

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

In Re SRBA

Case No. 39576

**Water Rights: 45-279A,
45-326B, 45-2078, 45-2091,
45-7153, 45-7176, 45-7260**

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☒ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222

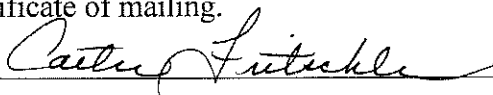
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |

☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 5-10-05



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 10, 2005, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Warren Yadon
206 N. 840 E.
Declo, ID 83323-6031



Signature of person mailing this document

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-279A
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: HOWELL CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 06/01/1882

POINT OF
DIVERSION: T12S R25E S16 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.200 CFS

PLACE OF USE: IRRIGATION Within CASSIA County
T12S R25E S09 SWNE 40.0 T12S R25E S09 SENE 40.0

80 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

NO LAWFUL APPROPRIATION SHOWN.

NO LAWFUL APPROPRIATION SHOWN: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-326B
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: HOWELL CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.500 CFS

PRIORITY DATE: 12/01/1880

POINT OF
DIVERSION: T12S R25E S16 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within CASSIA County
T12S R25E S09 SWNW 40.0

40 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

NO LAWFUL APPROPRIATION SHOWN.

NO LAWFUL APPROPRIATION SHOWN: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-2078
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: BIG HOLLOW SPRING TRIBUTARY: MARSH CREEK
SHEEP CAMP SPRING TRIBUTARY: MARSH CREEK

QUANTITY: 0.600 CFS

PRIORITY DATE: 06/05/1910

POINT OF
DIVERSION: T12S R25E S11 SWSW Within CASSIA County
T12S R25E S14 NWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.600 CFS
STOCKWATER	1/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within CASSIA County
T12S R25E S10 SWSW 20.0 T12S R25E S10 SESW 10.0
STOCKWATER Within CASSIA County
T12S R25E S10 SWSW T12S R25E S10 SESW

30 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

NO BENEFICIAL USE FOUND: This is included for a claim based on
beneficial use that is PROPOSED to be disallowed because beneficial
use of water was not confirmed by IDWRs field examination or by other
evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-2091
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: COW CREEK TRIBUTARY: HOWELL CREEK

QUANTITY: 0.400 CFS

PRIORITY DATE: 12/08/1910

POINT OF
DIVERSION: T12S R25E S15 NESWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.400 CFS

PLACE OF USE: IRRIGATION Within CASSIA County
T12S R25E S10 SWNW 10.0 T12S R25E S10 NWSW 10.0

20 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7153
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS
697.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.53 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1304 AF. COMBINED RIGHT NOS.: 45-7153,
45-7176, & 45-7260.

PRIORITY DATE: 09/19/1973

POINT OF
DIVERSION: T12S R25E S10 NWSNW Within CASSIA County
T12S R25E S10 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.000 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R25E S03	SWSW	34.0	T12S R25E S03	SESW	34.0
T12S R25E S09	SWNE	26.0	T12S R25E S09	SENE	39.0
T12S R25E S10	SWNE	10.0	T12S R25E S10	NENW	33.0
T12S R25E S10	NWNW	40.0	T12S R25E S10	SWNW	40.0
T12S R25E S10	SENE	39.0	T12S R25E S10	NESW	39.0
T12S R25E S10	NWSW	29.0	T12S R25E S10	NWSE	9.5

372.5 ACRES TOTAL

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 199 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-7153, 45-7176, & 45-7260.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7176
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.53 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1304 AF. COMBINED RIGHT NOS.: 45-7153,
45-7176, & 45-7260.

PRIORITY DATE: 05/20/1974

POINT OF
DIVERSION: T12S R25E S10 NWSNW Within CASSIA County
T12S R25E S10 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.000 CFS 402.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R25E S03	SWSW	34.0	T12S R25E S03	SESW	34.0
T12S R25E S09	SWNE	26.0	T12S R25E S09	SENE	39.0
T12S R25E S10	SWNE	10.0	T12S R25E S10	NENW	33.0
T12S R25E S10	NWNW	40.0	T12S R25E S10	SWNW	40.0
T12S R25E S10	SENW	39.0	T12S R25E S10	NESW	39.0
T12S R25E S10	NWSW	29.0	T12S R25E S10	NWSE	9.5

372.5 ACRES TOTAL

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 220 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-7153, 45-7176, & 45-7260.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-7260
NAME AND ADDRESS: WARREN YADON
206 N 840 E
DECLO ID 83323-6031

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.170 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.53 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1304 AF. COMBINED RIGHT NOS.: 45-7153,
45-7176, & 45-7260.

PRIORITY DATE: 02/25/1976

POINT OF
DIVERSION: T12S R25E S10 NWSWN Within CASSIA County
T12S R25E S10 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.170 CFS 273.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R25E S03	SWSW	34.0	T12S R25E S03	SESW	34.0
T12S R25E S09	SWNE	26.0	T12S R25E S09	SENE	39.0
T12S R25E S10	SWNE	10.0	T12S R25E S10	NENW	33.0
T12S R25E S10	NWNW	40.0	T12S R25E S10	SWNW	40.0
T12S R25E S10	SENW	39.0	T12S R25E S10	NESW	39.0
T12S R25E S10	NWSW	29.0	T12S R25E S10	NWSE	9.5

372.5 ACRES TOTAL

05/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 372.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-7153, 45-7176, & 45-7260.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License