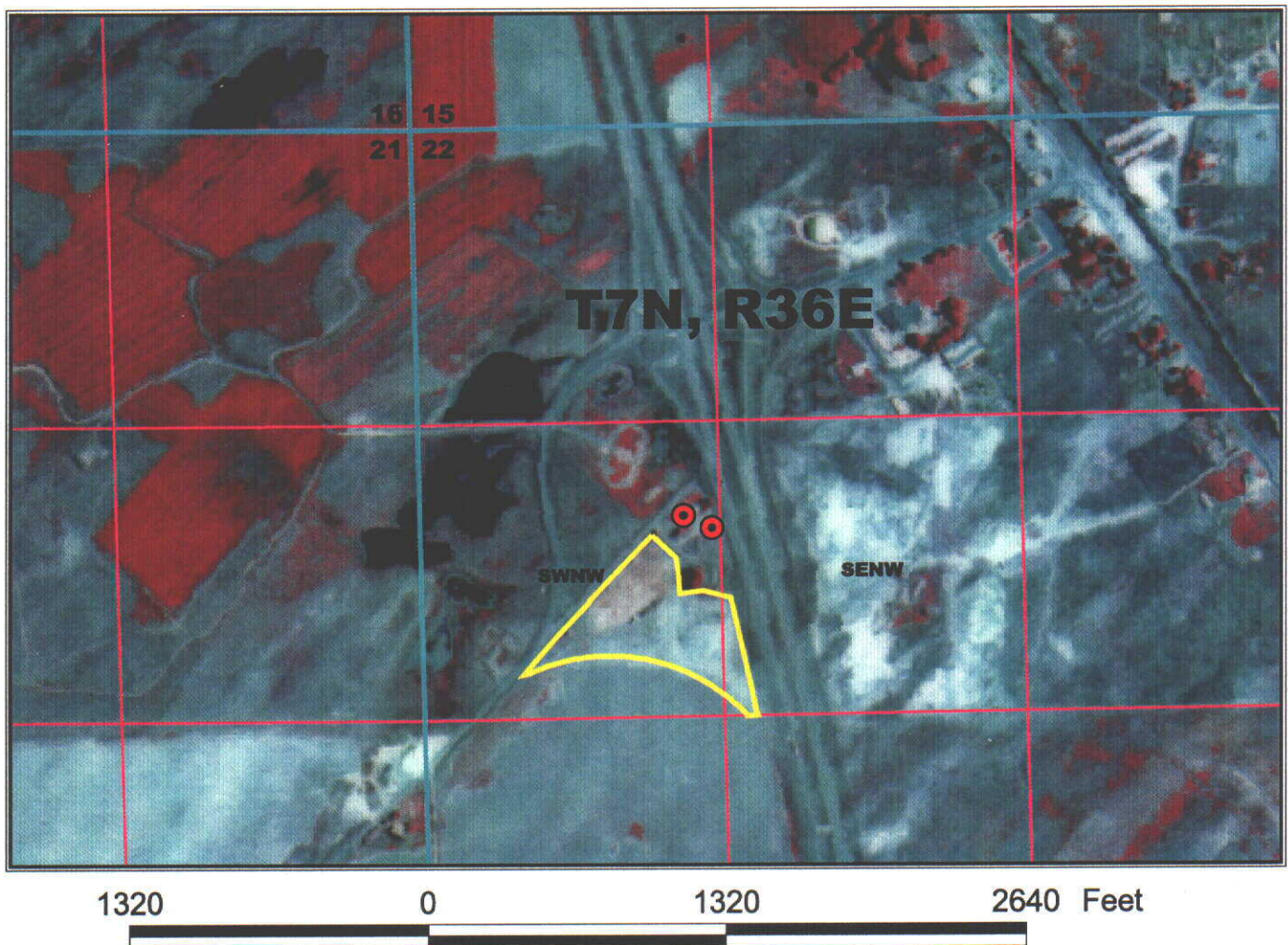




STATE OF IDAHO

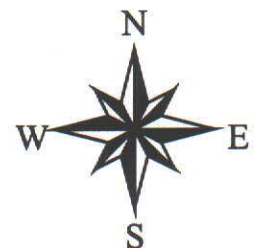
Department of Water Resources
Eastern Region

Water Right(s): 31-10446



Total Irrigated Acres: 7.4

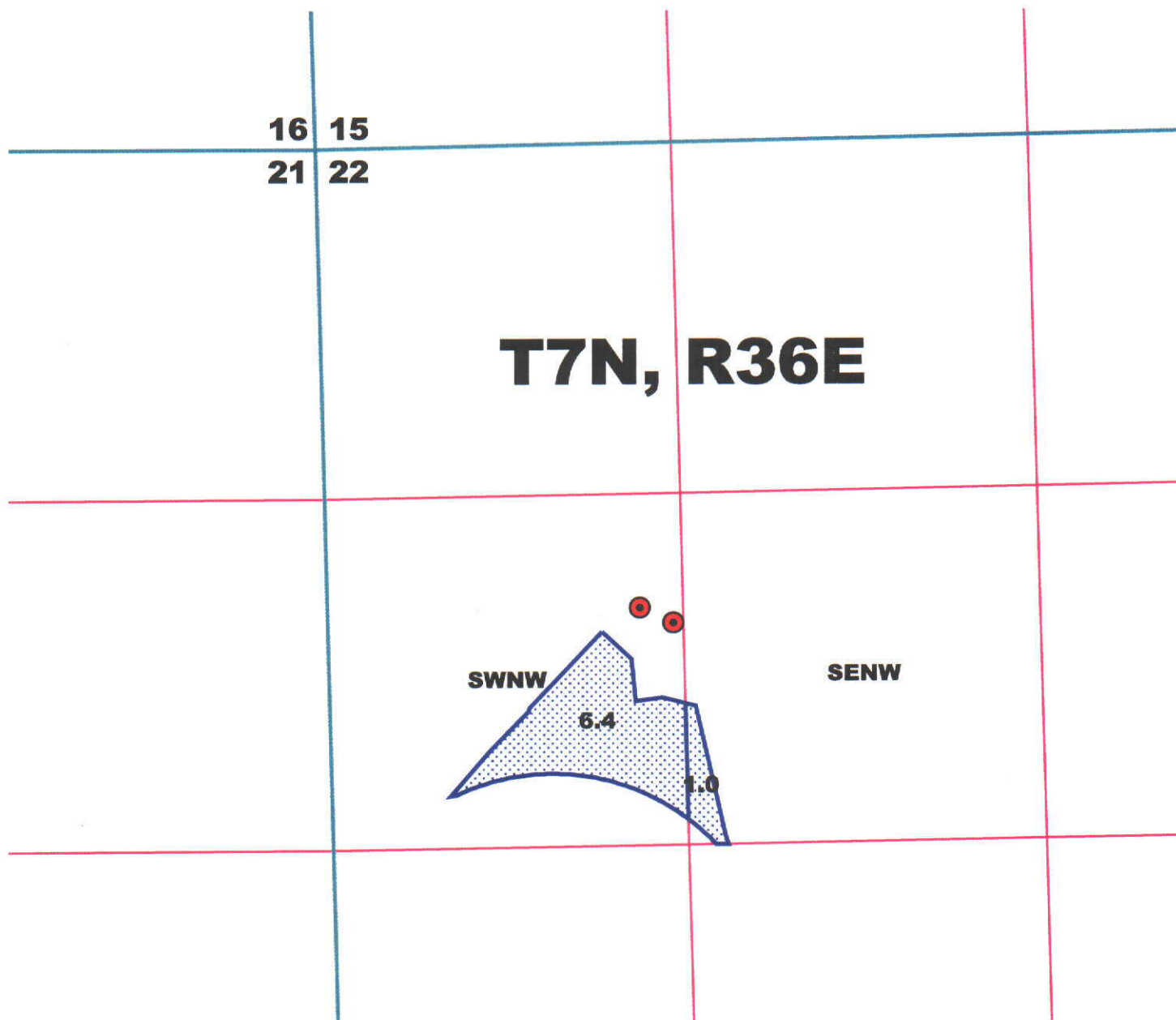
-  Point(s) of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Kim Yearsley

WR #(s): 31-10446



Total Irrigated Acres: 7.4



Point of Diversion



Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001

Idaho Department of Water Resources

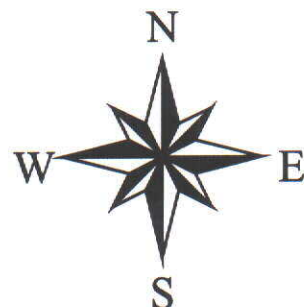
Water Right 31-10446

Township 7 North Range 36 East Section 22



- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

0 200 Feet

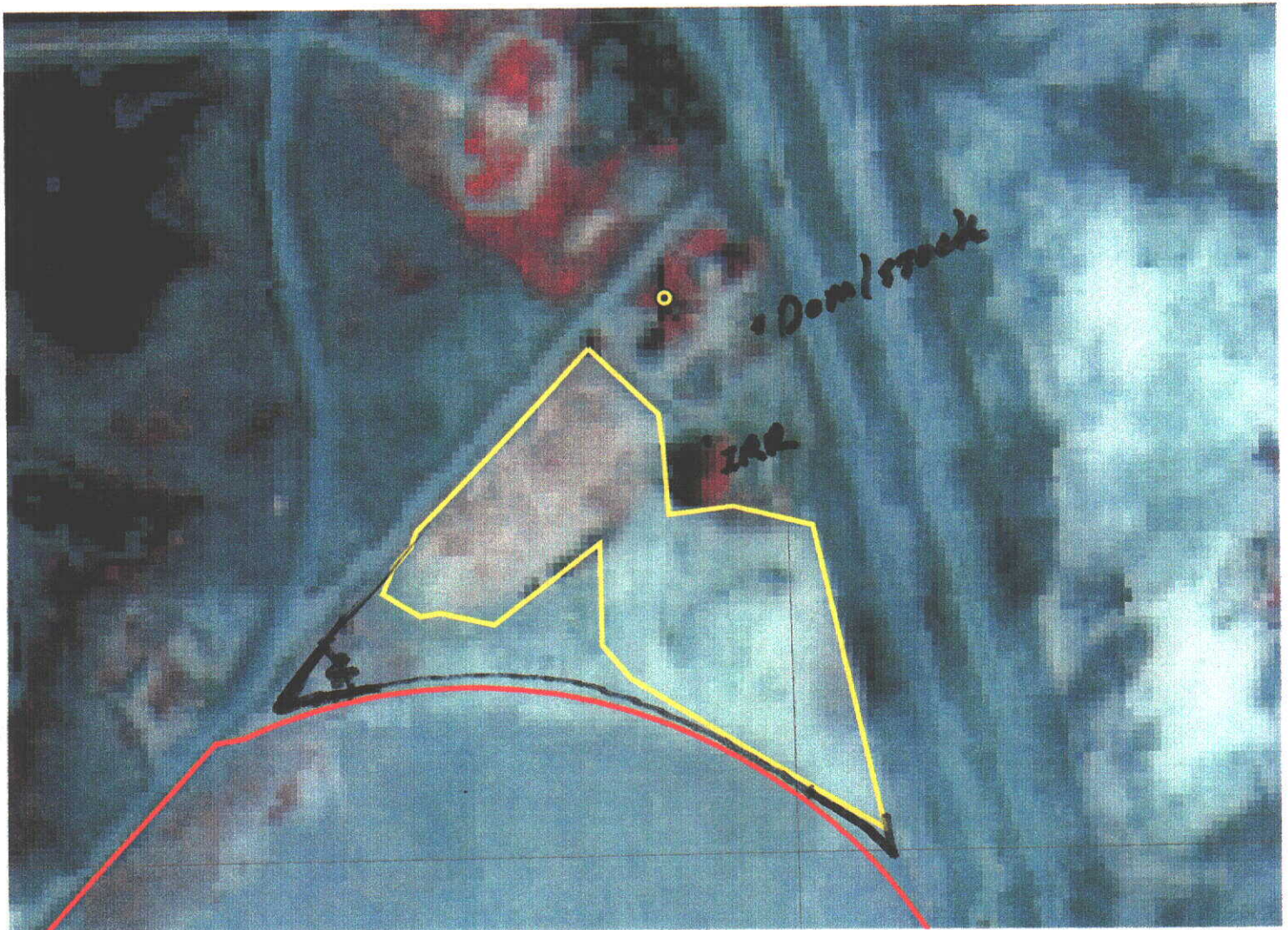


GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

Idaho Department of Water Resources

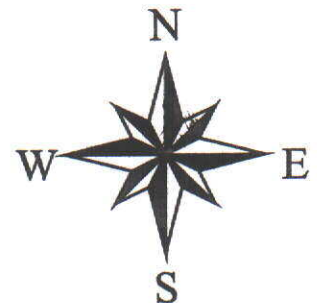
Water Right 31-10446

Township 7 North Range 36 East Section 22



-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines

0 200 Feet



GIS Illustration prepared from 1987/1988 NAPP photography by R. Conter 10/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

03/28/2001

WATER RIGHT NO. 31-10446

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET YEARSLEY
Current Owner	KIM YEARSLEY
	2415 E 2050 N
	HAMER, ID 83425
	(208)662-5230
Original Owner	BLANCHE YEARSLEY
Original Owner	RAY YEARSLEY
	HC 69 BOX 1930
	HAMER, ID 83425

Priority Date: 12/31/1947
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.28 CFS	25.9 AFA	
STOCKWATER	01/01	12/31	0.03 CFS	1.4 AFA	
DOMESTIC	01/01	12/31	0.04 CFS	0.6 AFA	
Total Diversion			0.35 CFS	27.9 AFA	

Location of Point(s) of Diversion:

GROUND WATER	NESWNW	Sec. 22	Township 07N	Range 36E	JEFFERSON County
GROUND WATER	NESWNW	Sec. 22	Township 07N	Range 36E	JEFFERSON County

IRRIGATION Use:
Acre Limit: 5

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		SWNW	6.4		SENE	1						

Place of Use Legal Description: STOCKWATER JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		SWNW										

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		SWNW										

Total Acres: 7.4

Conditions of Approval:

Water Right 31-10446

1. N09 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:
Claim Received Date: 11/16/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): E004084
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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 31-10446
Date Received: 11/16/88
Receipt No: E04084
Received By: *BAC*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

*Second
Receipt*

E026476

1. Name of Claimant(s)

KIM YEARSLEY Phone: (208)662-5230

2415 E 2050 N
HAMER ID USA 83425

JANET YEARSLEY Phone: (208)662-5230

2415 E 2050 N
HAMER ID USA 83425

2. Date of Priority: 04/01/1946

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	36E	22	NE SW NW	JEFFERSON	

5. Description of diverting works:

2 WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.28	
STOCKWATER	01/01	12/31	0.03	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.35 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	22	SW	NW		DOMESTIC	
			SE	NW		IRRIGATION	1
			SW	NW		IRRIGATION	6.4
			SW	NW		STOCKWATER	
						Section Acres	7.4
						Total Acres	7.4

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGE 10/8/96/JT

CLAIM AMENDED TO REFLECT ACTUAL PLACE OF USE PER AERIAL PHOTO. DIVERSION RATE BASED ON 25 RAINBIRDS AT 5 GALLONS PER MINUTE EACH.

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): Kim Harsby Date: 2-16-01

State of Idaho)
County of Bonneville) SS.

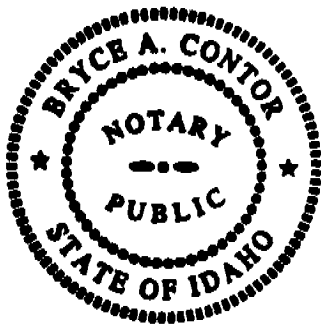
Subscribed and sworn (or affirmed) before me this 15 day
of Feb 2001

Bryce A. Contor

Notary Public

Residing at Mud Lake Idaho

My commission Expires 10/14/2005



Idaho Department of Water Resources

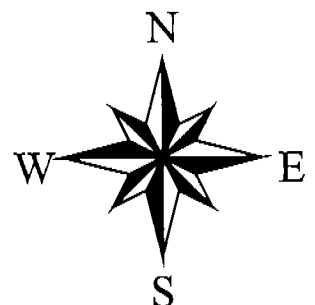
Water Right 31-10446

Township 7 North Range 36 East Section 22



- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

0 200 Feet



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10446

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET YEARSLEY
Current Owner	KIM YEARSLEY
	2415 E 2050 N
	HAMER, ID 83425
	(208)662-5230
Original Owner	BLANCHE YEARSLEY
Original Owner	RAY YEARSLEY
	HC 69 BOX 1930
	HAMER, ID 83425

Priority Date: 12/31/1947
Basis: Beneficial Use
Status: Valid

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.1 CFS	17.5 AFA	
STOCKWATER	01/01	12/31	0.03 CFS	1.4 AFA	
DOMESTIC	01/01	12/31	0.04 CFS	0.6 AFA	
Total Diversion			0.17 CFS	19.5 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36E	22	NE SW NW		JEFFERSON

Place(s) of use:

Place of Use Legal Description: IRRIGATION

JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		SWNW	5									

Place of Use Legal Description: STOCKWATER

JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		SWNW										

Place of Use Legal Description: DOMESTIC

JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		SWNW										

Total Acres: 5

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

Author	Date	Subject
bcontor	10/4/00	POU
bcontor	10/4/00	Quantity
bcontor	10/4/00	Priority Date
bcontor	10/4/00	Q - D & S
bcontor	10/4/00	POD
bcontor	10/4/00	Legal Desc. of lrr POU

Comment

POU verified by drive-by inspection to confirm observation of aerial photos.
 Drive by inspection noted an estimated 15 rain-birds operating. $15 \times 5 = 75$ gpm. $75/448.8 = 0.17$ cfs, which shows adequate capacity exists for claimed Q. In light of deadlines and the small size of this claim, no meas. planned unless needed for objecti
 Documentation indicates 1947, but no specific date or month. Per Claims Verification Handbook, I recommend 12/31/1947.
 Domestic and stockwater volumes recommended per chart values.
 POD located per claim map; deadlines preclude opportunity for field inspection of small claim.
 GCDB in the area is uncertain. Therefore recommended as claimed even though shape appears to possibly extend beyond qq line slightly. Note also that shape is slightly larger than claimed; recommended as claimed.

Dates:

Licensed Date:
 Claim Received Date: 11/16/1988
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 Response Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s):
 State or Federal: S
 Water District:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

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: **A31-10446**
Date Received: 11/16/1988
Receipt No: E004084
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: KIM YEARSLEY
Address: 2415 E 2050 N
HAMER ID

208-662-5230

83425

AND/OR

Name: JANET YEARSLEY
Address: 2415 E 2050 N
HAMER ID

208-662-5230

83425

2. Date of Priority: APR 1, 1946

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	22	NE	SW	NW		JEFFERSON

5. Description of diverting works:
2 WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	04/01	11/01	0.100		

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

A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC - 1 HOME, STOCKWATER - 100 CATTLE

NOV 14 1988

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	22	SW	NW		DOMEST	
			SW	NW		STOCK	
			SW	NW		IRR	5.0
					Section Acres		5.0
					Total Acres		5.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 10/8/96/JT

15. Basis of Claim: BENEFICIAL USE

NOV 14 1996

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: A31-10446
Date Received: 11/16/1988
Receipt No: E004084
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY YEARSLEY
Address: HC 69 BOX 1930
HAMER, ID 83425

AND/OR

Name: BLANCHE YEARSLEY
Address: HC 69 BOX 1930
HAMER, ID 83425

2. Date of Priority: APR 01, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	36E	22	NE	SW	NW		JEFFERSON

5. Description of diverting works:
2 WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	04/01	11/01	0.100		

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

A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC - 1 HOME, STOCKWATER - 100 CATTLE

A31-10446

Page

1

Date: 11/16/88

MICROFILMED

NOV 17 1992

A310446



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	22	SW	NW		DOMEST	
			SW	NW		STOCK	
			SW	NW		IRR	5.0
						Section Acres	5.0
						Total Acres	5.0

11. Place of use in counties: JEFFERSON

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 X 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): Ray L. Gearsley Date: Nov. 16-88
Date: _____

State of Idaho)
County of Bonner) SS.

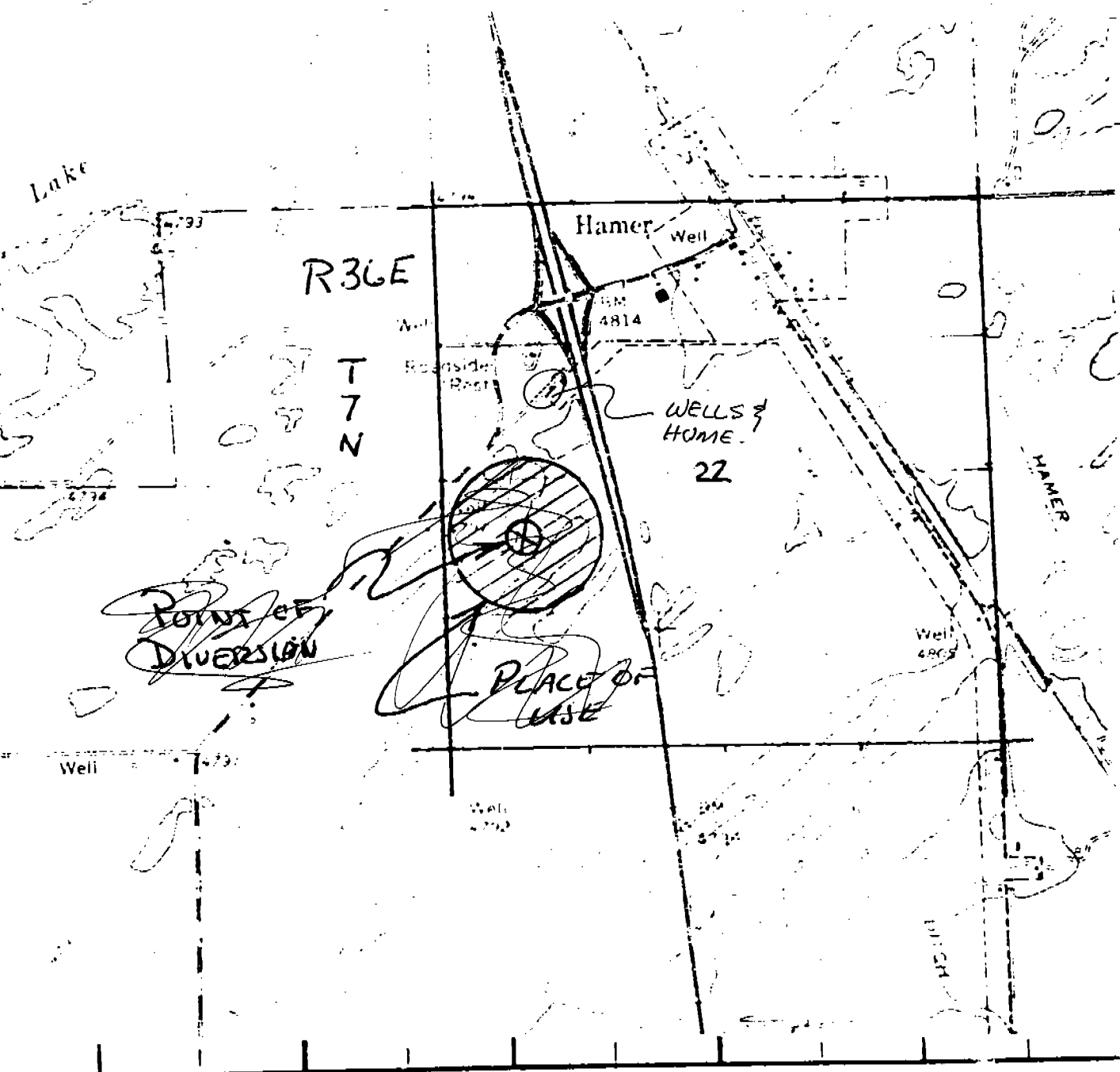
Subscribed and sworn (or affirmed) before me this 16 day
of Nov 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Elko, ID

My Commission Expires 6/30/1994



SCHEMATIC DIAGRAM OF SYSTEM

Ⓝ (Include distance from pump to measuring device, if applicable.)

MICROFILMED

NOV 17 1992

RAY YEARSLEY

A31-10446



STATE OF IDAHO

Department of Water Resources
Eastern Region

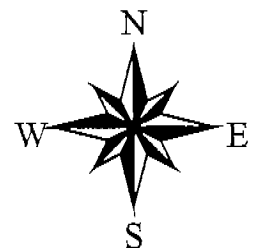
Water Right(s): 31-10446



1320 0 1320 2640 Feet

Total Irrigated Area: 7.4

- ⊙ Point(s) of Diversion
- Place of Use
- Quater Section Lines
- Section Lines



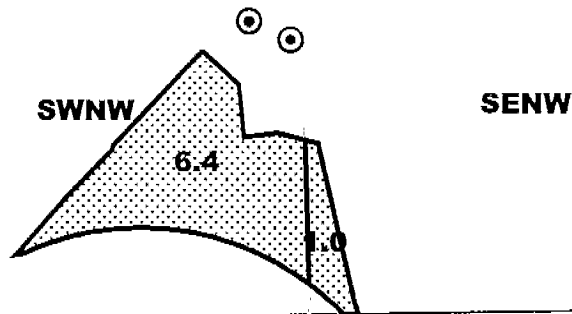
GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Kim Yearsley

WR #(s): 31-10446

16 15
21 22

T7N, R36E



Total Irrigated Acres: 7.4



Point of Diversion



Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

March 28, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JANET YEARSLEY
KIM YEARSLEY
2415 E 1050 N
HAMER ID 83425

RE: NOTICE OF ERROR

Dear Claimant:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right number 31-10446, and has adjusted the claims accordingly.

Enclosed for your record is copy of the recommendation.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

01/25/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-10446

JANET YEARSLEY
2415 E 2050 N
HAMER ID 83425
Telephone Number: (208)662-5230

KIM YEARSLEY
2415 E 2050 N
HAMER ID 83425
Telephone Number: (208)662-5230

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Disagree with points of diversion and number of acres.

2. Describe the changes you wish to make in the proposed recommendation:

*Indicate 2 points of diversion as marked on map.
Increase number of acres irrigated to reflect
actual acreage covered.*

3. Give a brief explanation as to why you disagree with these portions:

Does not reflect actual conditions.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2-15-01 SIGNATURE: *Kim Yearsley*
Please print your name: KIM YEARSLEY

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

Response:

*Claim amended, recommendation will be
adjusted accordingly.*

Byron A. Corton 2/15/01

Idaho Department of Water Resources

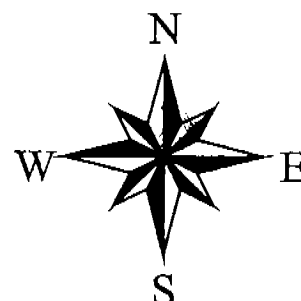
Water Right 31-10446

Township 7 North Range 36 East Section 22



- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

0 200 Feet



GIS Illustration prepared from 1987/1988 NAPP photography by R. Conter 10/2000

To: A31-10446
Fr: Bryce Contor
Date: 8/10/2000



Re: Drive by inspection of POU

On August 2 I drove by the POU for this claim on the interstate. From the aerial photography, it was unclear to me whether the "gray" area south of the homestead, north of the pivot, was irrigated. From the road I could see that it is currently.

Since it appears the same in the photo as the pivot, which is irrigated, and since it is currently irrigated, I plan to recommend it as claimed.



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

OCTOBER 8, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KIM/JANET YEARSLEY
2415 E 2050 N
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-10446

Dear Kim and Janet:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

208-525-7161
NOV 14 1996

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) A31-10446 NO - R -
Adjudication Claim Number(s) _____
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) RAY YEARSLEY
HC69 Box 1930 HAMER, Idaho 83425
4. New Owner/Claimant(s) Kim YEARSLEY or JAMES YEARSLEY
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2415 E 2050 N HAMER, Idaho 83425
City, State and ZIP Code HAMER, Idaho 83425
New Telephone Number (208) 662-5230
5. Date you acquired the property April 15, 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) Kim Yearsley Date NOV 14 1996
Date _____
8. (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
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.

Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents, does grant, bargain, sell and convey and confirm unto the said Party of the Second Part, and to Party of the Second Part's heirs and assigns, forever, all the following described real estate situated in the County of Jefferson, State of Idaho, to-wit:

SEE ATTACHED EXHIBIT A

Together with all improvements located thereon.

Subject to a Life Estate in the Grantors or the survivor thereof in the home and yard located on the described premises. Grantors shall pay real property taxes, insurance and maintenance during the term of the Life Estate.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part,

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances unto the Party of the Second Part, and to Party of the Second Part's heirs and assigns forever. And the said Party of the First Part, and said Party of the First Part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Party of the Second Part, and Party of the Second Part's heirs and assigns, against the said Party of the First Part, and Party of the First Part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN CONSTRUING this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part hereunto has set his hand.

Ray L. Yearsley

Blanche Yearsley

STATE OF IDAHO)
County of Jefferson) ss

RECEIVED BY

ASSESSOR

For DUTY

Date 5-2-93 Time 3:00 PM

On this 15th day of April, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared RAY L. YEARSLEY and BLANCHE M. YEARSLEY, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that she executed the same.

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

(seal)

Notation No. **267528**
20 Day April
1993
COMMISSION EXPIRES
Jefferson Co., Recorder
Fee \$ 6.00 SK Deputy
Notary at Request of
Blanche Yearsley

Blair H. Hannon
Notary Public for Idaho

Residing at: Highway, Idaho

Commission Expires: 10/24/97

RECEIVED BY

ASSESSOR

For DUTY

Date 4-21-93 Time 11:50 AM

Subject to a Life Estate in the Beneficiary or the survivor thereof in the home and yard located on the described premises. Beneficiary shall pay real property taxes, insurance and maintenance during the term of the Life Estate.

Microfilm No. **267529**
20 Day April 19 93
At 1331 O'Clock P M
CONNIE M. KELLER
Jefferson Co., Recorder
Fee \$ 6.00 SE Deputy
Recorded at Request of
Blair Hoover

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of **Two Thousand Two Hundred Fifty** ----- Dollars, (\$2,250.00).

final payment due **August 1, 1999**

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; [REDACTED]

[REDACTED] to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this deed of trust of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

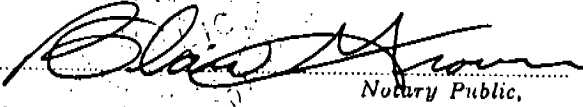
9. In the event of dissolution or resignation of the Trustee, the Beneficiary may substitute a trustee or trustees to execute the trust hereby created, and when any such substitution has been filed for record in the office of the Recorder of the county in which the property herein described is situated, it shall be conclusive evidence of the appointment of such trustee or trustees, and such new trustee or trustees shall succeed to all of the powers and duties of the trustee or trustees named herein.
Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

STATE OF IDAHO, COUNTY OF JEFFERSON

On this 15th day of April, 1993,
before me, a Notary Public in and for said State, personally appeared

KIM LAUREN YEARSLEY and
JANET LORRAINE YEARSLEY

known to me to be the person whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.


Notary Public,

Residing at _____, Idaho.

STATE OF IDAHO, COUNTY OF

I HEREBY CERTIFY That this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Mortgages at page _____

Ex-Officio Recorder.

By _____ Deputy

Fees: \$

Mail to:

DEED OF TRUST
WITH POWER OF SALE

GRANTOR

TRUSTEE

BENEFICIARY

, 19

Dated

THE PROMISSORY NOTE OR NOTES, AND ANY EVIDENCES OF FURTHER AND/OR
ADDITIONAL ADVANCES MUST BE PRESENTED WITH THIS REQUEST

To

Idaho,

, 19

, Trustee:

You are hereby authorized and requested to execute a reconveyance hereunder and deliver same to

The undersigned hereby certifies that
the owner and holder of the debt mentioned in said deed of trust and that the same has never been assigned or transferred.

Address

Telephone No.

Meridian approximately 1320.0 feet East and 1170.0 feet North from the West Quarter corner of said Section 22; thence Southwesterly along said Hamer Terretton Road right of way line 160.0 feet, more or less, to a point of intersection of said right of way line with the Southwesterly right of way line of Interstate Project No. I-15-3(8)142, Highway Survey, as described in that certain Warranty Deed dated July 25, 1958 and recorded in the office of the County Recorder of Jefferson County, Idaho, in Book 153 of Deeds at Page 617 as Instrument No. 116787, said point being the TRUE POINT OF BEGINNING; running thence Southeasterly along said right of way line of said Interstate Project No. I-15-3(8)142, 865 feet, more or less; thence leaving said right of way line of Interstate Project No. I-15-3(8)142 in a Northwesterly direction to a point on the Southeasterly right of way line of the present Hamer Terretton Road approximately 900 feet from the true point of beginning; thence Northeasterly along said right of line 900 feet, more or less, to the TRUE POINT OF BEGINNING.

EXHIBIT

A

268037

Microfilm No. _____
28 Day May 19 93
At 3:31 O'Clock P M
CONNIE M. KELLER
Jefferson Co. Recorder
Fee \$ 9.00 SK Deputy
Recorded at Request of
Blair Brown

RECEIVED

MAR 05 1993

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPT. OF WATER RESOURCES
150 SHOUP AVE.
IDAHO FALLS ID 83403

WATER RIGHT #A81-10446 BENEFICIAL USE VERIFICATION

During the year of 1947 I lived and worked in the Hamer area.

I can remember the well now owned by Ray L. Yearsley, being used for
Beneficial use purposes.

Malvin Ellis
Russ Sanders

STATE OF IDAHO)

COUNTY OF *Jefferson*)

I, *Mary R. Ferguson* a notary public, do hereby certify that on this

1st day of March 1993, did personally appear before me *Mary R. Ferguson*

_____ and has signed and declared the forgoing statement to
to be true.

Mary R. Ferguson
Notary

"My commission expires on July 20, 1998."

MICROFILMED
APR 15 1994



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
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 15 1994