

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A21-11248
Date Received: 7/24/1989
Receipt No: E009565
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM F. DUKE 303-242-7577
Address: 2067 E. 1/2 ROAD
GRAND JUNCTION, CO 81503

2. Date of Priority: MAY 01, 1935

3. Source: RISING CREEK Trib. to: PORCUPINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	44E	24	NE	SE		24	FREMONT

5. Description of diverting works:
IRRIGATION DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	44E	24	SE	SE		IRR	

11. Place of use in counties: FREMONT

A21-11248

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Date: 08/08/89

A2111248



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12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

UNRECORDED

OCT 23 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A21-11248Date Received 7/24/89Receipt Number E009565NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WILLIAM F. DUKE Phone (303) 242-7577
Mailing Address 2067 E 1/2 RD. GRAND JUNCTION, CO 815032. Date of Priority (Only one (1) per claim) 1935, May 1st3. Source of water supply (a) RISING CREEK
which is tributary to (b) PORCUPINE CREEK4. a. Location of existing point of diversion is: Township 44N Range 44E Section 24
NE 1/4 of SE 1/4 of Section 24 1/4, Govt. Lot, FREMONT B.M., County of

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Diversion dams of cloth & earthen
construction into irrigation ditch

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 0.2 CFS or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 CFS (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 20 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	
9N	44E	24																10	10

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? FREMONT

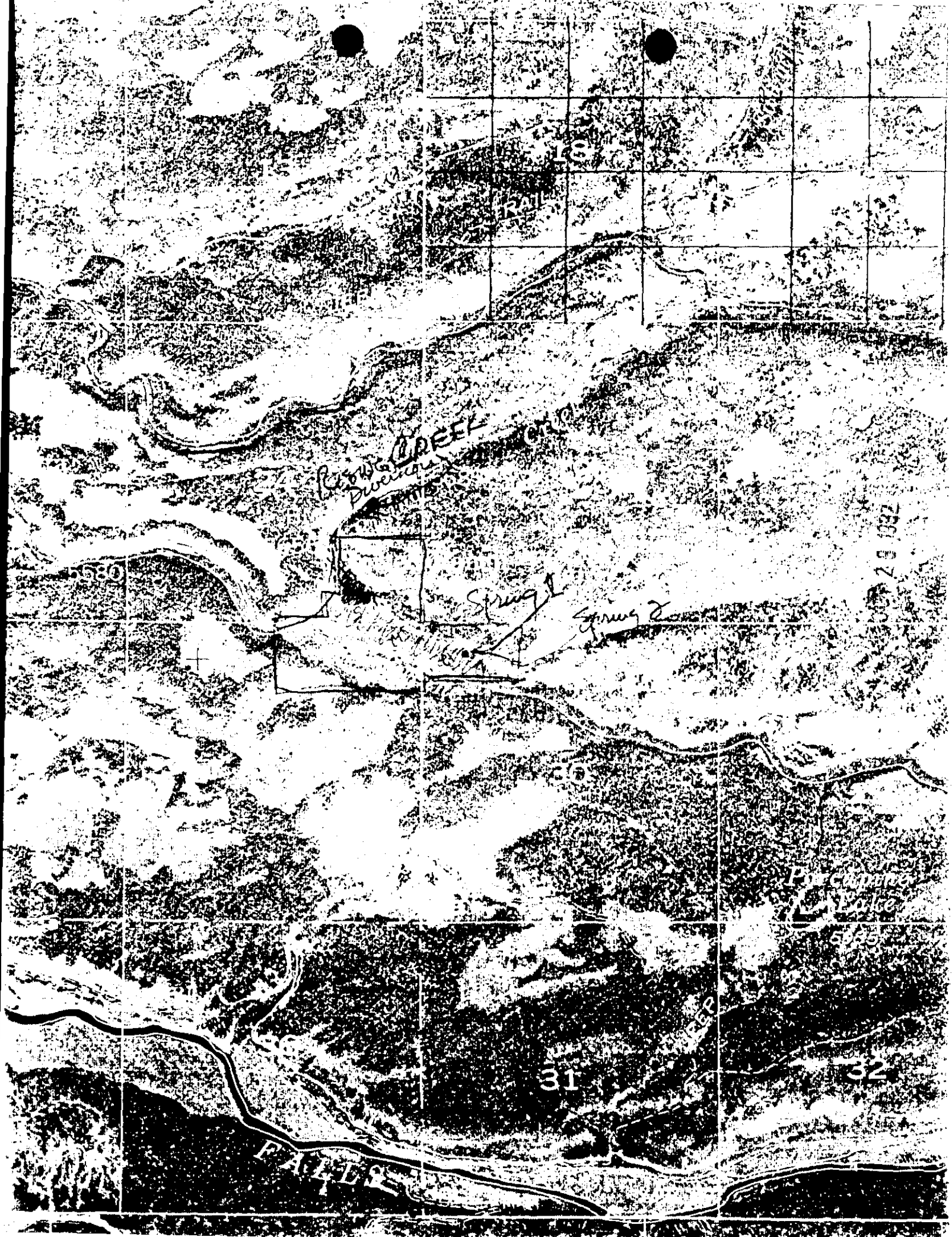
12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A21-11241 or None ()

14. Remarks: PROPERTY SOLD from by Forrest Howell
to William F. & Sheila K Dube under
purchase contract on June 15, 1979

Last Name _____ Ident No. _____

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Copies: White - State, Yellow - Claimant



TRAIL

Pine Creek
Pine Creek

Spring 1

Spring 2

Pine Creek
Pine Creek

FALLS

31

32

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐

Decree ☐

If applicable provide IDWR Water Right Number

Court Case Number Decree Date

Plaintiff vs Defendant

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) W F Duhe Date 7/24/89

(William F. Duhe) Date

For Organizations: I do solemnly swear or affirm that I am

Title

of , that I have signed the foregoing

Organization

document in the space below as of

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Date

State of Idaho/or)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day of July 19 89

SEAL

Notary Public Anthony S. O'Leary

Residing at Idaho Falls

My Commission Expires 9/12/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Address

Date

MICROFILMED

OCT 23 1992

Last Name Ident. Number

Copies White-State, Yellow-Claimant

AJ0749NP
No. A21-11248

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAWRENCE J YBARRONDO 2373 S BELLIN RD IDAHO FALLS ID 83402 (208) 522-0290	05/01/1935	IRRIGATION	04-15 10-15	0.20 CFS	
TOTAL DIVERSION:					0.20 CFS	
CONSUMPTIVE USE:						20.00 AFA

Water Source: RISING CREEK

Tributary to: PORCUPINE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T09N R44E S24 Lot24(NESE)

FREMONT County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09N 44E 24																1	

POU County: FREMONT

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/8-10-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 10, 1998

DR LAWRENCE J YBARRONDO
2373 S BELLIN RD
IDAHO FALLS ID 83402

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A21-11241,
A21-11248

Dear Mr. Ybarrondo:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

**ALDERSON
&
KARST**

1-208-522-4

ARCHITECTS - PLANNERS

ROXANE L. SIVILL - PARTNER

348 B Street • P.O. Box 51977 • Idaho Falls, Idaho 83405

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

MANAGEMENT OF WATER RIGHT OWNERSHIP

RECEIVED

JUL 31 1998

Department of Water Resources
Eastern Region

with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A21-11241 + A21-11248

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) WILLIAM E. and Sheila Duke
0181 100 ROAD
CARBONDALE, CO 81623

4. New Owner/Claimant(s) DR. LAWRENCE J. YBARRONDO, TTEE
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2373 SOUTH BELLIN RD.

City, State and ZIP Code IDAHO FALLS, IDAHO 83402
New Telephone Number (208) 522-0290

5. Date you acquired the property 28 MAY 1993

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Lawrence J. Ybarrondo Date 31 July 1998

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME DUKE CLAIM NO. A21-11248

DATE RECEIVED 7/24/89 CK # _____ AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	<u>X</u>	_____	*
2. Is a priority date entered?	<u>X</u>	_____	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	<u>X</u>	_____	*
3. (a) Is a source entered?	<u>X</u>	_____	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	_____	_____	_____
4. Is the legal description of the p.d. sufficient?	<u>X</u>	_____	*
5. Is there a description of the diverting works?	<u>X</u>	_____	_____
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	_____	*
Is the period of use included?	<u>X</u>	_____	_____
Is a quantity claimed for each use?	<u>X</u>	_____	*
7. Is a total quantity claimed entered?	<u>X</u>	_____	_____
8. If required is a consumptive use entered? N/A <u>X</u>	<u>X</u>	_____	_____
Is the consumptive use correct? N/A <u>X</u>	<u>X</u>	_____	_____
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>X</u>	_____	*
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	_____	*
11. Is (are) the county(ies) entered?	<u>X</u>	_____	_____
12. Is the ownership of p.u. checked?	<u>X</u>	_____	_____
13. Are other water rights listed or "none" indicated?	<u>X</u>	_____	_____
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A _____	<u>X</u>	_____	_____
15. Is the basis of the claim indicated?	<u>X</u>	_____	_____
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A <u>X</u>	_____	_____	_____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	<u>X</u>	_____	*
18. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	_____	*
19. Was this claim filed on time, or was an extension granted?	<u>X</u>	_____	*
20. Is the fee enclosed correct? Exempt _____	<u>X</u>	_____	*
21. If this claim is based on an existing water right, has the identification number been entered? N/A <u>X</u>	_____	_____	_____
22. Should this claim be data entered?	<u>X</u>	_____	_____

Claim checked by: TO Date: 7/24/89

Claim must be returned to claimant: 2 (Yes) X (No)

Claimant must be notified of modifications: _____ (Yes) X (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: SS-8-8-89 Date: _____

Sent to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: _____

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State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

WILLIAM F. DUKE

Name of Claimant

2067 E 1/2 Rd.

Post Office Address

GRAND JUNCTION, CO 81503

City, State, Zip Code

FREMONT COUNTY

County(s) where Place of Use is located

UNCERTAIN

Date Claim Originally Due

CLAIM No 21 4032

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Out of state land owner. Purchased property
10 years ago under Purchase Contract. Previous
owner notified of need to refile claim, but

Claimant requests an extension to 9/1, 1988.

[Signature]

Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

MICROFILMED

The above request for extension of time is hereby

OCT 23 1992

X granted denied,
and the filing deadline extended to 7/1, 1988.

Signed this 12 day of June, 1988.

Director or his designated agent
DAVID B. SHAW