

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 2 day of December, 1976, and the last publication being on the 9 day of December, 1976;

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 9 day of Dec, 1976.

Leonard S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Church of Jesus Christ of Latter Day Saints, Grand View, Idaho has received an approved Permit No. 32593/02-2330 issued by the Idaho Department of Water Resources authorizing the diversion storage of 0.10 cubic feet per second of water from the Snake River. The priority to be established under this permit is November 9, 1965 and the permit was approved November 5, 1965.

Water is to be diverted by pumping plant and pipeline from a point within the Lot 5, Sec. 33, Twp. 5 S., R. ge. 4 E., B. M., Owyhee County, to be used for Irrigation of 5 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 5 S., Rge. 3 E., B. M.

Proof of the application of the water to beneficial use was to be submitted to the Department on or before November 5, 1976. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON,
Director

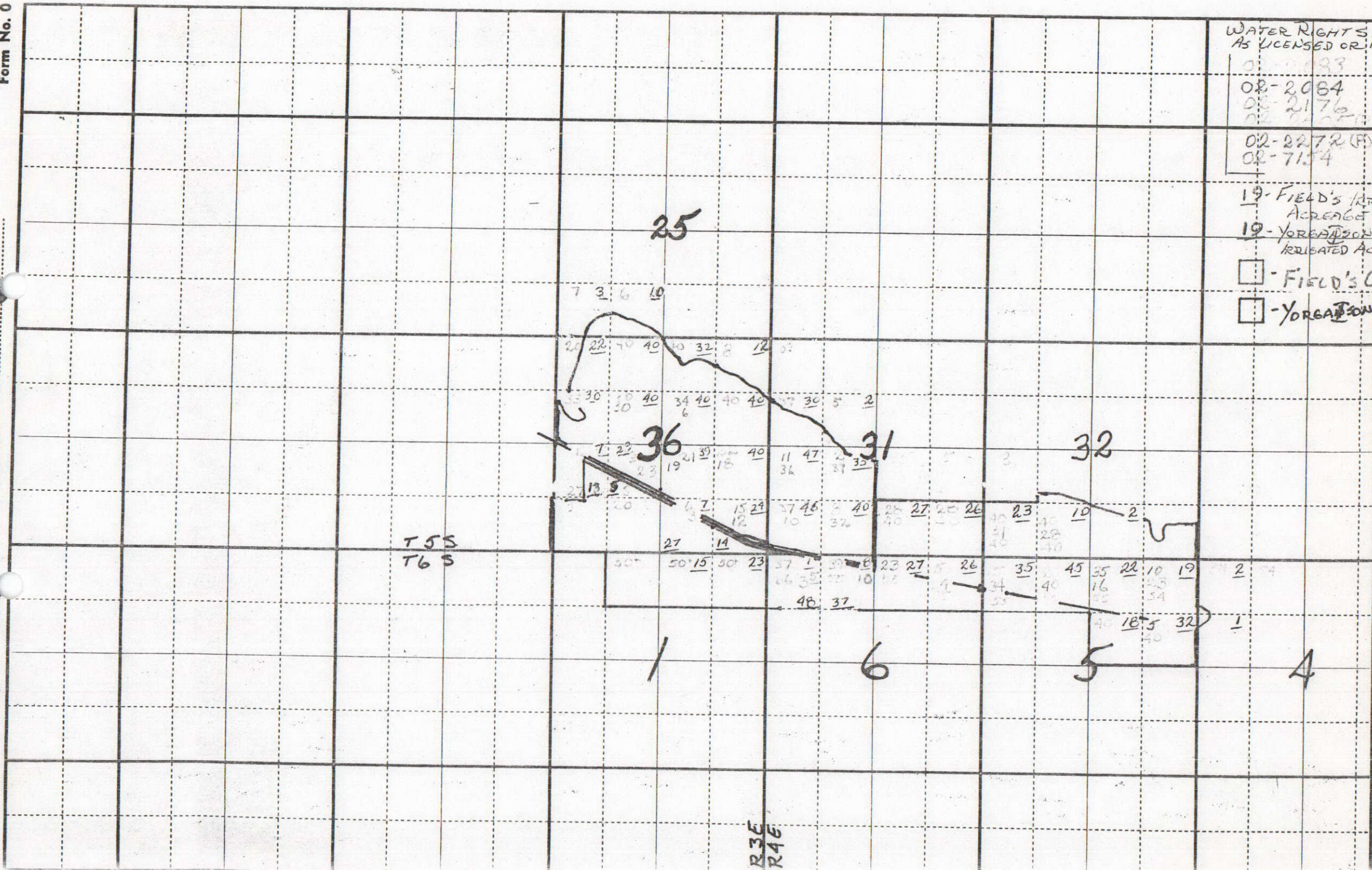
Published in the Owyhee Nugget, Marsing, Owyhee County Idaho 83639, on December 2, 1976 and December 9, 1976.

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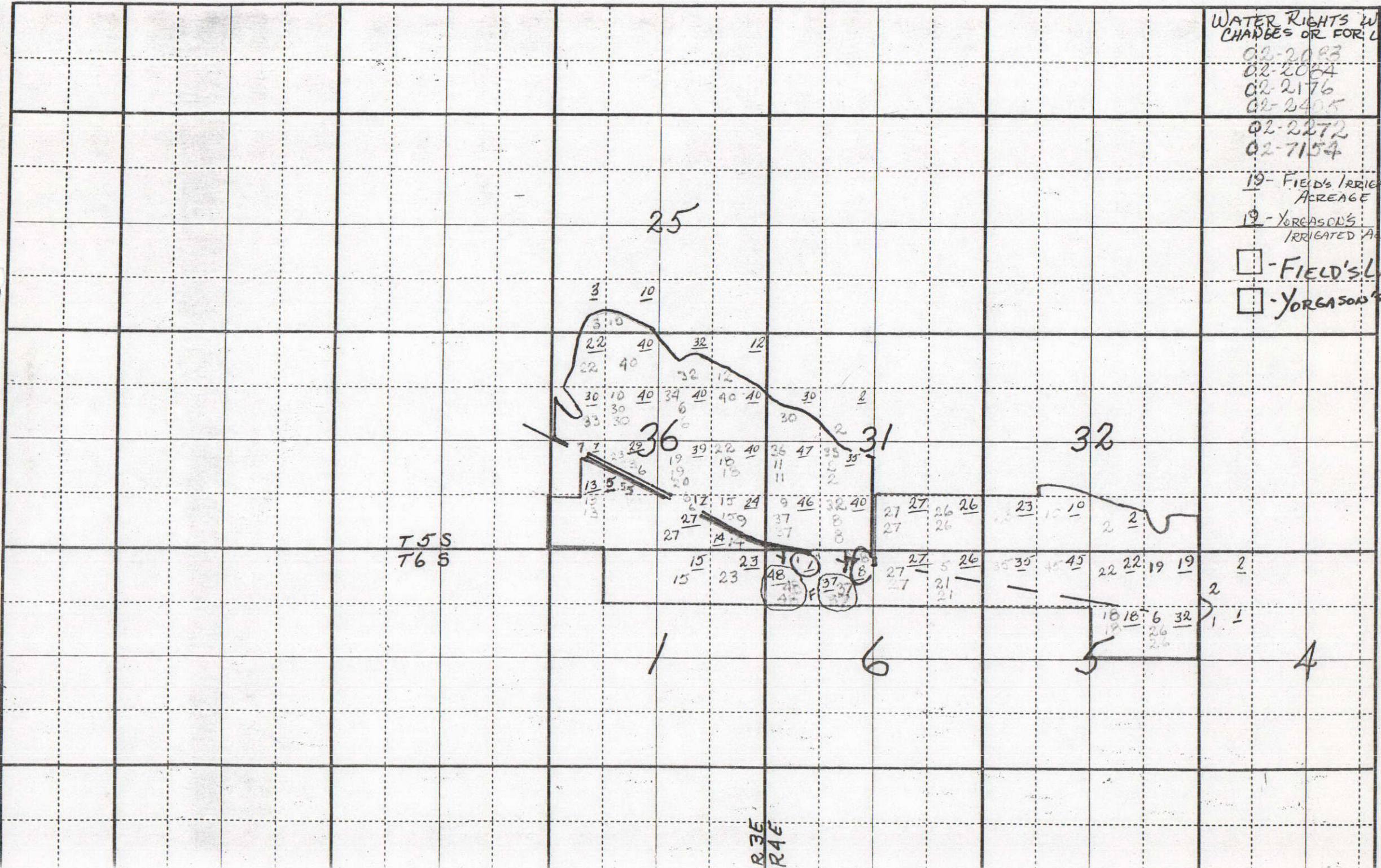
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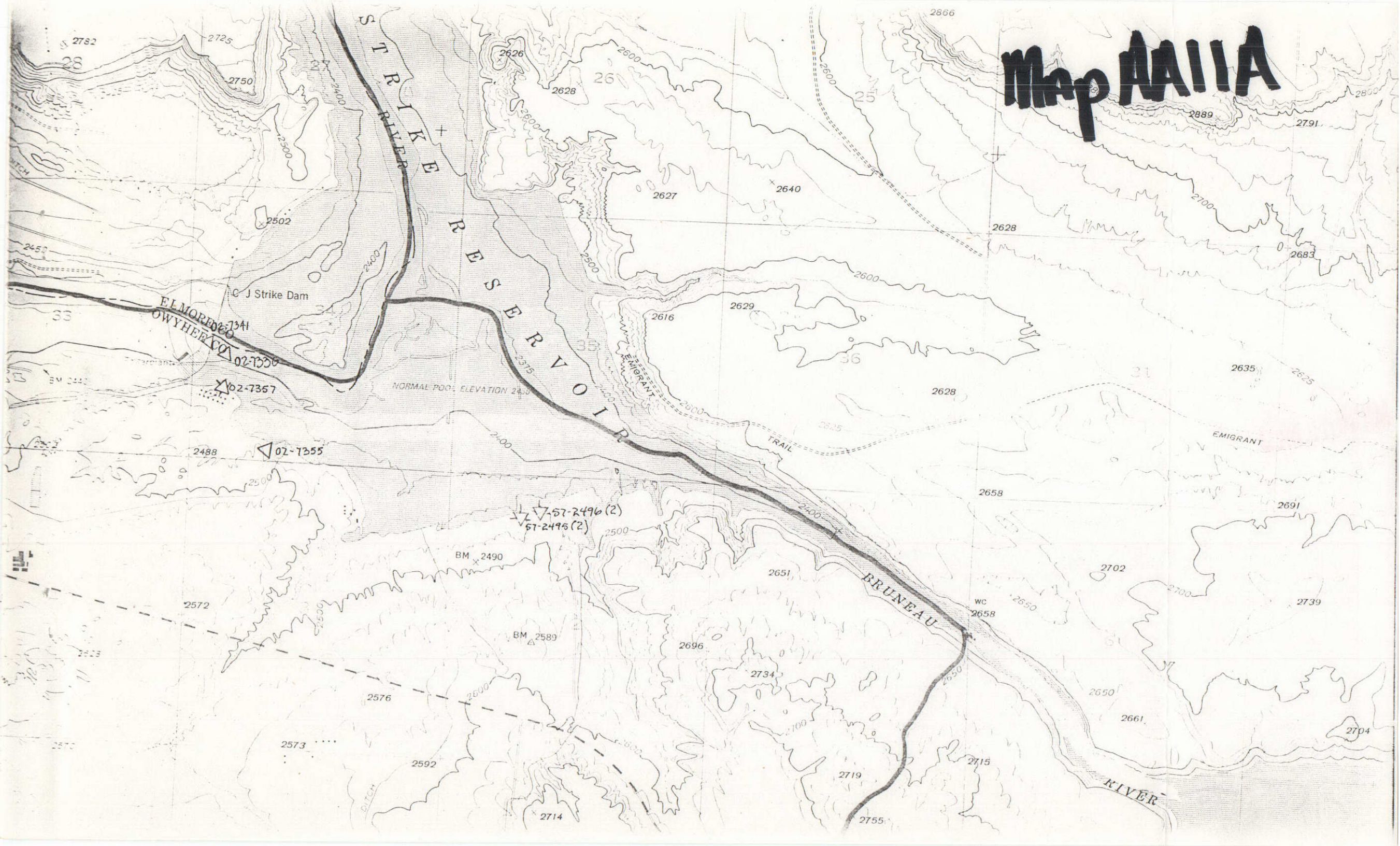
Department of Water Resources
Western Regional Office

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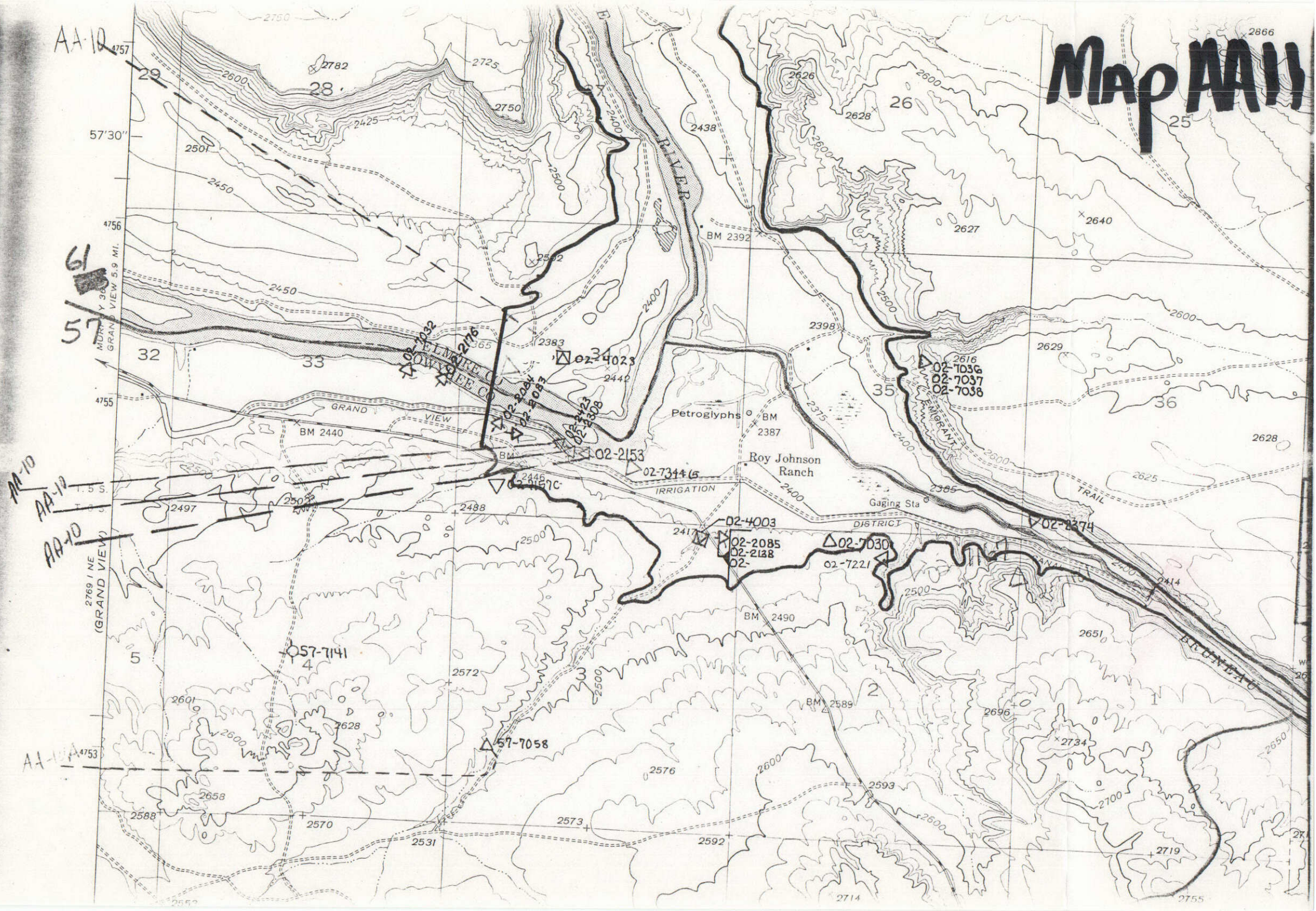


NAME OF APPLICANT YORGASON - FIELD





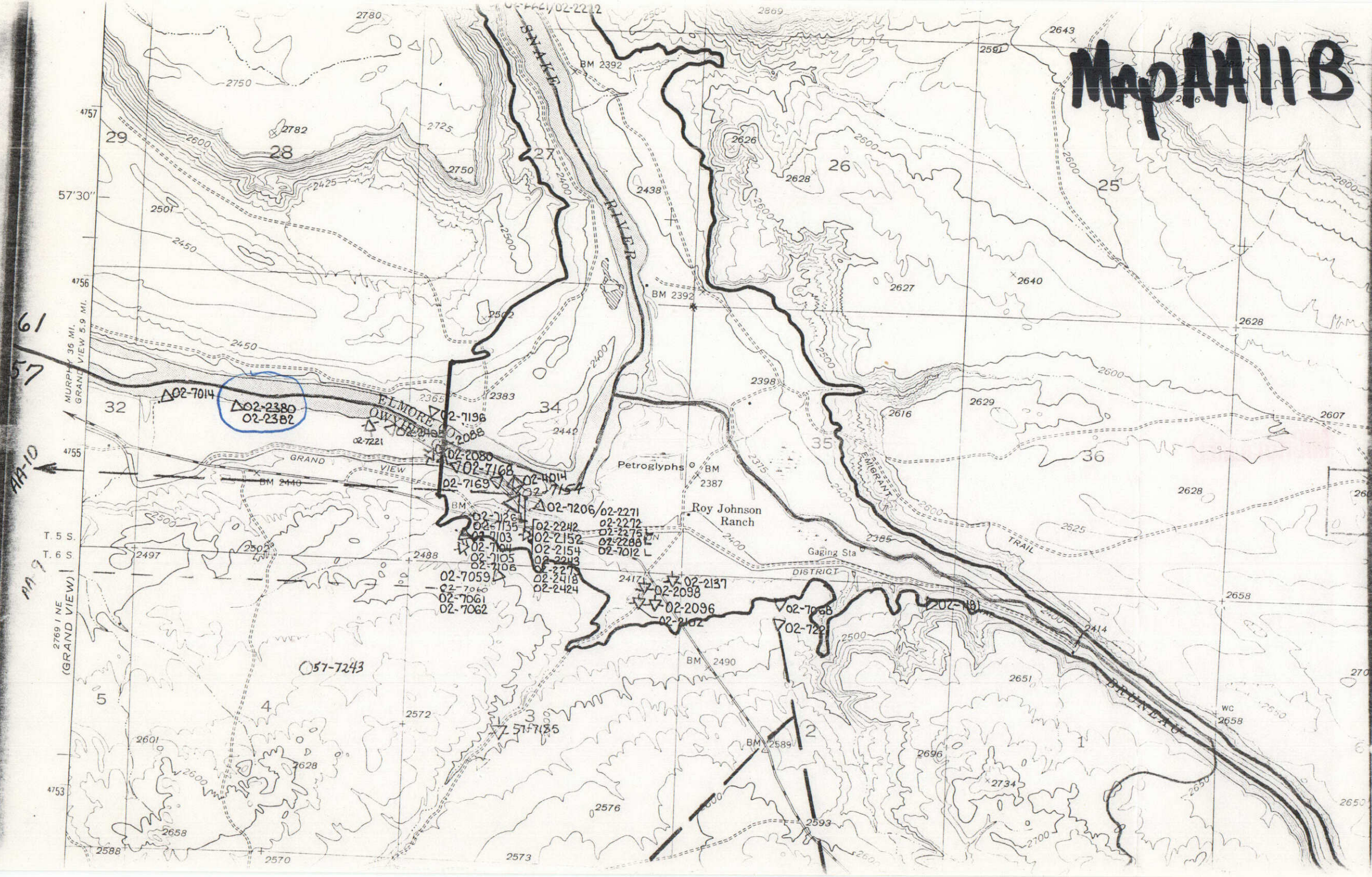
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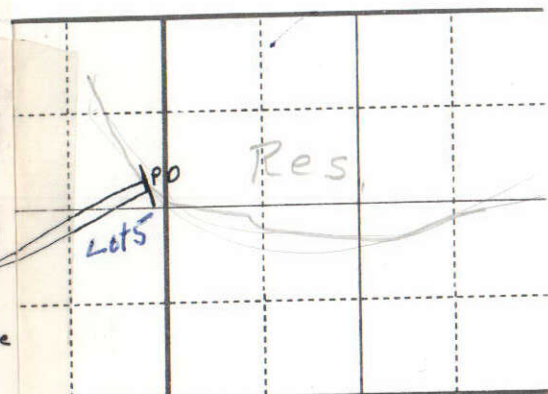
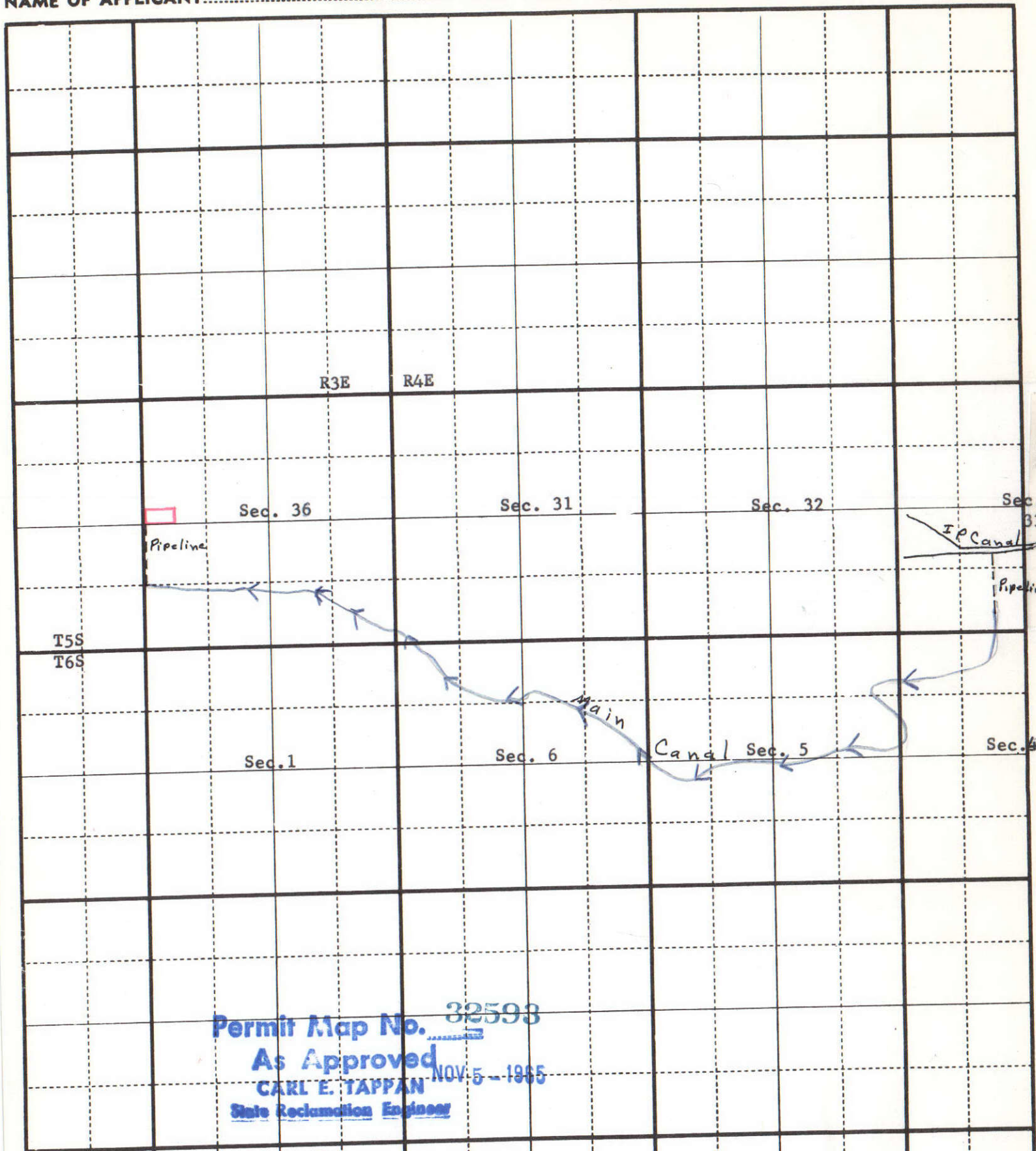
Map A II B

266



NAME OF APPLICANT Church Jesus Christ of Latter Day Saints

Form No. 0



Permit Map No. 32593
As Approved
CARL E. TAPPAN
State Reclamation Engineer
NOV 5 - 1985

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 02-2380 Priority November 9, 1965 Amount 0.10 cfs

THIS IS TO CERTIFY, that Church of Jesus Christ of Latter Day Saints
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 02-2380 issued pursuant to Application for Permit dated November 2, 1965,
and has submitted proof to the Department of Water Resources on November 12, 1976,
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 0.10 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>0.10</u> cfs and <u>25.0</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

Subject, however, to the condition that no more than 0.10 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
25.0 acre feet per year, said waters to be diverted within the Government Lot 9 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 34, Twp 5S, Rge 4E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	Section																Totals
			NEW	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	36																	5

Total number of acres irrigated 5

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22nd day of June, 19 83.

Director

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Church of Jesus Christ of Latter Day Saints Phone _____
of (address) c/o Bishop Raymond Draper, Route B, Box 321, Grandview, 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. 02-2380, and requests that the permit and permit map be changed as follows:

1. Point of diversion: Gov. Lot 9
(SE $\frac{1}{4}$ SW $\frac{1}{4}$) 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:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	3E	36									5								5

Total number of acres to be irrigated = 5

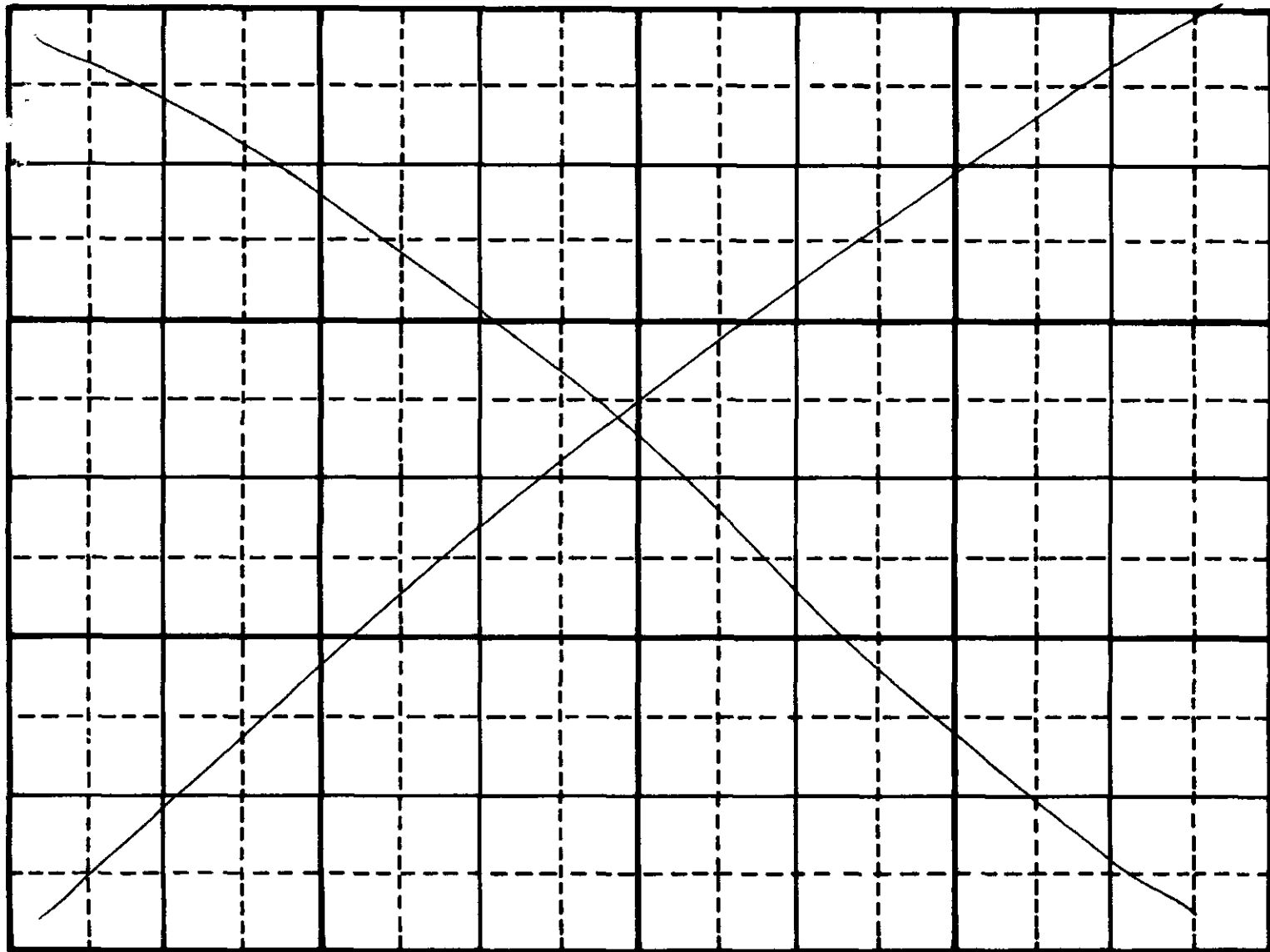
4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

MICROFILMED

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JUN 23 1983

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

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



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 Grand View, this 19th day of May, 19 83.

Harold A. Simper
(Signature)
Bishop

FOR DEPARTMENT USE ONLY

Preliminary check by RC Fee = \$20.00 ^{1P} 28875 Received by _____ Date _____

Publication prepared by W/A Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, DIRECTOR, of the Department of Water Resources hereby
APPROVE THE ABOVE APPLICATION FOR AMENDMENT FOR PERMIT NO. 02-2380.

Witness my hand this 22nd day of June, 19 83

A. Kenneth Dunn
DIRECTOR

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50-172

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 02-2380 in
the name of the CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS

ORDER OF REINSTATEMENT

WHEREAS, on November 2, 1965, the Church of Jesus Christ of Latter Day Saints filed with the Department of Water Resources (formerly the Department of Reclamation) for an application to appropriate 0.10 cubic feet per second of water from the Snake River, to be used for irrigation purposes, to be diverted within the Lot 5, Sec. 33, Twp. 5S, Rge. 4E, B.M., Owyhee County; and,

WHEREAS, on November 5, 1965, the Department approved said application and issued Permit No. 02-2380 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before November 5, 1976; and,

WHEREAS, on August 31, 1976, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on November 5, 1976, the permit automatically lapsed for failure of the permit holder to submit the required proof of beneficial use; and,

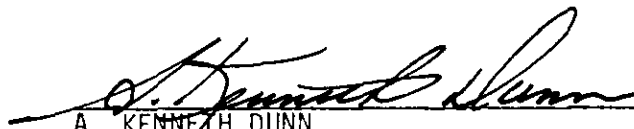
WHEREAS, on November 12, 1976, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 02-2380 be REINSTATED and the priority advanced to November 9, 1965.

Dated this 17 day of November, 1976.


A. KENNETH DUNN
Administrator, Operations Division

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32593/02-2380)

in the name of Church of Jesus Christ of)
Latter Day Saints)
c/o Dale Lyons, Grandview, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

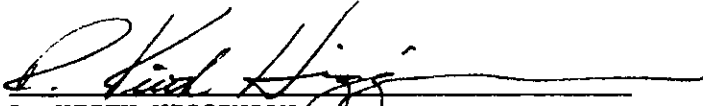
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 02-2380 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of
works as originally specified, but will be required to submit proof
to the Department of Reclamation of the application of the water to
beneficial use on or before November 5, 1976. The permit holder
should be aware that failure to complete one-fifth (1/5) of the works
within one-half (1/2) of the time originally set for completion of
works may be grounds for cancellation at the instance of the department.

Dated this 11TH day of May, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH/DG

32593
02-2380

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40752
PERMIT No. 32593
DISTRICT No.

1. Name of Applicant: Church of Jesus Christ of Latter Day Saints
c/ Dale Lyons
Postoffice address: Grandview County: Owyhee State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation: Non-profit Organization
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:
- II. The financial resources of the applicant are:
(a) Cash on hand: (c) Bond to be issued:
(b) Treasury stock: (d) Other resources:
2. Quantity of water claimed: .1 cubic feet per second.
3. Source of water supply: Snake R. which is a tributary of
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the Lot 5
of section 33 , T. 5 S , R. 4 E , B. M., County of Owyhee
5. Water is to be used for Irrigation
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.
7. Estimated cost of works: \$ 750
8. Kind of works: Existing pumping plant, pipeline, and main ditch, spillway canal
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom 6 fee; width at water line 10 feet; depth of water 4 feet;
dimensions of flume:
Diameter of pipe 36" 2/3 mi. spillway canal (Dimensions not available)
inches; length of conduit Approx. 4 miles.
Average grade per mile 5 feet.
12. The time required for the completion of such work is 5 years.
13. The time required for the complete application of the water to the proposed use is 6 additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Church of Jesus Christ of Latter Day Saints
Applicant.

By s/ Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 2:00 P.M. November 2, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32593
Recorded in Book 114 Page 32593 Approved November 5, 1965
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before January 5, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before May 5, 1968
The whole of said work to be completed on or before November 5, 1970
Beneficial use of water appropriated in accordance herewith, to be made on or before November 5, 1976

WITNESS My hand this 5th day of November, 1965
s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th day of November, 1965.

Countersigned: STATE OF IDAHO
(SEAL) By s/ ARNOLD WILLIAMS Secretary of State. By s/ W. E. DREVLLOW Acting Governor.

REMARKS:

14.

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	36	S ¹ / ₂ SW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄				5												5 Ac.

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 2 day of December, 1976, and the last publication being on the 9 day of December, 1976;

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 9 day of Dec, 1976.

Leona H. Hawes
NOTARY PUBLIC

My commission expires 4-10-80

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Church of Jesus Christ of Latter Day Saints, Grand View, Idaho has received an approved Permit No. 12641 issued by the Idaho Department of Water Resources authorizing the diversion storage of 4.48 cubic feet per second of water from the Snake River. The priority to be established under this permit is November 2, 1965 and the permit was approved November 2, 1965.

Water is to be diverted to pumping plant and pipeline from a point within the Lot 8, Sec. 33, Twp. 5 S., R. 4 E., B. M., Owyhee County, to be used for irrigation of 5 acres in the SW 1/4 of Sec. 34, Twp. 5 S., R. 4 E., B. M.

Proof of the application of the water to beneficial use was to be submitted to the Department on or before November 5, 1975. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83726, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Owyhee County Idaho 83609, on December 2, 1976 and December 9, 1976.



Deposited
Water

M E M O R A N D U M

DATE: 3/11/83

TO: Dave Shaw

FROM: Don Shaff²

SUBJECT: 02-2272, 02-2405, Licenses

These water rights and others were first held by D. O. Bybee and his wife. To accomplish the task of issuing licenses for these two rights, the entire package must be dissected and examined from scratch. By carefully reassembling all the rights involved, reason will prevail over what otherwise appears as chaos. This memorandum attempts to provide a vehicle for that careful analysis.

The first problem may have occurred with the first licenses (02-2083 and 02-2084). Geographic features and the present field designs would lead one to believe the pattern of beneficial use may have been different than the licenses describe. Figure 1 illustrates this problem. A comparison can be made with Figure 1 between 1) what the present pattern of irrigated land is for all the water rights and 2) what the water right records describe.

As can be noted from Figure 1, the analysis is complicated by a division of some of the water rights and the land between two subsequent owners. In some instances the two parcels must be considered as a whole. Yet at the same time the separation cannot be ignored because each owner has developed a separate undivided water right. Some of the rights have licenses for a full or nearly-full miners inch per acre. Yet other rights, licenses and permits, are for less than an inch per acre. For purposes of analysis, the rights were considered in the order of filing with the hope that the intentions of the developer could be discovered and possibly then piece together the rights.

Land List #1 and #2 describe the irrigated lands of Yorgason and Field. Below those descriptions is the breakdown of the water rights as I recommend they be described or licensed. In some cases, a transfer or amendment will be necessary. To assist

Memo to Dave Shaw, Subject: 02-2272, 02-2405, Licenses
3/11/83

graphically in this breakdown, Figure 2 shows how the rights would fit together in relation to the land.

Through my investigation I believe 02-2083 and 02-2084 were either licensed incorrectly or the lands as irrigated now were done so before 1969 when the transfer requirement, (Idaho Code 42-108) became effective. I suggest these two rights should be considered as described on Figure 2 and in Land List #2. The changes are systematic although somewhat arbitrary. The right is still described in the same and or adjacent 40-acre tracts. Each was issued at 1.0 inch per acre on 120 and 50 acres, respectively. The change in place of use does not alter these ^{allocations per acre} limitations.

02-2176
Getting by those rights brings us to 02-2176. This license, amended at least twice, is divided by both farms, plus the LDS Church. For Yorgason's farm the right fits like a glove. But on Field's farm, this license was issued without considering the existence of the two earlier licenses above (Figure 1). In some 40-acre tracts the two licenses would exceed the number of acres in the tract and 1.0 inch per acre. Consequently I suggest, 02-2176 should be transferred in part by Field to other lands. The other lands were apparently irrigated earlier, but were not a part of the permit.

Because 02-2176 has a diversion rate of less than 1.0 inch per acre, a second right (02-2405) was acquired by Bybee to supplement it. On Field's land the intent of Bybee to do this is obvious although the combination of the two acreages might be too large for a tract or overlaid one of the earlier licenses. None of the water for 02-2405 has been described up to now on the Yorgason farm except a small part of SWSE and NESW, S. 36. However, there are 43 acres of land described on the permit and adjacent to both owners that is not irrigated at all. I proposed that 02-2405 be amended by Bybee (proof was submitted before 1976) rather than assigning the permit to both current owners. (For the Snake River Adjudication, Bybee has not claimed 02-2405, but Yorgason and Field have claimed applicable parts of it.) Yorgason shares one-half of a 100 HP motor pump that

* ASSIGNED TO YORGASON & FIELD 11/04/83

Page 3

Memo to Dave Shaw, Subject: 02-2272, 02-2405, Licenses
3/11/83

delivers 10 cfs and formerly one of Bybee's three pumps. Bybee now has only one-half of a 75 HP motor and pump that was one of his three pumps. With Yorgason's part of 02-2176 having ^{2.04}~~2.04~~ cfs, he purchased from the assignees of Bybee the capacity to divert 5.0 cfs and ability to irrigate with 02-2405. It would follow the permit should be amended to include his land. By doing so, each owner except the LDS Church will have the lands of 02-2176 supplemented to near 1.0 inch per acre by 02-2405.

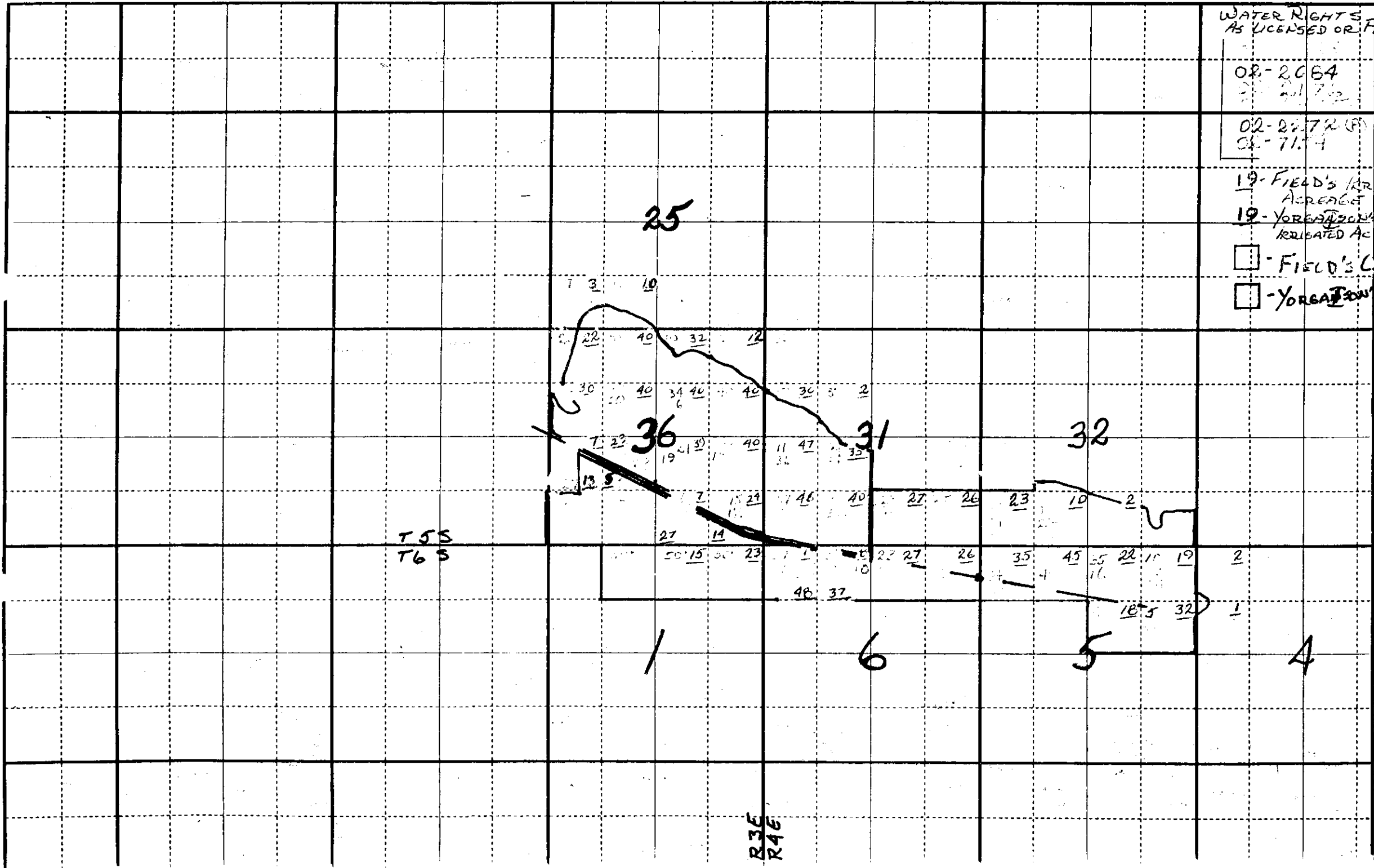
The LDS Church by the equitable division of 02-2176 has .07 cfs for 6 of its 11 irrigated acres. Another right, ~~02-2280~~ is for .10 cfs on the other 5 acres.

⁰²⁻⁷¹⁵⁴ While on Yorgason's land, 02-7154 should be addressed. This right, developed from a different point of diversion for the Aslett Canal then to the Bybee Canal, fills in where 02-2176 does not cover, (Figure 1). The problem comes about for this right because in some cases more acres were licensed than there are acres owned ^{by Yorgason} and in some cases fewer acres were licensed than were or are now irrigated. The exception is the SWNW, S. 36 where ^{3 ACRES} a parcel has been sold and is not irrigated now. I suggest an amended license should be issued as shown in Land List #1. This amendment will result in fewer acres and a smaller diversion rate than presently is licensed. But with the changes to 02-2405 as suggested, 02-7154 will contribute its part to ^{.9871}~~.9866~~ inch/acre for all of Yorgason's irrigated land.

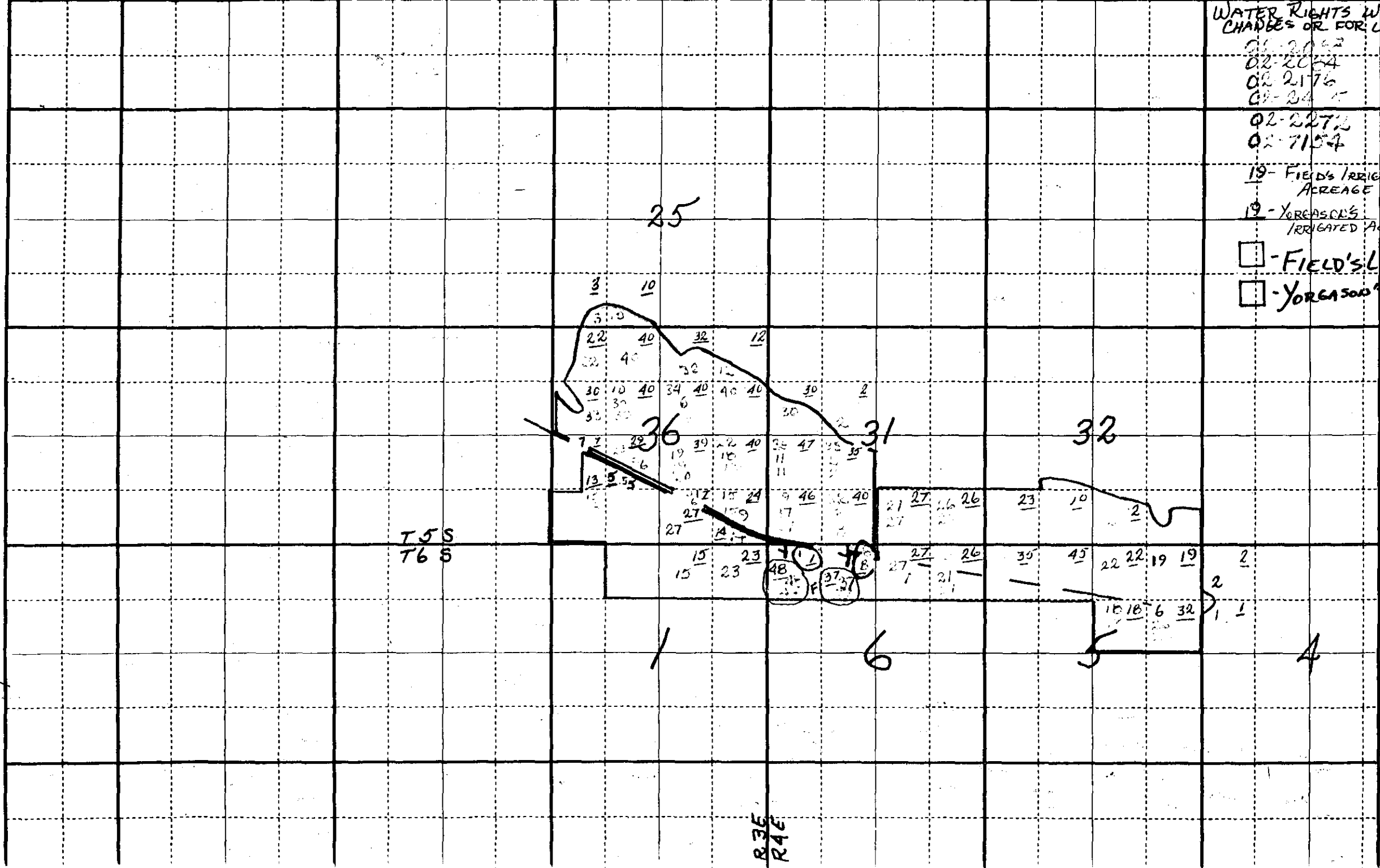
⁰²⁻²²⁷² Lastly, 02-2272 is left. This right is used by way of a relift pump described in the Field Report. This right held by Mrs. Bybee, apparently was to fill in some land above the canal between two previous rights on Field's land. The assumption erroneously has been made for some time that Field was the holder of this permit. Apparently an assignment will be necessary.*

With the licensing of the last of the rights for Field, he will have ^{.9396}~~.9269~~ inch/acre for all of his irrigated land.

* ASSIGNED 11/04/83 OR EARLIER.



NAME OF APPLICANT: YORGELOW-FIELD



WATER RIGHTS WITH
CHARGES OR FOR LICENSE
02-2052
02-2054
02-2176
02-2475
02-2272
02-7154
19- FIELDS IRRIGATED
ACREAGE
19- YORGELOW'S
IRRIGATED ACREAGE
☐ - FIELD'S LAND
☐ - YORGELOW'S LAND

LAND LIST ATTACHMENT

LAND ACTUALLY IRRIGATED

Total number of acres irrigated

*30 ACRES IRRIGATED NOW, BUT LICENSED FOR 33 ACRES AND MORE THAN
IS OR WAS OWNED IN 1977.

June 27, 1983

Church of Jesus Christ of Latter Day Saints
Route B, Box 321
Grandview, ID 83624

Attn: Mr. Meaker

Dear Mr. Meaker

Enclosed herewith is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure





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

April 27, 1983

RE: Water Rights

Church of Jesus Christ of Latter Day Saints
Attn: Mr. Meaker
Route B, Box 321
Grandview, ID 83624

Dear Mr. Meaker:

Enclosed per our conversation is an application for a water permit to cover the additional lands that are irrigated but not covered under Right 02-2380.

Please, if satisfactory, return both this application and the amendment of permit for Right 02-2380 with the appropriate filing fees. The application for amendment is \$20.00 and the application for permit fee is \$30.00.

If you have any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MILWAUKEE

Robyn

RECEIVED

MAR 21 1985

Department of Water Resources
Western Regional Office

INTER-DEPARTMENT MEMO — 1

DATE 3-21-85

FROM

Jim

TO

~~Robyn~~ DAVE SHAW

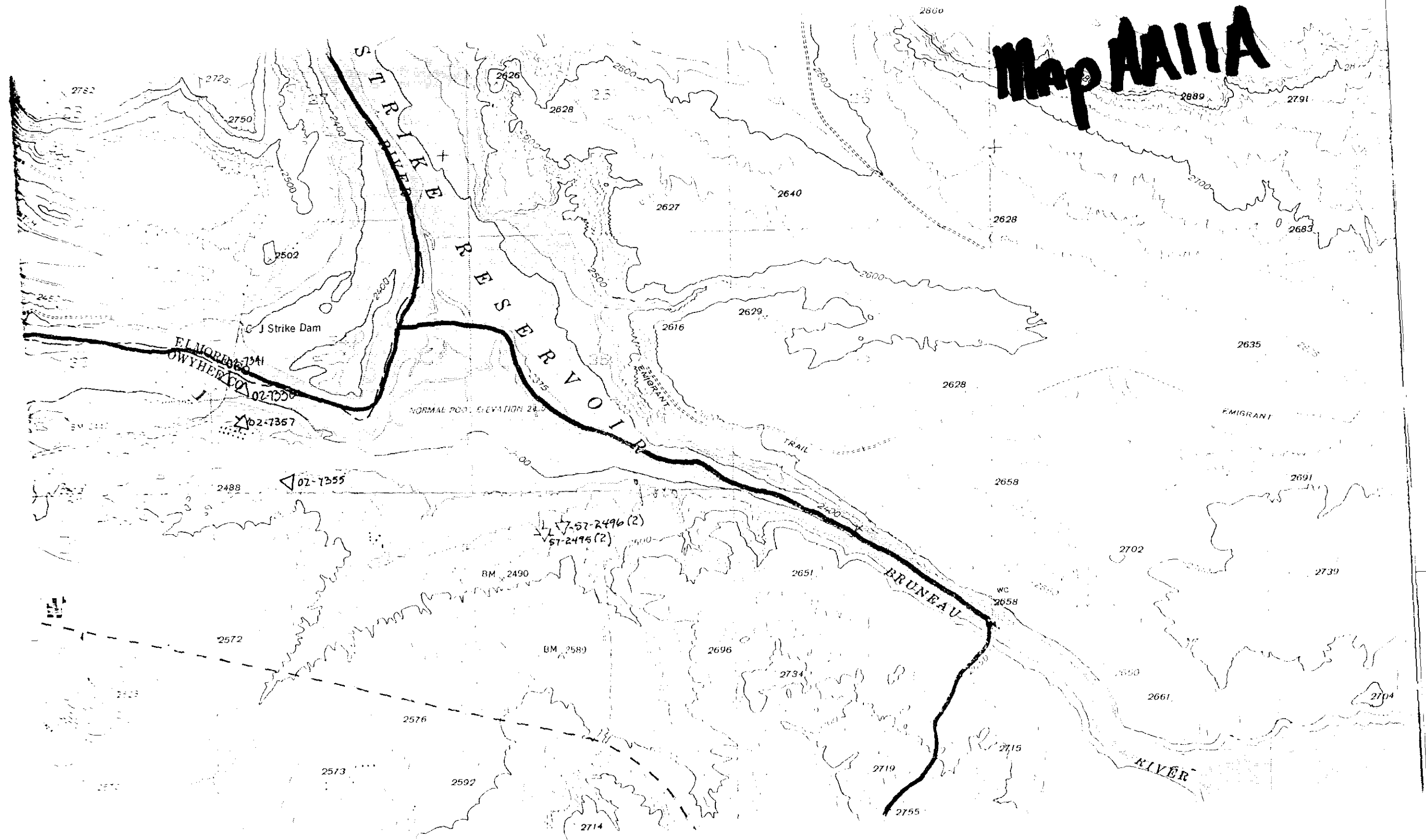
SUBJECT

The field exam shows Sec. 36 west of sec 34

IN SAME Township. There appears to be an error
somewhere. Please return field exam for clarification

SIGNATURE

Map A11A



DEPARTMENT OF WATER RESOURCES
FIELD REPORT

SE SW 1/4

341 T55R42

1. Name of permit holder LDS Church
Post office address Rt. B, Box 321, Grandview, ID 83624 Phone _____
Person to contact Bishop Raymond Draper Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Snake
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.10 c.f.s. for Irrigation
_____ AF/Annum (nature of use)
Period of Use: from Feb. 1 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)
Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)
Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.10 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5S N/S, Range 4E E/W, B.M., Section 33, Subdivision Lot 5 $\frac{1}{4}$ $\frac{1}{4}$, Owyhee County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ $\frac{1}{4}$, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: Water is taken from Strike Reservoir into canal. Has an iron culvert with an iron headgate.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

NW SW

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	3E	36							5										5

TOTAL ACREAGE 5

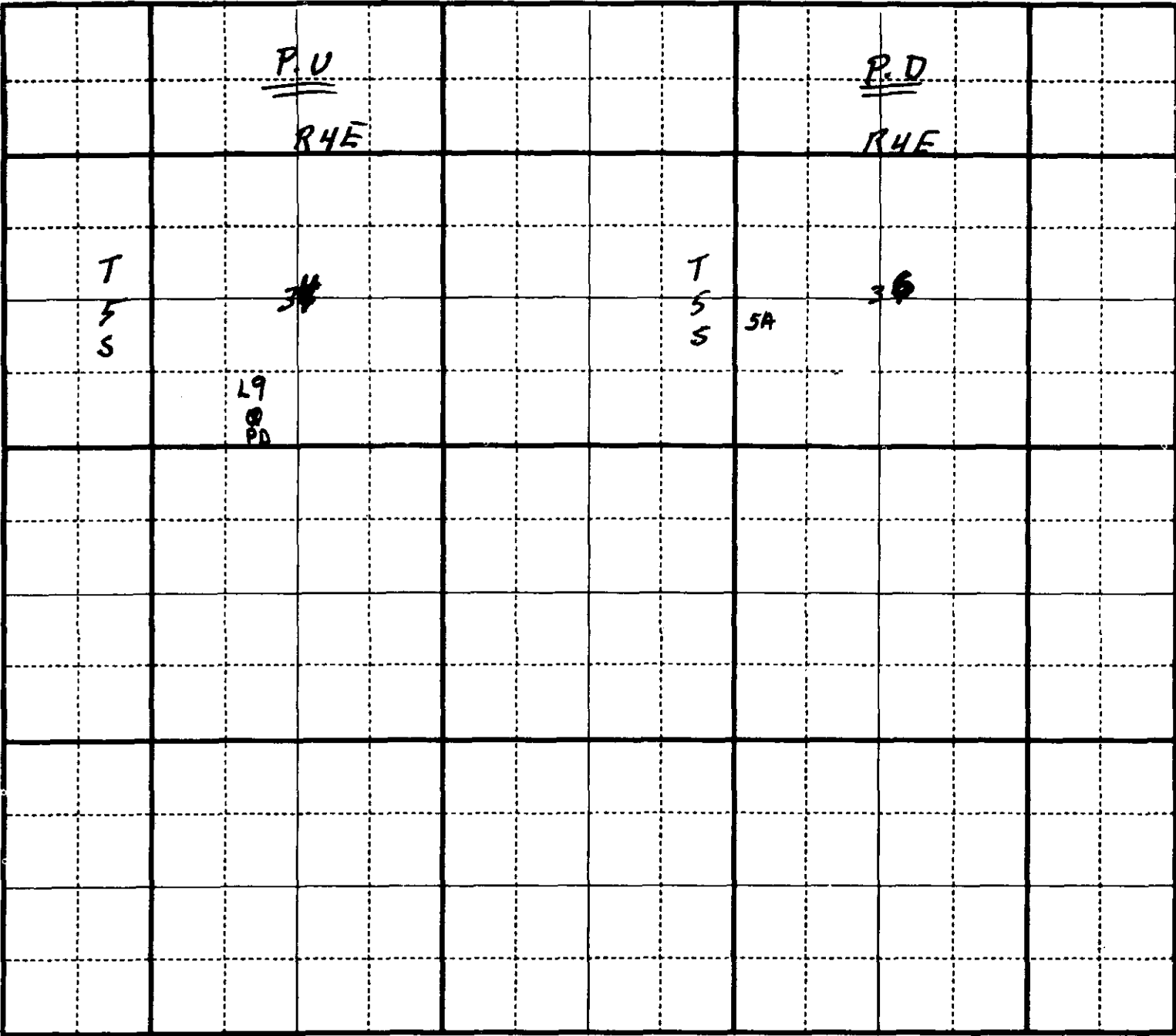


Diagram of System

RECEIVED

DATE OF EXAM 6/22/81

ACREAGE
Found 9
Recommended 5 ✓

Irrigation Requirement 5 Ac Ft/Ac

USE
Irrigation Q = .10 ✓ c.f.s. V = 2.5 ✓ AF/Ann. from 3/15 to 11/15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured .10 Method of measurement calc. est.

Total Q recommended .10 Meter No. _____ Type _____ Condition _____

Total V recommended 2.5

Recommended Amendments:

P.D. SAYS: (45) Sec 33 T5S R4E Should say 3ESW (Lot 9) Sec 34 T5S R4E
Place of Use SAYS: SWNW Sec 36 T5S R3E Should say NWSW Sec 36 T5S R3E
Other _____
None _____ R 3E

MEASUREMENT CALCULATION:

5 acres x .02 = .10 cfs ✓ 5 AF x 5 = 25 ✓
average taken from AECs aerial photo.

SYSTEM DESCRIPTION:

irrigation water pumped out of J.C. Strick's Reservoir
into Bybee canal system - water taken out of Bybee
canal to place of use. Gravity flow system of
irrigation. All users of Bybee canal share in
maintenance & other expenses.

REMARKS:

Examiner's Signature John K. Hayes Date 6/24/81

Checked by DRS Date 10/28/81

Approved by Reyn Date 3-1-83

MICROFILM

0/22/51 JKN

5 acres pot. corn near church,
behind church house.



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

March 14, 1983

RE: Permit No. 02-2380

Church of Jesus Christ of Latter Day Saints
c/o Bishop Raymond Draper
Route B, Box 321
Grandview, ID 83624

Dear Bishop Draper:

A representative of this Department made an examination of the works covered by your Permit No. 02-2380 and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.10 cfs Source: Snake River

The maximum quantity diverted shall not exceed 25.0 acre feet per year.

Point of diversion: Gov. Lot 9(SE $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 34, Twp. 5S, Rge. 4E,
Owyhee County
Beneficial use: Irrigation of five acres within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, Twp. 5S, Rge. 4E

Priority date established: November 9, 1965 (late proof)

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:kw
Enclosure

*Field exam returned
to region for
clarification
RC 3/22/83*

December 21, 1976

Re: Permit No. 02-2380

Church of Jesus Christ of Latter Day Saints
c/o Bishop Raymond Draper
Route B, Box 321
Grandview, Idaho 83624

Dear Bishop Draper:

We acknowledge receipt of the affidavit of publication submitted on the above referenced permit. We also acknowledge receipt of the affidavit submitted as proof of beneficial use for this permit.

Enclosed is an Order of Reinstatement. Please note that the priority has been advanced to November 9, 1965.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

Encl.

November 16, 1976

Re: Permit No. 02-2380

Church of Jesus Christ of Latter Day Saints
c/o Bishop Raymond Draper
Route 8, Box 321
Grand View, Idaho 83624

Dear Bishop Draper:

We have caused the legal notice for the above referenced permit to be published in the Owyhee Nugget on December 2, and December 9, 1976.

You will be required to submit an affidavit of publication to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the publication fee. We have asked the newspaper to bill you direct.

Sincerely,

JANICE RENK
Water Rights

jr

November 16, 1976

Re: Permit No. 32593/02-2380

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing time for you to submit to us a galley proof for our 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 this office immediately.

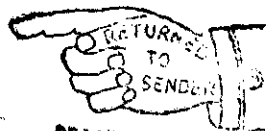
The expense of the publication is to be paid by: Church of Jesus Christ of Latter
Day Saints
c/o Reginald Wealser
Grandview, Idaho 83624

to whom you should furnish an affidavit of publication.

Very truly yours,

JANICE RENK
Secretary,
Water Rights

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



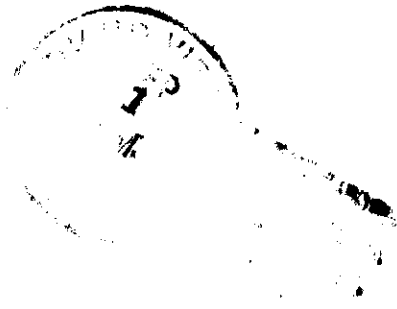
REASON CHECKED
Unclaimed ☐ Refused ☒
Addressee unknown ☐
Insufficient Address ☐
No such street ☐
No such office in state ☐
Not mail to this ☐

Church of Jesus Christ of Latter
Day Saints
c/o Dale Lyons
Grandview, ID 83624

*Must be
home address*
9-3-76

02-2380

38891



Identification No. _____

Permit No. 02-2380

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 12 1976

Doty

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Church of Jesus Christ of Latter Day Saints
b) Post Office Address Rt. B, Box 321, c/o Bishop Raymond Draper, Grandview, ID 83624
2. Permit Number 02-2380
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Snake (Strike Reservoir)
b) Location of the point of diversion: Lot 5 ¼ ¼, Section 38
Township 5S, Range 4E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .10 for Irrigation purposes from Feb. 1 to Nov. 15 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 0.10 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: _____
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:
Water is taken from Strike Reservoir into canal. Has an iron culvert
with a iron headgate.
b) Describe the agreement or understanding by which you take water from the works: _____
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) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 12/21/76

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	3E	36					5												5

Total number of acres irrigated 5

10. Remarks: _____

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

November 12, 1976 Reginald E. Meaher
(Date) (Signature)
Exec. Sec. To Bishop Draper

State of Idaho)
) ss.
County of Ada)

On this 12th day of November, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Sharon L. Jones
Notary Public residing at Boise, Idaho

My commission expires 9/10/80

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Church of Jesus Christ of Latter
Day Saints, Grandview, Idaho has received an approved Permit No.
32593/02-2380 issued by the Idaho Department of Water ^{Resources} ~~Administration~~ auth-
orizing the diversion storage of 0.10 cubic feet per second ~~none feet~~
~~XXXXXXXXXX~~ of water from the Snake River.

The priority to be established under this permit is November 9, 1965
and the permit was approved November 5, 1965 .

Water is to be diverted by pumping plant and pipeline
from a point within the Lot 5, Sec. 33, Twp. 5S, Rge. 4E. B.M., Owyhee County

to be used for Irrigation purposes of 5 acres

in the SW¹/₄NW¹/₄, Sec. 36, Twp. 5S, Rge. 3E, B.M.

Proof of the application of the water to beneficial use was ~~to~~ to be submitted to the Department on or before November 5, 1976. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water ^{Resources} ~~Administration~~, Statehouse, Boise, Idaho, 83707, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget
on December 2, 1976 and December 9, 1976

Permit No. 32593/02-2380

Director:

You are hereby authorized to have the above notice published at my expense
in the Marsing Nugget of Marsing, Idaho ;

published in the county in which the works are situated.

Reg Miesher

Executive Sec. to Bishop Draper

(Signature)

RT. 15 Box 328

(Address) Grandview 83624

11 - 12 - 76

(Date)

August 31, 1976

CERTIFIED MAIL

138891

Re: Permit No. 02-2380 (Old No. 32593)

Church of Jesus Christ of Latter Day Saints
c/o Dale Lyons
Grandview, Idaho 83624

Gentlemen:

One of the conditions of approval of your water Permit No. 02-2380 (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 November 5, 1976. 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

cc: Idaho Land & Appraisal

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Church of Jesus Christ of Latter Day Saints,
c/o Dale Lyons, Grandview, Idaho has received an approved permit No.
32593/02-2380 issued by the Idaho State Reclamation Department authorizing the
diversion ~~storage~~ of .1 cubic feet per second ~~acre/feet/yr/annum~~
of water from the Snake River
subject to all prior rights. The priority to be established under this permit is
November 2, 1965 and the permit was approved November 5, 1965.
Water is to be diverted by pumping plant, pipeline, ditch, spillway canal
from a point within ~~the~~ Lot 5, Sec. 33, T. 5 S, R. 4 E, B. M., Owyhee County

to be used for irrigation
in the SW 1/4, Sec. 36, T. 5 S, R. 3 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before November 5, 1976. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Nugget, Marsing, Idaho on _____
and _____.

02-2380
32593

May 11, 1970

Re: Permit No. 32593/02-2380

Church of Jesus Christ of Latter Day Saints
c/o Dale Lyons
Grandview, Idaho

Dear Mr. Lyons:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package
dd: Idaho Land & Appraisal

02-2380
32593

November 10, 1965

Re: Permit No. 32593 - L. D. S. Church
32594 - Keith Bybee
32595 - Gary Lawson

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. as above noted in which we direct
your attention to the limitations and conditions as given on the
fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 33001
which was issued covering payment in the amount of \$15.00
for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

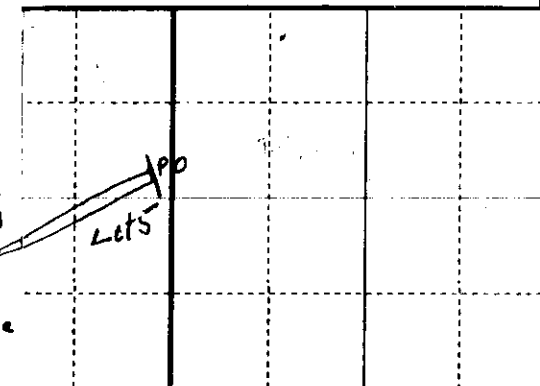
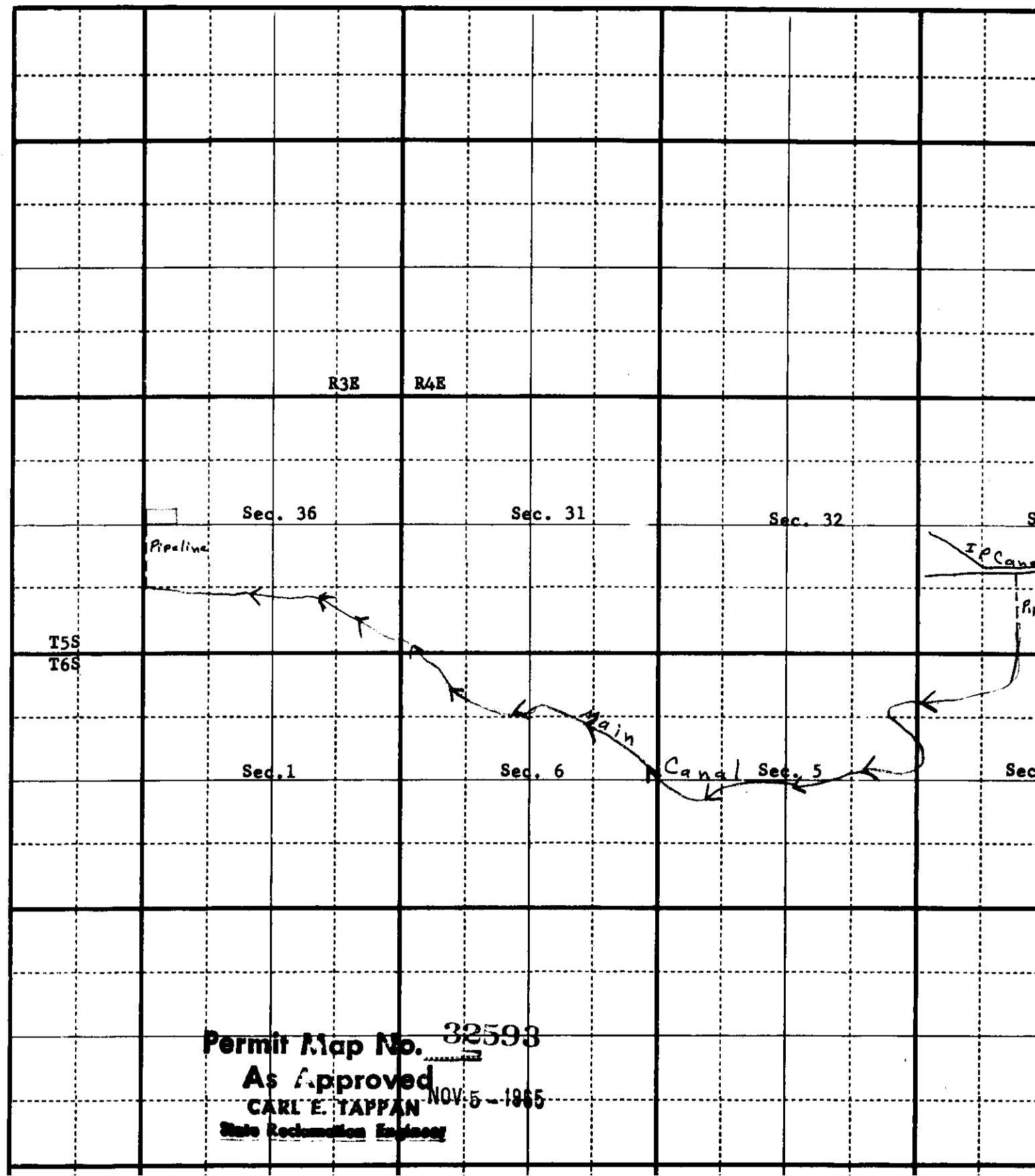
Encl.
EPR:pmk

cc: L. D. S. Church
Keith Bybee
Gary Lawson

32593

NAME OF APPLICANT Church of Jesus Christ of Latter Day Saints

Form No. 0



Permit Map No. 32593

As Approved

CARL E. TAPPAN

State Reclamation Engineer

NOV 5 - 1965