

TOWNSHIP 5 SOUTH - RANGE 3 EAST, BLM.

Grandview Mutual Canal
Sec. 22

Sec. 27

Sec. 34

Sec. 35

Sec. 36

Sec. 31

Sec. 32

Sec. 33

Bybee Pike Canal

Snake River
Edgar Power Canal
Pipeline
C. Strike

Sec. 1

Sec. 6

Sec. 5

Sec. 4

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that D. O. Bybee, Box 72, Grandview, Idaho, has on March 28, 1969, applied for permit under application No. 02-7032 to divert 4.4 cubic feet per second of water from Snake River tributary of Columbia River. Water will be diverted by pump, motor and pipeline within Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 33, T. 5 S., R. 4 E., B. M., Owyhee County, and is to be used from March 1 to October 31 for irrigation in the SE $\frac{1}{4}$ Sec. 22; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 5 S., R. 3 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho, on April 17 and April 24.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF APPLICATION FOR WATER

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said

newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

April 17, 1969

April 24, 1969

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 24th day of April A. D., 1969.

Emily J. Colley

Notary Public in and for the State of Idaho.

residing at Homedale, Idaho

My commission expires 2-6, 19 72

lipo submitted 5-5-69

02-7032

East $\frac{1}{4}$ Corner

78

10v⁺

22

East $\frac{1}{4}$ Corner

NW⁴ SE⁴

38

~~NE⁷SE⁴~~

17

PD 1

4.50 Ac
out.

55

3 LINES @ 29 NO2

2 LINES @ 34 NOZ

P LINE @ 10 NOZ

$$Q_1 = \frac{(165 \text{ m}^2)(3.63 \text{ gpm})}{448.8 \text{ gpm}} = 1.34 \text{ cfs}$$

SW⁴SE⁴

39

 $SE^4 SE^4$

31

10

$$\begin{array}{r|l} 22 & 213 \\ \hline & 2726 \end{array}$$

Section Corner

39

NW⁺NE⁺

 $NE^4 NE^4$

23

62

SPARKING METER WAS

$$\frac{200 \text{ ct.}}{53.2} = 3.70 \text{ cfs}$$

$N^2 SW^4 NE^4$

29

SE⁴ NE⁴

 $1\frac{1}{2}$ Ac

57

Swimming
10:00 A. Out P.

NE⁴SW⁴NE⁴

Out
11.76 A

East $\frac{1}{4}$ Cor

$$W_{RFA} = 278$$

$$\text{SubD} = 9$$

Vol = @ 5000 FT / AC / SEASON
MAX DISTRICT WITH
OTHER RIGHT
SMALL NOT AFFECTED 1390 AC - FT / SEASON

34

02-7032-278

WATER LICENSE

Water License No. 02-7032 Priority March 28, 1969 Amount 4.4 c.f.s.

THIS IS TO CERTIFY, that D. O. BYBEE

of Grand View, Idaho, made application for a permit to appropriate the public waters of

the State of Idaho, dated March 28, 1969; that Permit 02-7032 was issued pursuant

to said application; that the proposed works were completed on or about 1969,

with a storage or carrying capacity of 5.04 c.f.s., said works consisting of 2 pumps, 2 motors,

pipelines, earth ditch and sprinkler system; and that on May 16, 1969,

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1390

when combined with all other rights appurtenant to the same land and shall not exceed
acre feet per season/with a maximum rate of diversion of 1.34 cubic feet per second
for 125 acres and 3.06 cubic feet per second for 153 acres and shall not exceed 4.4 c.f.s.
of the waters of Snake River, tributary of Columbia River amount

for the purpose of Irrigation from March 1 to October 31;

and for _____ from _____ to _____; and for

_____ from _____ to _____; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is

located in Lot 5 (NE ¼ SE ¼) Sec. 33, T. 5 S., R. 4 E., B.M., and

other additional points _____, in the County of

Owyhee; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 1390 acre feet per year, when combined with all other rights
appurtenant to the same land and shall not exceed that amount.

Description and location of 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	
5 S	3 E	22													17	38	39	31	125
The quantity of water diverted for the above acreage is limited to 1.34 c.f.s.																			
The quantity of water diverted for the below acreage is limited to 3.06 c.f.s.																			
Maximum rate of diversion shall not exceed a total of 4.4 c.f.s.																			
5 S	3 E	27	23	39	29	28									34				153

Total number of acres irrigated 278

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of June, 19 69.

Jack A. Bennett
 Deputy State Reclamation Engineer

02-7032

Received by de Date 3-28-69 Time 8:00 am
Preliminary check by QAR Fee \$ 40.00
Receipted by ej Date 4-2-69
Publication prepared by de Date 4-11-69
Published in Owyhee Chronicle
Publication dates 4-17 + 4-24-69
Publication approved tg Date 4-17-69
Priority reduced to _____ Reason _____

Protests filed by: None 5-5-69
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 18 R.H.
me

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. 02-7032, 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 May 1, 19 74.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

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

Witness my hand this 12th day of May 19 69.

P. Kirk Higgins
State Reclamation Engineer

TOWNSHIP 5 SOUTH - RANGE 3 EAST, BLM.

Grandview Mutual Canal
Sec. 22

Sec. 27

Sec. 34

Sec. 35

Sec. 36

Sec. 31

Sec. 32

Snake River
Sec. 33

C. strike

Idaho Power
Pipeline

Bybee Pike Canal

Sec. 1

Sec. 6

Sec. 5

Sec. 4

Identification No. 02-7032

Department of Reclamation

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant D. O. Bybee
post office address Box 72, Grand View, Idaho 83624
2. Source of water supply Snake River which is a tributary of Columbian River
3. a. Location of point of diversion is _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. Owyhee County; additional points of diversion if any: _____
N. 3 deg. 00' West, 1400 feet from the SE corner of Section 33,
Township 5 South - Range 4 East, B.M. in Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
 - a. 4.4 cubic feet per second and/or
 - b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
irrigation purpose from March 1 to October 31 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. pump, motor and pipeline; conduit
pipe and ditch 8' wide at bottom; diameter of pipe 30 inches, 63 foot
lift, conduit is 750 ft. of pipeline; 2 1/2 mi. ditch
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____
 - 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 \$ 20,000.
8. Description of proposed uses:
 - a. If water is **not** for irrigation:
 - (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
 - (2) Amount of power to be generated: _____ 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: _____

02-7032

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	
5 S	3 E	22													40	40	40	40	160
		27	40	40	40	40									40				200

Total number of acres to be irrigated 360

c. Describe any other water rights used for the same purposes 33632, 31907

9. a. Who owns the property at the point of diversion Idaho Power
- b. Who owns the land to be irrigated or place of use applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing an agreement with Idaho Power Company, dated April 10, 1952, to divert 20.4 cfs from Strike Hydroelectric Development dam to be carried in the Idaho Power Canal to my pumping plant in the SE¼SW¼, Section 33, T 5 S, R 3 E, B.M.

10. Remarks a portion of the 220 inches applied for herein will be delivered to the above designated lands by the Grandview Mutual Canal and the remainder by the Bybee-Pike Canal.

RECEIVED

Identification No. 02-7032

Permit No. _____

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder D. O. Bybee
b) Post Office Address Box 72, Grand View, Idaho 83624
2. Permit Number 02-7032
3. Date of Priority that you are prepared to establish 3/28/69
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: 1/4 1/4, Section _____
Township _____, Range _____ Boise Meridian, Other points of diversion: _____
N. 3 deg. 00' West, 1400 feet from the SE corner of Section 33,
Township 5 South - Range 4 East, B.M. in Lot 5 (NE 1/4 SE 1/4)
5. a) The amount of water and use to which the water has been applied:
amount 4.4 for irrigation purposes from March 1 to October 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: wooden weir - measured myself
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: a portion of the 220 inches are delivered by Grandview Mutual Canal and the remainder by the Bybee-Pike Canal
b) Describe the agreement or understanding by which you take water from the works: an agreement with Idaho Power Company, dated April 10, 1952, to divert 20.4 cfs from Strike Hydroelectric Development dam to be carried in the Idaho Power Canal to my pumping plant in the SE 1/4 SW 1/4, Sec. 33, T5S, R3E. thence through my (Bybee-Pike) canal.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) pump, motor and pipeline conduit pipe and ditch 8' wide at bottom; diameter of pipe is 30 inches, 63 foot lift, conduit is 750 ft. of pipeline; 2 1/2 mi. ditch
b) Describe the type and size of measuring device which you have installed at your point of diversion: Standard size wooden weir installed 2 years ago.
c) Give well drillers name and address and date the well was completed _____

02-7032

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use irrigation only

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

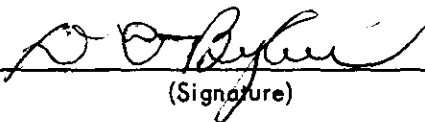
TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5 S	3 E	22													35.5	40	40	40	155.5
		27	40	40	30	27.24									36				173.24

Total number of acres irrigated 328.74

10. Remarks:

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

5/16/69
(Date)


(Signature)

State of Idaho)
County of Ada) ss.

On this 16th day of May, 19 69, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at Boise, Idaho

My commission expires 8/12/70

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY

The undersigned owner (s) of ~~Permit~~ (Application) No. attached of the State Reclamation Engineer of the State of Idaho hereby nominates and appoints IDAHO LAND & APPRAISAL SERVICE, whose address is P. O. Box 1603, Boise, Idaho 83701, as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to Application or Permit. Such acts shall include, but not be limited to the filing of applications, receiving of all notices, the signing and filing of applications for extension of time and for amendment of said Permit, and the submission of proofs of completion of works and beneficial use of water.

Dated this 21st day of March, 1969.

D. O. Bybee

STATE OF IDAHO

County Owyhee) ss

On this 21st day of March, 1969, personally appeared before me the signer (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

W. B. Bladen
Notary Public

My Commission expires:

11-29-71

02-7032

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. MCDOWELL
E. J. McDowell
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

633 N. 4TH

BOISE, IDAHO 83701

P. O. Box 1603

PHONE 344-2547

March 27, 1969

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RE: Application for Permit, D. O. Bybee

Dear Mr. Higginson:

Enclosed herewith is an application for water permit in the name of D. O. Bybee, Power of Attorney naming Idaho Land & Appraisal Service, and a check in the amount of \$40.00 to cover the filing fee for 4.4 cfs.

If you require any additional information to allow you to approve this permit, please let us know and we will obtain it for you.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell
Harley M. McDowell

lh

encl

02-7032

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice

NOTICE OF APPLICATION FOR WATER

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said

newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

April 17, 1969

April 24, 1969

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 24th day of April
A. D., 1969.....

Emely S. Colley
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho

My commission expires 2-6, 19 72

02-7033

Will submitted 5-5-69

June 18, 1969

Re: Permit No. 02-7032

Idaho Land & Appraisal Service
Box 1603
Boise, Idaho 83701

Dear Sirs:

Enclosed you will find a copy of a Water License issued by this office on the above numbered permit on which you hold a power of attorney.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh
Enclosure

02-7032

June 18, 1969

Re: Permit No. 02-7032

Mr. D. O. Bybee
Box 72
Grand View, Idaho 83624

Dear Mr. Bybee:

Enclosed you will find your Water License issued on the above
numbered permit.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh
Enclosure

02-7032

Identification No. 102-7012

Application No. 31713

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant D. O. Bybee
post office address Box 72, Grand View, Idaho 83624
2. Source of water supply Snake River which is a tributary of Columbia River
3. a. Location of point of diversion is 1/4 of 1/4 of Section Township
Range B.M. Owyhee County; additional points of diversion if any:
N. 3 deg. 00' West, 1400 feet from the SE corner of Section 33,
Township 5 South - Range 4 East, B.M. in Lot 5 (NE 1/4 SE 1/4)
- 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. Quantity to be appropriated:
a. 4.4 cubic feet per second and/or 220
b. acre feet per annum will be stored.
5. Water will be used for the following purposes:
irrigation purpose from March 1 to October 31 (both dates inclusive)
purpose from to (both dates inclusive)
purpose from to (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, motor and pipeline; conduit
pipe and ditch 8' wide at bottom; diameter of pipe 30 inches, 63 foot
lift, conduit is 750 ft. of pipeline; 2 1/2 mi. ditch
- b. Height of storage dam feet; active reservoir capacity acre feet; total reservoir
capacity acre feet; materials used in storage dam:
- 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 \$ 20,000
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:

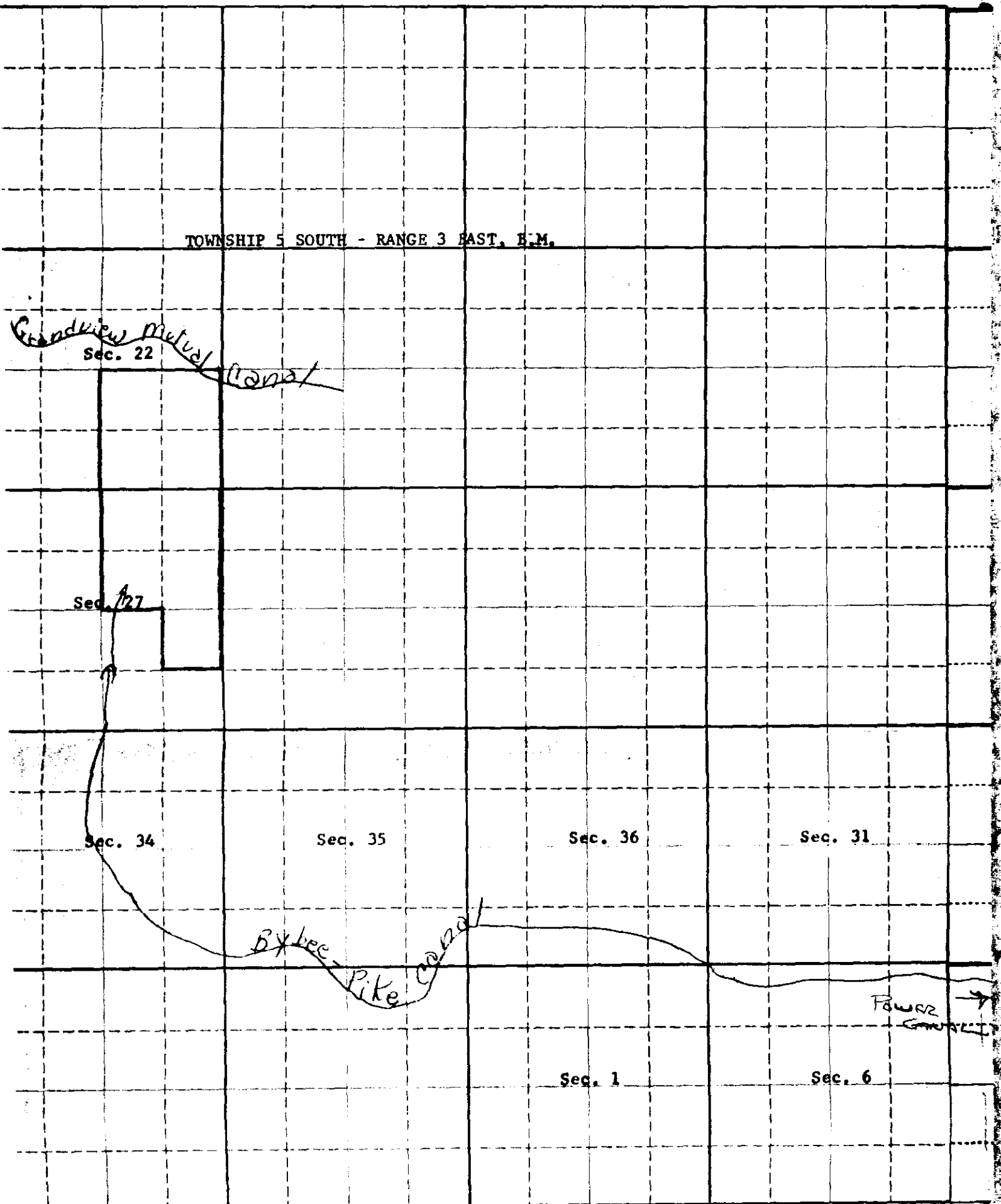
31535
31536
31713
31648

31723
31792
31843
31883

32648
02-7012
02-7005
33623

02-7032

11. Map of proposed project:



Scale: 2 inches equal 1 mile.

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

D. O. BYBEE

BY: Garley M. McDaniel
(Applicant)

02-7032

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

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	
5 S	3 E	22													40	40	40	40	160
		27	40	40	40	40									40				200

Total number of acres to be irrigated 360

c. Describe any other water rights used for the same purposes 33632, 31907

9. a. Who owns the property at the point of diversion Idaho Power

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing an agreement with Idaho Power Company, dated April 10, 1952, to divert 20.4 cfs from Strike Hydroelectric Development dam to be carried in the Idaho Power Canal to my pumping plant in the SE 1/4 SW 1/4, Section 33, T 5 S, R 3 E, B.M.

10. Remarks a portion of the 220 inches applied for herein will be delivered to the above designated lands by the Grandview Mutual Canal and the remainder by the Bybee-Pike Canal.

02-7032

Received by lee Date 3-28-69 Time 8:00 am

Preliminary check by Over Fee \$ 40.00

Received by ey Date 4-2-69

Publication prepared by lee Date 4-11-69

Published in Boyer's Chronicle

Publication dates 4-17, 4-24-69

Publication approved ty Date 4-17-69

Priority reduced to _____ Reason _____

Protests filed by: None 3-5-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CR R.H.
me

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. 02-7032, and said application is hereby **APPROVED**.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 74.
- Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

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

Witness my hand this 12th day of May, 19 69.

P. Kirk Higgins
State Reclamation Engineer

02-7032

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 02-7032

This proof is for BU In Water District No. _____

1. Name of applicant D. O. BYBEE

2. Source of water supply: SNAKE RIVER

3. Location of point of diversion: Is in the Lot 5 (NWSE) of Section 33

T. SS R. AE County of OWYHEE

4. Describe works as they exist giving dimensions and capacities of same:

PD #1 ^(NWSE SEC 22) ON GRANVIEW MUTUAL CANAL 50 HP V.S. ELEC MOTOR
HOLLOSHAW # 3893142 LAUNE & BOWLER VTP # 44371

8" DISCHARGE - CHECK VALVE - SPRINKLER SYSTEM

PD #2 ^(SWSE SEC 27) 50 HP V.S. MOTOR - VERT TURBINE PUMP - 10"

DISCHARGE NORTH 1/4 MILE INTO EARTH DITCH

5. Water is used for: IRRIGATION (WAY)

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

PD #1 38 AC NWSE

17 AC NWSE

39 AC SW SE

31 AC SESE SEC 22

125 AC

PD #2 39 AC NWNE

23 AC NENE

29 AC SWNE

28 AC SE NE

34 AC NWSE SEC 27

153 AC

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: MR. D. O. BYBEE & SON CONTACTED

PD #1 $Q_1 = \frac{(165 \text{ NOZ})(363 \text{ gpm})}{448.8 \text{ gpm}} = 1.34 \text{ cfs}$

PD #2 $Q_2 = \text{SPARKLING WATER USED} \cdot \frac{200 \text{ cfs}}{53.2 \text{ sec}} = 3.7 \text{ cfs}$

RECTANGLE 8' WIDE LOC AT SOURCE FOR PD #2

MUTUAL CANAL DELIVERS WATER FOR PD #1

This examination was made on the

Day of

MAY

19 69

(Signed)

Don Reynolds
Examiner.

1:00 PM

1390 AC FT/SEASON

02-7032

D. O. BYBEE

Permit No. 02-7032

Examination for CW & BV

County Owyhee

Quantity: 4.4 cfs. Sec. T. R.

Source: SNAKE RIVER

P.D.: NESE SEC 33 SS 4E

Use:

Extension:

Protest:

Completion of Works:

Other Rights:

Filed:

Due:

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

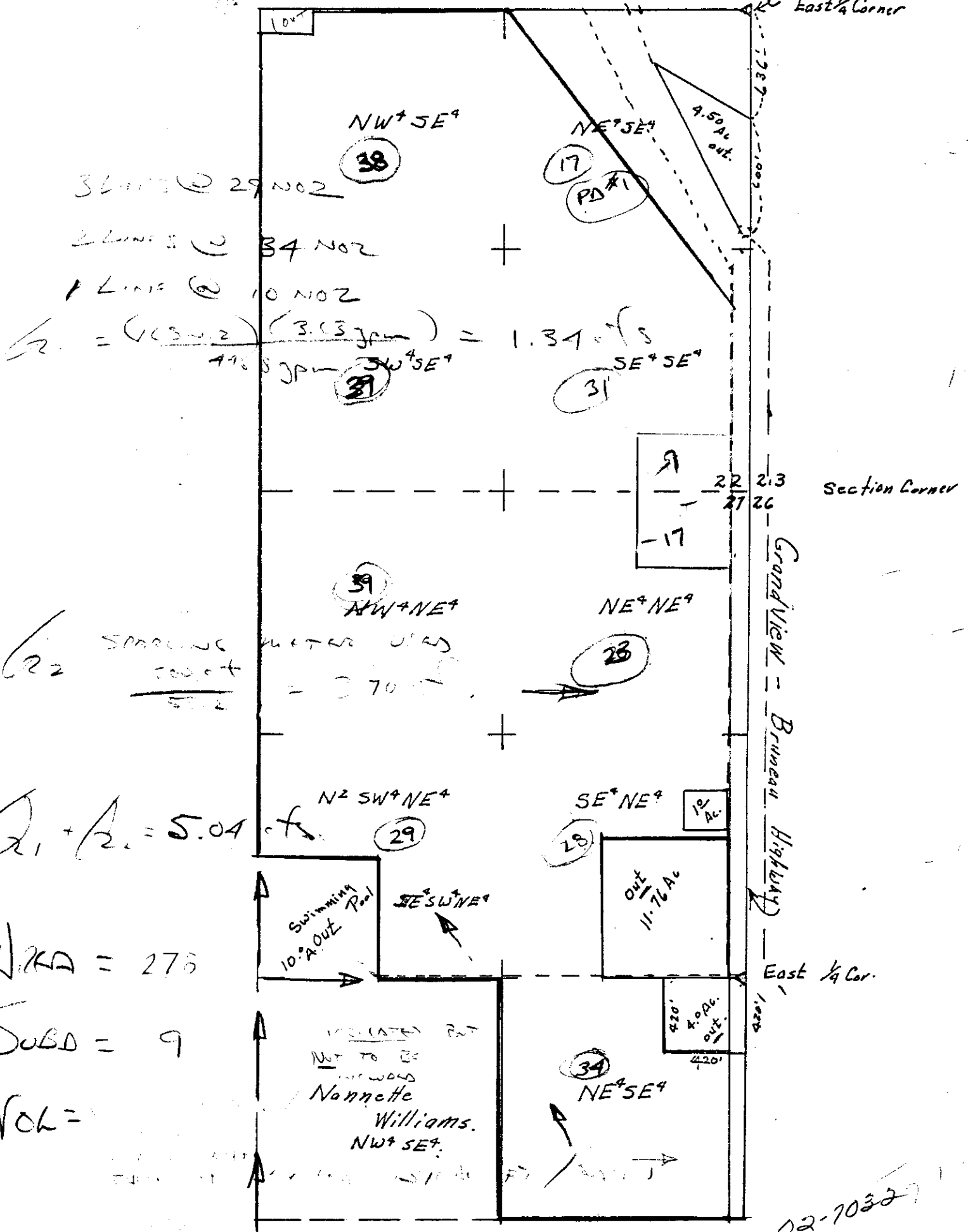
REPORT OF EXAMINER

PERMIT NO. _____

REPORT ON PROOF OF _____

Ship 5 South - Range 3 East,

East 1/4 Corner



June 4, 1969

Re: Permit No. 02-7032

D. O. Bybee
Box 72
Grandview, Idaho

Dear Mr. Bybee:

We acknowledge receipt of your affidavit submitted as proof of beneficial use on ~~application~~ for permit 02-7032

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

LWM:GLP:tg
cc: Idaho Land and Appraisal Service
P. O. Box 1603
Boise, Idaho

02-7032

May 14, 1969

Re: Permit No. 02-7032

C
O
P
Y

Idaho Land & Appraisal Service
Box 1603
Boise, Idaho 83701

Dear Sir:

Enclosed you will find a copy of the above referenced permit
which has been approved by this office.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosure

02-7032

May 14, 1969

Re: Permit No. 02-7032

Mr. D. O. Bybee
Box 72
Grand View, Idaho 83624

Dear Mr. Bybee:

We enclose a copy of your approved application for permit 02-7032
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 2865 for \$40.00
1 informational letter

02-7032

April 14, 1969

Re: Applications filed in connection with desert entries

Mr. Curtis Taylor, Acting Manager
Bureau of Land Management
Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

Dear Mr. Taylor:

Please be advised that the following applications have been received
in connection with desert entries:

I-719	Application No. 02-7032 - Chester J. Tindall
I-720	Application No. 02-7034 - Jessie J. Tindall
I-1906	Application No. 35-7075 - Charles M. Frandsen
I-1904	Application No. 35-7074 - Doris Ann Frandsen
	Application No. 43-7008 - Lamont Keister
	(This application does not have a B.L.M. no. as yet. Applicant has picked up forms.)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

02-7032

April 11, 1969

Re.: Application No. 02-7032 - D. O. Bybee
Application No. 02-7033 - Chester J. Tindall
Application No. 02-7034 - Jessie J. Tindall

Owyhee Chronicle
20 East Idaho Ave.
Homedale, Idaho 83628

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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosures: legal notice (3)

02-7032

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that D. O. Bybee, Box 72, Grandview, Idaho, has on March 23, 1969, applied for permit under application No. 02-7032 to divert 44 cubic feet per second of water from Snake River tributary of Columbia River. Water will be diverted by pump, motor and pipeline within Lot 5 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 33, T. 5 S., R. 4 E., B. M., Owyhee County, and is to be used from March 1 to October 31 for irrigation in the SE $\frac{1}{4}$ Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 5 S., R. 3 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho, on April 17 and April 24.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that D. O. Bybee, Box 72, Grandview, Idaho

has on March 28, 1969

applied for permit under application No. 02-7032 to divert ~~storex~~

4.4 cubic feet per second ~~zero feet~~ of water from

Snake River tributary of Columbia River. Water will be diverted by

pump, motor and pipeline within ~~the~~ Lot 5

(NE $\frac{1}{4}$ SE $\frac{1}{4}$), sec. 33, T. 5 S., R. 4 E., B.M., Owyhee County

and is to be used from March 1 to October 31 for irrigation

in the SE $\frac{1}{4}$ Sec. 22; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 5 S., R. 3 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho,

on April 17 and April 24.

02-7032