

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used C-13

State ID No. 091469

Date of Last Calibration of Meter 4/27/83

Observed inches of H₂O read on Meter

(B) 10.2

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) _____

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

Calculation: $K \frac{(A^2) (\sqrt{B}) C}{448.8} =$

44.94 cfs measured

ETCH (If not shown on Field Report):

= 1

40.5" $A^2 = 1640.25$

10.2 $\sqrt{B} = 3.194$

3.85

$$\frac{1(1640.25)(3.194)3.85}{448.8} = 44.94 \text{ cfs} \checkmark$$

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R2E 9-6-77 R3E

R3E

57 266

R

40 16 12 7

R3E

A 3-7

C424
260C

02-7060

Bar

C6
7633

40-7064

C 220

319.2

100000

Mud Flat canal co Rights

Bright #	CSS	Priority date
02-7059	6.4	4/9/70
02-7237A	5.9	12/23/76 (X)
02-7275	2.26	12/13/76
02-7061	6.32	4/9/70
02-7062	4.1	4/9/70
02-7064	6.36	4/23/70
02-7060	6.4	4/9/60
02-7168	9.6	8/30/74
02-7279	6.9	2/8/79 (X)

claimed 54.24
 Div capacity 45.00
9.24 diff

(X) limits on these claims

Pumps at P.D

Motor S.E 250HP KNJ1012016
 " " 250HP KNJ102015

Lift Pumps

1 - 200HP S.E Motor JMT922109
 2 - 200HP " " FMT622101
 3 - 600HP " " Model SK623X0349A
 Serial KNJ101202
 all vert line pumps

MICROFILMED

Mud Flat Canal Co. Water Rights

BL 9 (SESW), Sec. 34, T. 55, R. 4E

[illegible]

Place of Use Overlap for 02-7064
per micro-fische 11/26/84:

none - no p/u overlaps

kw 11/26/84

MICROFILMED

Overlap Review for Permit 02-7059

per terminal # 11-8-84:

(by pdlt) → pld ~~*02-7275~~ permit ~~02-7309~~ app.
~~02-2152~~ License ~~02-7308~~ app.
~~02-2153~~ L ~~02-7312~~ app.
~~02-2154~~ L ~~02-7310~~ app.
~~02-2242~~ L ~~02-7344~~ L
~~02-2308~~ L ~~02-7169~~ app.
~~02-2380~~ L ~~02-7394~~ app.
~~02-2424~~ L ~~02-7242D~~ L
~~02-2423~~ L ~~02-7157E~~ app.
~~02-7168~~ permit ~~02-7157C~~ app.
~~02-7154~~ L ~~02-7157H~~ app.
~~02-7157C~~ permit ~~02-7157J~~ app.

* ~~02-7237A~~ permit
~~02-7237~~ app.

~~02-7279~~ permit

~~02-7170~~ app.

~~02-7167~~ app.

~~02-7162~~ app.

~~02-7337~~ app.

~~02-7355~~ permit

~~02-7306~~ app.

~~02-7307~~ app.

~~02-7305~~ app.

~~02-7304~~ app.

~~02-7303~~ app.

(by pdtr)

02-7126L 02-7271 Permi

~~02-7233~~ app. 02-2272 permi

02-7135P 02-2271 L

02-7106P 02-2243 L

02-7105P 02-2279 L

02-7206P 02-2306 permi

02-7242B-P 02-2288 L

02-2275-L 02-2418 L

02-7389-L 02-7012 L

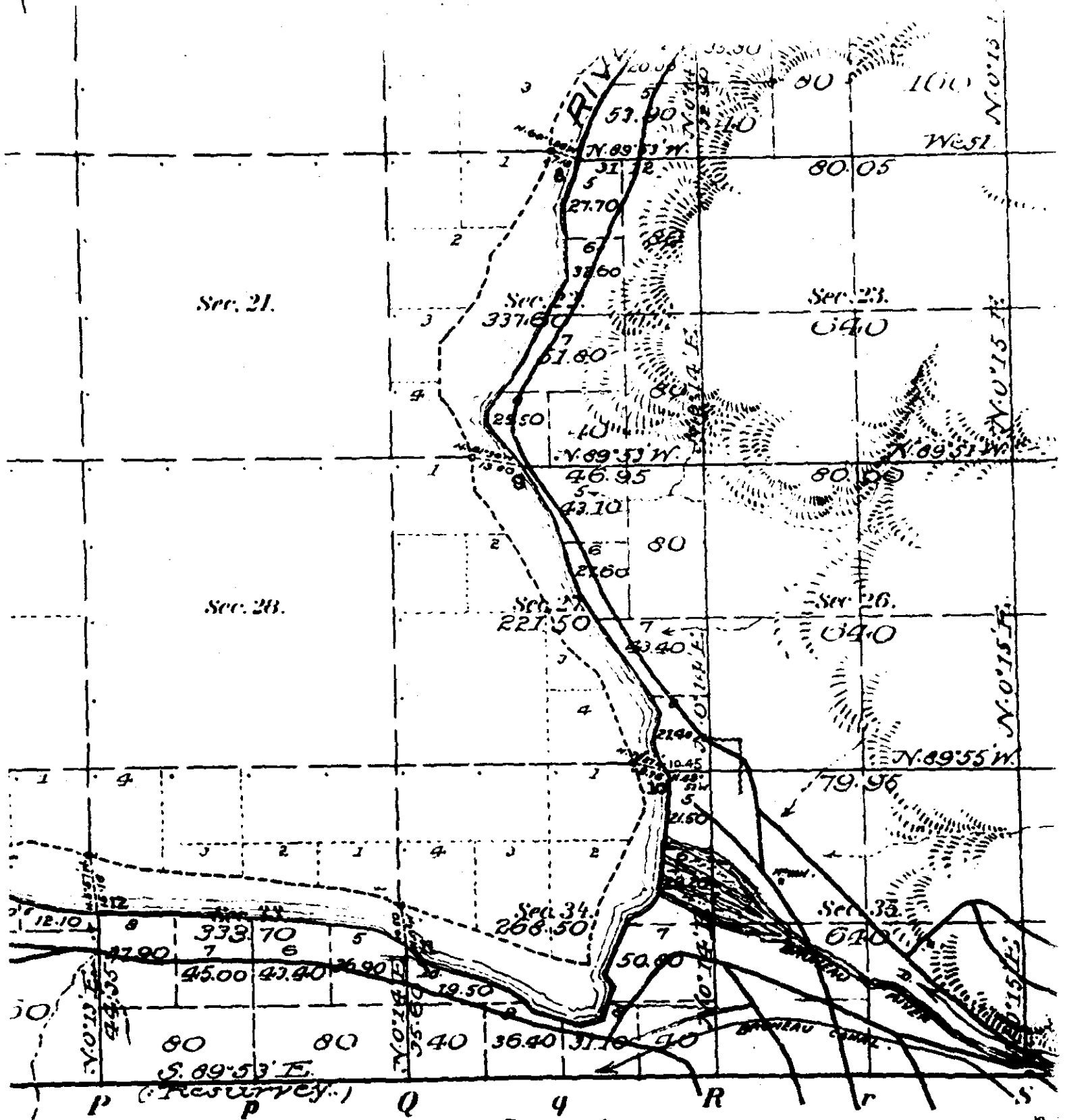
~~02-7242D~~ 02-7104 L

02-7103 L

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apps. not
 reviewed
 due to stage.
 Per conversation
 with adj. examiner
 had flat Canal
 Co. has its own
 pump w/ no
 other rights
 being diverted
 other than
 mud flat rights.
 These rights listed
 were not
 reviewed.
 rw

55-4E



Total number of Acres 7537.55 (additional)

Amount of Survey	When Surveyed	Mean Declination
5 ±9 10	July 30-Aug 5-1894	
18 19 01	July 31-Aug 5-1894	18° 30' E.
11 14 08	"	
2 08 32	"	

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The above map of Boise, Idaho
notes of the survey there
Surveyed by
Boise City, Idaho
Feb. 1895



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

July 24, 1981

- Mud Flat Canal Co.
Star Rt. B, Box 340A
Grand View, ID 83624

RE: 02-7064, 02-7062, 02-7061, and 02-7060

Dear Sirs:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

jp

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 02-7064

Name(s) of Permit Holder: MOD FLAT CANAL CO.

Post Office Address: STAR RT B, Box 340A, GRAND VIEW
ID, 83624 Tel. No. 834 2257

Tel. No. 834 2257

Source of Water: SNAKE RIVER

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 320 _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

April 29, 1980
Date

Old Felt Canal Co.
A. Felt Canal Co. (Seal)
Signature of Permit Holder

MICROFILMED

RECEIVED

MAY 11 1981

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

June 11, 1980

Mdd Flat Canal Company
Star Route B, Box 341
Grandview, ID 83624

Gentlemen:

Re: Permit No. 02-7064

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to June 1, 1985.

Also enclosed is the statement of beneficial use which you submitted with the extension request. Please be advised that this should be submitted at the time you have completed the project and before June 1, 1985. (We will again notify you 60 days prior to that date).

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

CONVERSATION MEMORANDUM

DATE June 2, 1980FILE 02-7067

NAME OF PARTY

David Agenbroad

EMPLOYEE

Pete Fleck

RE:

I contacted Mr. Agenbroad today to find out if the reason for the delay in the electrical service, was because of Idaho Power's pending court case. 2) Since this is such a large irrigation project, that the permit holder take advantage of the full 5 year extension.

According to David Agenbroad, Idaho Power's delay was not due to the pending court case.

Also, he was agreeable with the suggestion of a full 5 years extension.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

101878

MUD FLAT CANAL CO.
RT. B BOX 341
GRANDVIEW, ID 83624

MARCH 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 02-7064 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1980, (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA LECK
SR. SECRETARY

ENC.

ENCLOSURE
MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 24, 1979

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

Northern Region Office
Rt. #5, Box 203 Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Street
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Blvd. North
Twin Falls, Idaho 83301

Western Region Office
92 S. Cole Road
Boise, Idaho 83705

RECEIVED
SEP 27 1979
F.L.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 20, 1977

Re: Permit No's. 02-7059, 02-7060, 02-7061,
02-7062 & 02-7064

Mud Flat Canal Co.
Route B, Box 341
Grand View, Idaho 83624

Gentlemen:

We acknowledge receipt of the assignments conveying the above referenced permits to you. The assignments have been entered into the Department's records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:JFR

MICROFILMED

May 12, 1977

Frank Dallas
U.S. Dept. of Agriculture,
Farmers Home Administration
Room 429, 304 N. 8th St.
Boise, Idaho 83702

Dear Mr. Dallas:

Mr. Dale Amick of the Mud Flat Canal Company recently visited this office concerning several water right permits that will be used for the irrigation of land to be served by the Company.

The owners of the water right permits are as follows:

02-7059 - Field Mutual Irrigation Company
02-7060 - Field Mutual Irrigation Company
02-7061 - Field Mutual Irrigation Company
02-7062 - Field Mutual Irrigation Company
02-7064 - Field Mutual Irrigation Company
02-7157C- Mud Flat Canal Company
02-7237A- Mud Flat Canal Company

We have enclosed a copy of those permits which indicates the location of the land to be irrigated and the date that proof of beneficial use is due.

The ownership of these permits may be changed by assigning a permit to a new owner. At the present time, there is no restriction to change ownership nor is there any approval of the Department that is required.

We hope this provides the information that is necessary. If you need further assistance with any assignments, please let us know.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

cc: Dale Amick

RECORDED

May 2, 1977

Re: Permit Nos. 02-7059 02-7062
 02-7060 02-7064 - Field Mutual Irrigation Co.
 02-7061

Mud Flat Canal Company
Route #1, Box 341
Grand View, ID 83624

Gentlemen:

We are in receipt of the applications for amendment submitted in connection with the above referenced permit.

However, we cannot accept these amendments since all of the permits are now in the name of Field Mutual Irrigation Co. Before these applications can be accepted, the permits must be assigned to you.. We are enclosing the necessary assignment of permit forms which must be signed by a representative of the Field Mutual Irrigation Co. We are also enclosing the applications you submitted along with your check No. 1243 for \$50.00.

If you have any questions concerning this matter, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/cah

Enclosures

ISO 2520-3
(June 1976)



United States Department of the Interior

IN REPLY REFER TO

I-2135 (943)

BUREAU OF LAND MANAGEMENT

Idaho State Office

Boise, Idaho

Department of Water Resources

NOTICE OF ALLOWANCE

Bennie G. Chatburn
Albion, Idaho 83311

JAN 12 1977

Serial No. I-2135

321.55 Acres

Boise Meridian, Idaho

T. 6 S., R. 2 E.

Sec. 12, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

T. 6 S., R. 3 E.

Sec. 18, lot 1

Your application for desert land entry for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance thereto with the applicable laws and regulations. The acceptability of final proof will be contingent upon substantial compliance with the requirements of the Desert Land Act of March 3, 1877 (19 Stat. 377; 43 U.S.C. 321-323) as amended and supplemented, and the appropriate rules and regulations of 43 CFR, Part 2520. The development and reclamation of the land must be basically in accordance with your approved plan of development which is on file in the Idaho State Office. At the time of final proof you must show that you have in good faith, substantially reclaimed, irrigated and cultivated all of the irrigable land in the entry in a manner calculated to produce profitable results. At the same time you must also show that you have a completely developed source and supply of irrigation water that is adequate to permanently irrigate all the irrigable acres in the entry and that you have a legal right to the use of this water. Any substantial change in your source of water or deviation in the construction of the irrigation facilities as shown by your approved plan of development must have prior approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 320 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to Section 209 of the Act of October 21, 1976 (Public Law 94-579) which will require the reservation of all minerals in the lands to the United States.

Also, subject to consent to reservation of perpetual road right-of-way dated December 24, 1976, a copy of which is attached.

cc: District Manager, Boise
Owyhee County Assessor
St. Dept. Water Resources
Case File

Allowed this 12th day of January, 1977.

/S/ WM. L. MATHEWS

May 12, 1975

Re: Permit No.'s 02-7059, 02-7060, 02-7061, 02-7062 & 02-7064

Field Mutual Irrigation Co.
Attn: Wm. O. Field, Pres.
Box 209
Grand View, ID 83624

Dear Mr. Field:

We acknowledge receipt of the assignments submitted conveying the above referenced permits to you. The assignments have been recorded and the Department's records changed.

Enclosed are copies of the approved applications for extension of time submitted for these permits. The times within which to submit proof of beneficial use for Permits No. 02-7059, 02-7060, 02-7061, and 02-7062 have been extended to May 1, 1980, and for Permit No. 02-7064 to June 1, 1980.

If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosures

MICROFILMED

- SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	26626	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Reunee Gerald Chatterton
By J. Ward Chatterton

4.

DATE OF **APR 1 1975**

POSTMARK

1

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



State of Idaho Dept. of water Res.
Statehouse
Boise, Id. 83707

March 31, 1975

CERTIFIED MAIL

26626

Re: Permit No. 02-7064

Bennie Gerald Chatburn
Box 66
Albion, ID 83312

Dear Mr. Chatburn

One of the conditions of approval of your water Permit No. 02-7064 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

Contacted S.D. at BLM

5-27-70

Advised I 2135 was
awaiting a water permit.
We were requested to issue.

Don

2 7064

June 4, 1970

Re: Permit Nos. 02-7064 - D.E. I-2135
63-7327 - D.E. I-2774

Bureau of Land Management
Mr. Curtis Taylor, Acting Manager
Room 334, Federal Bldg.
Boise, Idaho 83702

Dear Mr. Taylor:

Enclosed are copies of the two above referenced permits which
have been approved by this office.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

2 7064

June 4, 1970

Re: Permit No. 02-7064

Bennie Cerald Chatburn
Box 66
Albion, Idaho 83311

Dear Mr. Chatburn:

Enclosed is a copy of your approved Application for Permit No. 02-7064. We direct your attention to the conditions of approval on the fourth page under approval of the State Reclamation Engineer.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 4536 for \$51
1 informational letter

2 7064

April 29, 1970

Re: Application for Permit No. 02-7064 - Bennie Gerald Chatburn

Mr. Curtis Taylor, Ass't. Mgr.
Idaho Land Office
Bureau of Land Management
Room 334, Federal Bldg.
550 West Fort St.
Boise, Idaho 83702

Dear Mr. Taylor:

In connection with the above referenced application for permit, we have been asked by Mr. Chatburn to advise you that we have received this application.

When final action is taken on this application, we will forward a copy of it to you, if you need a copy before that time, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

2 7064

April 29, 1970

Re: Application for Permit No. 02-7064 - Bennie Gerald Chatburn
57-7042 - Cecil J. Clark

Owyhee Nugget
Marsing
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

2 7064

DWM:DR
Enc: Legal notices (2)

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Bennie Gerald Chatburn, Box 66,
Albion, Idaho, has on April 23, 1970,
submitted Application No. 02-7064 to appropriate the public waters of
the Snake River
The /proposed /uses /are /

The application proposes a maximum diversion and appropriation of 6.4
cubic feet per second add /ded / of water to be diverted by pump, canal and
pipeline within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3,
T. 6S, R. 4E, B.M., Owyhee County,

and is to be used within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18, T. 6S, R. 3E, B.M. and N $\frac{1}{2}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, T. 6S, R. 2E, B.M. from
March 15 to Nov. 15 for the irrigation of 320 acres

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before May 25, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Owyhee Nugget, Marsing, Idaho,
on May 7 and May 14, 1970

2 706