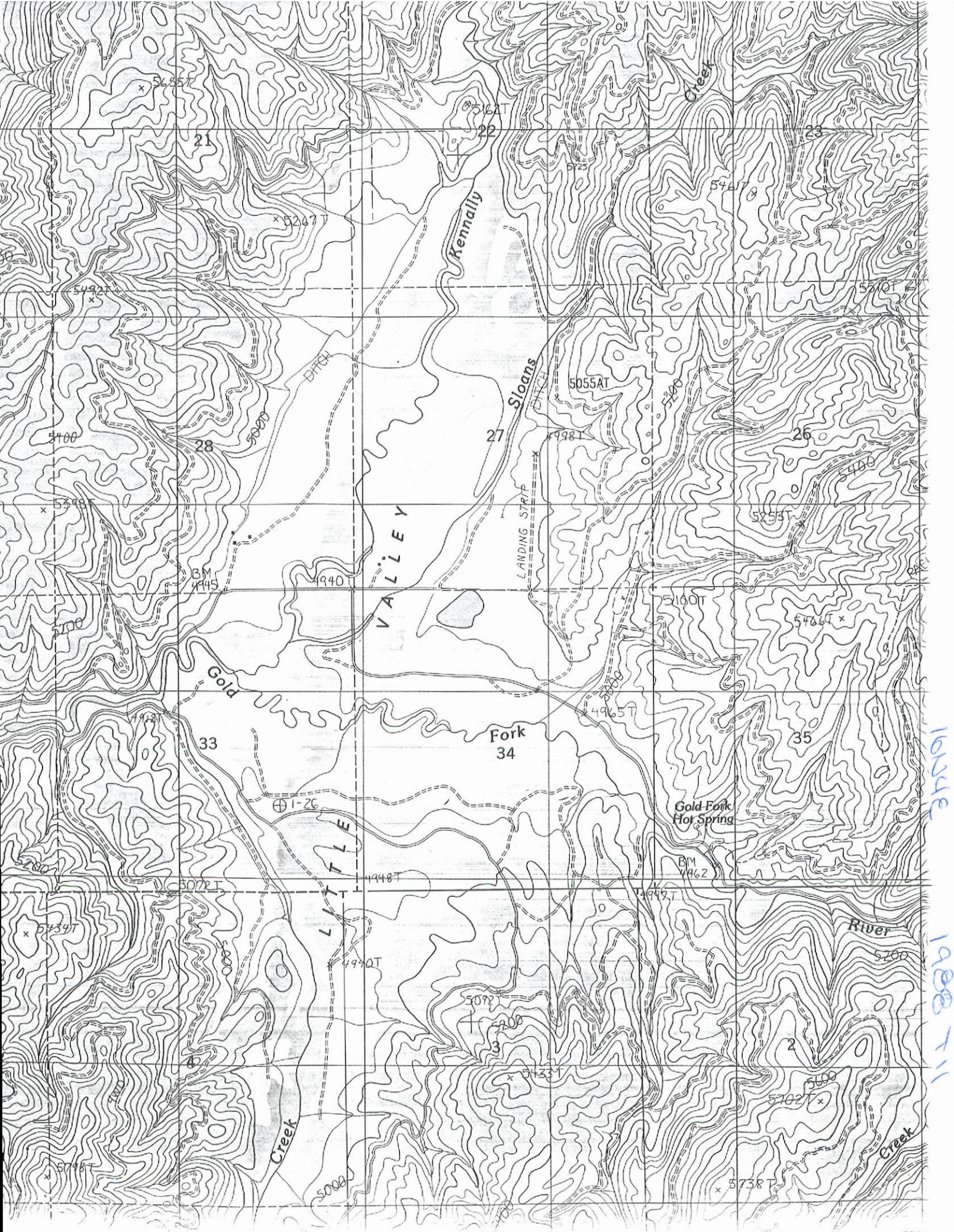




1575

1980



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 24, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. **A65-05426**

DANIEL R YANKE
SUSAN L NORBY
JILL M STEVENS
4414 S GEKELER LN
BOISE ID 83705

Dear Property Owners:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

The ownership has also been changed on water right number 65-17572 which has been decreed by the SRBA Court. A profile report of this right is enclosed.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

Idaho Dept of Water Resouces

Claim No(s): 65-05426

Claimant(s): Yanke,
Norby, Stevens

T16N, R04E, S 22, 27, 28

Prepared by: Sue Bock

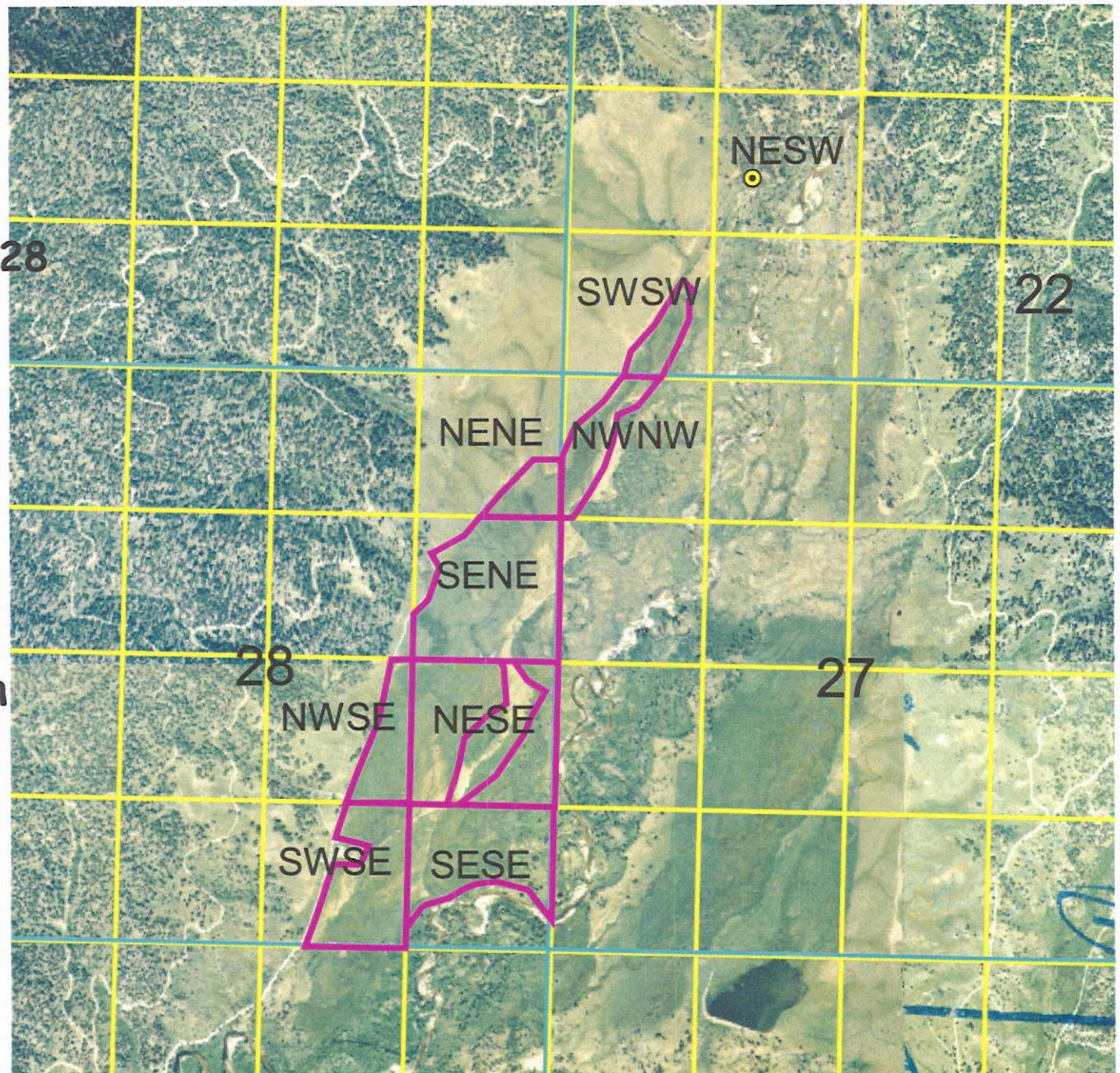
Date: 06/02/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



1987 NAPP Photo

Yonkers

$\frac{21}{28} \frac{22}{27}$

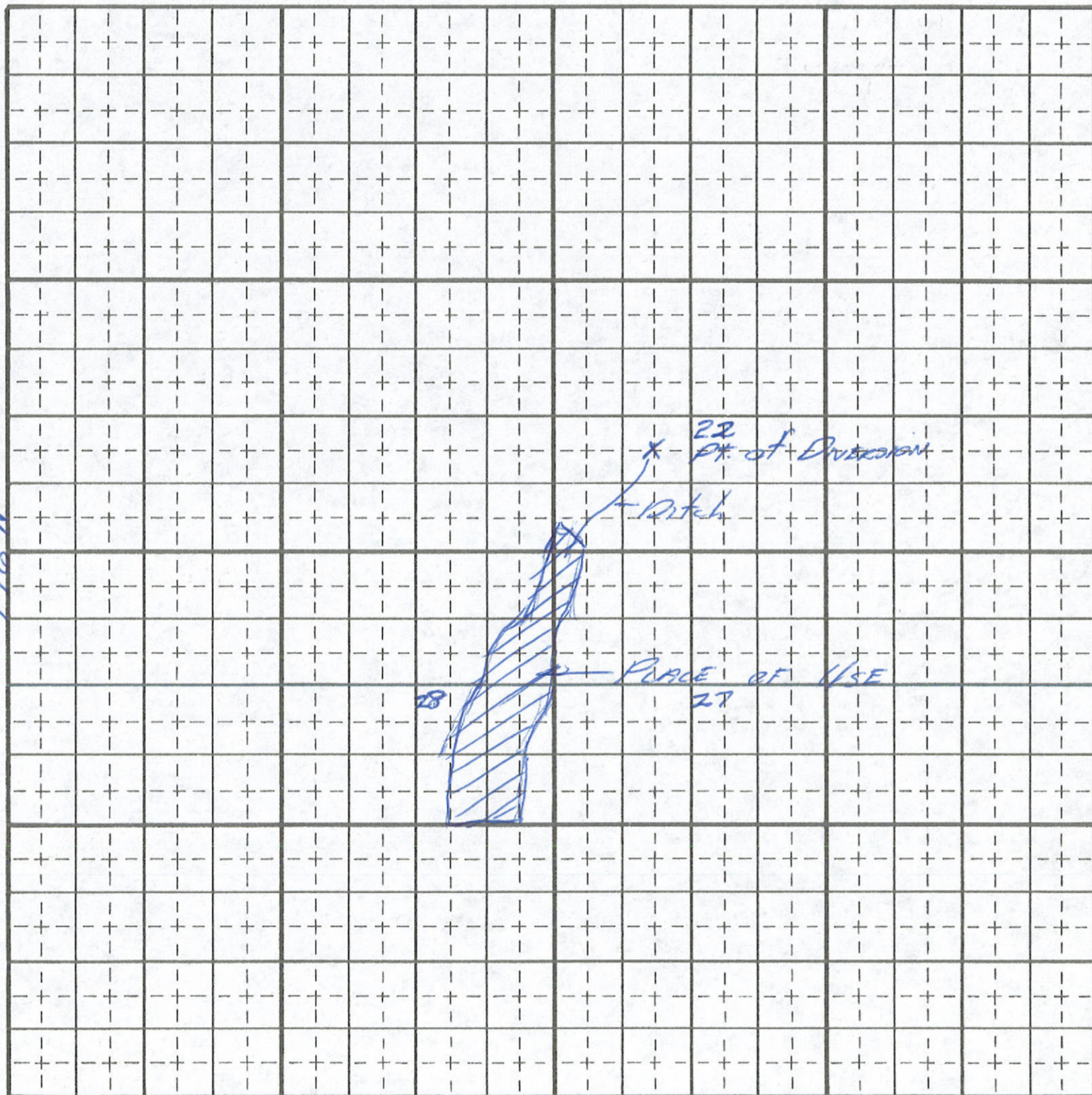
F-12

John S. H. H.

TO SCALE

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Y-N TRUST Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 22 1992

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: **A65-05426**
Date Received: 11/ 7/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	DANIEL R YANKE	208-342-8901
Address:	4414 S GEKELER LN	
	BOISE ID	83705
AND		
Name:	SUSAN L NORBY	208-342-8901
Address:	4414 S GEKELER LN	
	BOISE ID	83705
AND		
Name:	JILL M STEVENS	208-342-8901
Address:	4414 S GEKELER LN	
	BOISE ID	83705

2. Date of Priority: JUL 15, 1905

3. Source: MC KINNEY FORK Trib. to: GOLD FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04E	22	NE	SW			VALLEY

5. Description of diverting works:
DIVERSION DAM, DITCHES, HEADGATES, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.760		

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

8. Total consumptive use is 276.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04E	22	SW	SW		IRR	6.0
						Section Acres	6.0
		27	NW	NW		IRR	10.0
						Section Acres	10.0
		28	NE	NE		IRR	6.0
			SE	NE		IRR	35.0
			NE	SE		IRR	30.0
			NW	SE		IRR	10.0
			SW	SE		IRR	20.0
			SE	SE		IRR	21.0
						Section Acres	122.0
						Total Acres	138.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NOREY, JILL MARIE YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R. NICHOLSON.
OWNERSHIP CHANGED BY DB 5/24/99.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO
Decree Plaintiff

A & C CORP., ET AL.
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. To have a timely filing you must file this claim with IDWR by May 25, 2001. IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

September 29, 1999

**NOTICE OF ERROR
REPLY**

RECEIVED

OCT 15 1999

**WATER RESOURCES
WESTERN REGION**

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: October 29, 1999

Water right number: 65-05426

DANIEL R YANKE
4414 S GEKELER LN
BOISE ID 83705

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 10/11/99 SIGNATURE: *Daniel R Yanke*
Please print your name: Daniel R. Yanke

September 29, 1999

NOTICE OF ERROR
REPLY

RECEIVED

OCT 15 1999

WATER RESOURCES
WESTERN REGION

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: October 29, 1999

Water right number: 65-05426

SUSAN L NORBY
4414 S GEKELER LN
BOISE ID 83705

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 10/11/99 SIGNATURE: Susan L. Norby
Please print your name. SUSAN L. NORBY

September 29, 1999

NOTICE OF ERROR
REPLY

RECEIVED

OCT 15 1999

WATER RESOURCES
WESTERN REGION

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: October 29, 1999

Water right number: 65-05426

JILL M STEVENS
4414 S GEKELER LN
BOISE ID 83705

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 10/11/99

SIGNATURE:

Jill M. Stevens

Please print your name:

JILL M. STEVENS

WESTERN REGION

CLAIM NUMBERS 65-05426

AGENT 38 DATE 6/2/99

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 _____

POLYGON # ()()()() _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (44)()()()()

ATTRIBUTES OF B51-POD.SHP (44)()()()()

~~B51~~-DBPOU.DBF X UPDATED BY

~~B51~~-DBPOD.DBF X UPDATED BY

RDH GFSTABLE

AJ0749NP
No. R65-05426

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

DATE: 06/02/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANIEL R YANKE	07/15/1905	IRRIGATION	04-15 10-15	2.76 CFS	
C	SUSAN L NORBY					
C	JILL M STEVENS					
	4414 S GEKELER LN			TOTAL DIVERSION:	2.76 CFS	
	BOISE ID 83705					
	(208) 342-8901					

Water Source: KENNALLY CREEK

Tributary to: GOLD FORK RIVER

Stage: DECREED

Point(s) of Diversion:

T16N R04E S22

NESW

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
16N	04E	22	:											06						:	6.0			
16N	04E	27	:							10										:	10.0			
16N	04E	28	:	06												30	10	20	21	:	122.0			
																			TOTAL ACRES					138.0

POU County: VALLEY

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/02/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NOREY, JILL MARIE
YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R.
NICHOLSON.
OWNERSHIP CHANGED BY DB 5/24/99.

Audit: 06/02/99 SBOCK

AJ5809NP
No. A65-05426

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/05/99
PAGE: 85

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	YANKE-NICHOLSON CHILDREN TRUST WM E MORRIS CUSTODIAN PO BOX 5405 BOISE ID 83705 (208) 342-8901	07/15/1905	IRRIGATION	04-15 10-15	2.76 CFS	
TOTAL DIVERSION:					2.76 CFS	
CONSUMPTIVE USE:						-276.00 AFA

Water Source: ~~MC KINNEY FORK~~ *Kennally Cr.*

Tributary to: GOLD FORK CREEK *River*

Stage: DECREED

Point(s) of Diversion: T16N R04E S22 NESW

VALLEY 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		
16N	04E	22	:					:					:					:					:	6.0
16N	04E	27	:					:					:					:					:	10.0
16N	04E	28	:	06				:					:					:	30	10	20	21	:	122.0
																				TOTAL ACRES				138.0

POU County: VALLEY

Non-Irrigation Uses: N/A

Other Rights: NONE

Remarks: GEN TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NOREY, JILL MARIE YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R. NICHOLSON.

7comm

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

WR5809NP
No. 65-05426

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/20/99
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J. W. HENDERSON ROUTE 3 EAGLE ID 83616	07/15/1905	IRRIGATION	04/15 10/15	2.760 CFS	
TOTAL DIVERSION:					2.760 CFS	

Water Source: ~~MC KINNEY FORK~~

Kennally Creek

Tributary to: GOLD FORK CREEK

Stage: DECREED

Point(s) of Diversion: T16N R04E S22 NESW

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
16N	04E	22	:												06					:	6.0
16N	04E	27	:							10										:	10.0
16N	04E	28	:	06												30	10	20	21	:	122.0
TOTAL ACRES																			:	138.0	

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	07/15/1905
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:40
04/20/99

PAGE: 1
GENERAL INFORMATION

35
CLAIM NUMBER: A65-05426

LAST: HENDERSON FIRST: J W
ADDRESS: ROUTE 3
CITY: EAGLE STATE: ID ZIP: 83616
PHONE NUMBER: 208-000-0000

OWNER CODE: D

LAST: YANKE-NICHOLSON CHILDREN TRUST FIRST:
ADDRESS: WM E MORRIS CUSTODIAN
PO BOX 5405
CITY: BOISE STATE: ID ZIP: 83705
PHONE NUMBER: 208-342-8901

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NOREY, JILL MARIE
YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R.
NICHOLSON.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-05426 PRIORITY DATE: 07-15-1905 STAGE: D

B. WR RECORD: # 65-05426 PRIORITY DATE: 07-15-1905 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

=====

RECOMMENDED PRIORITY DATE:

07-15-1905

REVIEWED BY

SB

DATE

6/2/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-05426	16N	04E	22		NE	SW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MC KINNEY FORK

TRIB: GOLD FORK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-05426	16N	04E	22		NE	SW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: MC KINNEY FORK

TRIB: GOLD FORK CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
16N	04E	22		NE	SW					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MC-KINNEY FORK

Kennedy Cr.

TRIB: GOLD FORK CREEK

River

REVIEWED BY: *JB*

DATE: *6/2/93*

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-05426

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	04E	22	SW	SW		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 6.0	65-05426 / 6.0			
16N	04E	27	NW	NW		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 10.0	65-05426 / 10.0			
16N	04E	28	NE	NE		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 6.0	65-05426 / 6.0			
16N	04E	28	SE	NE		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 35.0	65-05426 / 35.0			
16N	04E	28	NE	SE		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 30.0	65-05426 / 30.0			
16N	04E	28	NW	SE		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 10.0	65-05426 / 10.0			
16N	04E	28	SW	SE		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 20.0	65-05426 / 20.0			
			SW	SE		YANKE-NICHOLSON CHILDREN TRUST	A65-17572 / -	- / -			
			SW	SE		YANKE NICHOLSON CHILDREN TRUST	65-17572 / -	- / -			
16N	04E	28	SE	SE		YANKE-NICHOLSON CHILDREN TRUST	A65-05426 / 21.0	65-05426 / 21.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-05426 138.00 138.00

POU COUNTY: VALLEY

138
=

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-17572	DOMESTIC	YANKE-NICHOLSON CHILDREN TRUST	FROM 01-01 TO 12-31	0.040 CFS	
65-17572	DOMESTIC	YANKE NICHOLSON CHILDREN TRUST	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☒) Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POV: () ORTHOPHOTOQUAD, IDWR NO. _____; (☒) TOPOGRAPHIC QUAD, IDWR NO. 111 _____;
() NAPP, IDWR NO. _____; (☒) ASCS PHOTO; () OTHER _____

NOTES: on 6/1/99 Tom Nickerson came into the office. He read
responding to my letter dated 5/21/99. He agreed with
the POV & cleaned up the POA & Survey. Said he
& Yanka split the property & water rights down
the middle (of husband & wife) to their children.
Said he & Yanka agreed w/ POV.

RECOMMENDATIONS:

TOTAL ACRES: 138 N/A ()

REVIEWED BY: SB DATE: 6/2/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-05426 IRRIGATION	FROM 04-15 TO 10-15	2.760 CFS	
TOTAL DIVERSION RATE/VOLUME		2.760 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-05426 IRRIGATION	FROM 04-15 TO 10-15	2.760 CFS	
TOTAL DIVERSION RATE/VOLUME		2.760 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☒) Y(☐) N(☐)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

44

CLAIM NUMBER: A65-05426

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 2.760 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.760 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 138 x 0.02 CFS/ACRE = 2.76 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 276.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-15	10-15	DATABASE 2.760	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 276.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.760	_____		_____	276.0	_____

NON-IRRIGATION USES CLAIMED: N/A

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-05426

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 2.760 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-05426	2.760	-		65-05426	2.760
TOTAL CFS		2.760				2.760

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 6/2/99

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1988</u> IDWR ID NO. <u>711</u>	Y(☒) N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>GIS</u>	DATE <u>6/2/99</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>Claim Notice</u>	DATE <u>7/29/2012</u>	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:40
04/20/99

PAGE: 16
QUICKLOOK INFORMATION

50
CLAIM NUMBER: A65-05426

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				2	<i>Docise</i>	<i>6-2-99</i>		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

SRBA CLAIMS RECEIVING CHECKLIST

ATE RECEIVED 6/6/88 CK # Receipt AMOUNT \$

YES NO

- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). Use care if claim is returned. Refer to Adjudication Memos # 1 (Adj. Claims/Applications) and # 9 (Rejection of Claims). Explain in Comments.
1. Is the name and address complete with zip code?
2. Is priority date entered?
3. (a) Is a source entered?
4. (b) Is a tributary to entered? (if required)
5. Is the legal description of the p.d. complete?
6. Is there a description of the diverting works?
7. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.
8. Is the period of use included?
9. Is a quantity claimed for each use?
10. Is a total quantity claimed entered?
11. Is the consumptive use correct?
12. If required is a consumptive use entered?
13. 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, each household must file a separate claim.
14. Is (are) the place(s) of use entered?
15. Is (are) the county(ies) entered?
16. Is the ownership of p.u. checked?
17. Are other water rights listed or "none" checked?
18. 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.)
19. Is the basis of the claim checked?
20. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)
21. Has the claim been signed, sealed, and dated by a notary?
22. Is the fee enclosed correct?
23. If this claim is based on an existing water right, has the identification number been entered? N/A
24. Should this claim be receipted and data entered?

Claim checked by: *EJH*

MICROFILMED

SEP 22 1992

Comments:

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A
WATER RIGHT

65-5426

Notice is hereby given that J. W. Henderson

Route 3 Eagle, Idaho 83646 (Name of Claimant)

Box 112, Donnelly, Idaho 83422 (Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 4/1/1903 7/15/05

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) McKinney Fork for Gold Fork Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

2.76 Use Irrigation 414 AF Period of Use From 4/1 4/15 To 10/31 10/15
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

(4) Quantity of water claimed: 2.76 Cubic Feet Per Second, or 414 Acre Feet Per Annum, and/or _____ Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source. NE 1/4 SW 1/4, Sec. 22 Twp. 16N Rge. 4E, B M; additional points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc) Give sizes and capacities; be as specific as possible.

Gravity Ditch

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
16N	4E	22																	56
		27						10					16						10 10
		28	10			35								30	10	20	30		123 122
																	21		111

Total No. of acres 150 138

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) Effluent, sewage waste, or return water from this use is discharged into _____

(8) If you are claiming water as a member of an organization, list name of organization: _____

(9) Remarks _____

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case _____

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

10/26/1971 (Date)

Individual

J. W. Henderson (Signature of Claimant)

State of Idaho

Organization
Seal

Organization

(Signature of Authorized Agent)

County of Ada

On this 26 day of October, in the year 1971, before me,

a notary public, personally appeared J. W. Henderson known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Payette, Idaho

My commission expires 7/29/1975

2KH

12/9/77

65-5426

Claim No.

RECOMMENDED RIGHT

J. W. Henderson
Box 112
Donnelly, Idaho

*Hold no aerial
photo or map.*

*ACES photo
12/7/77*

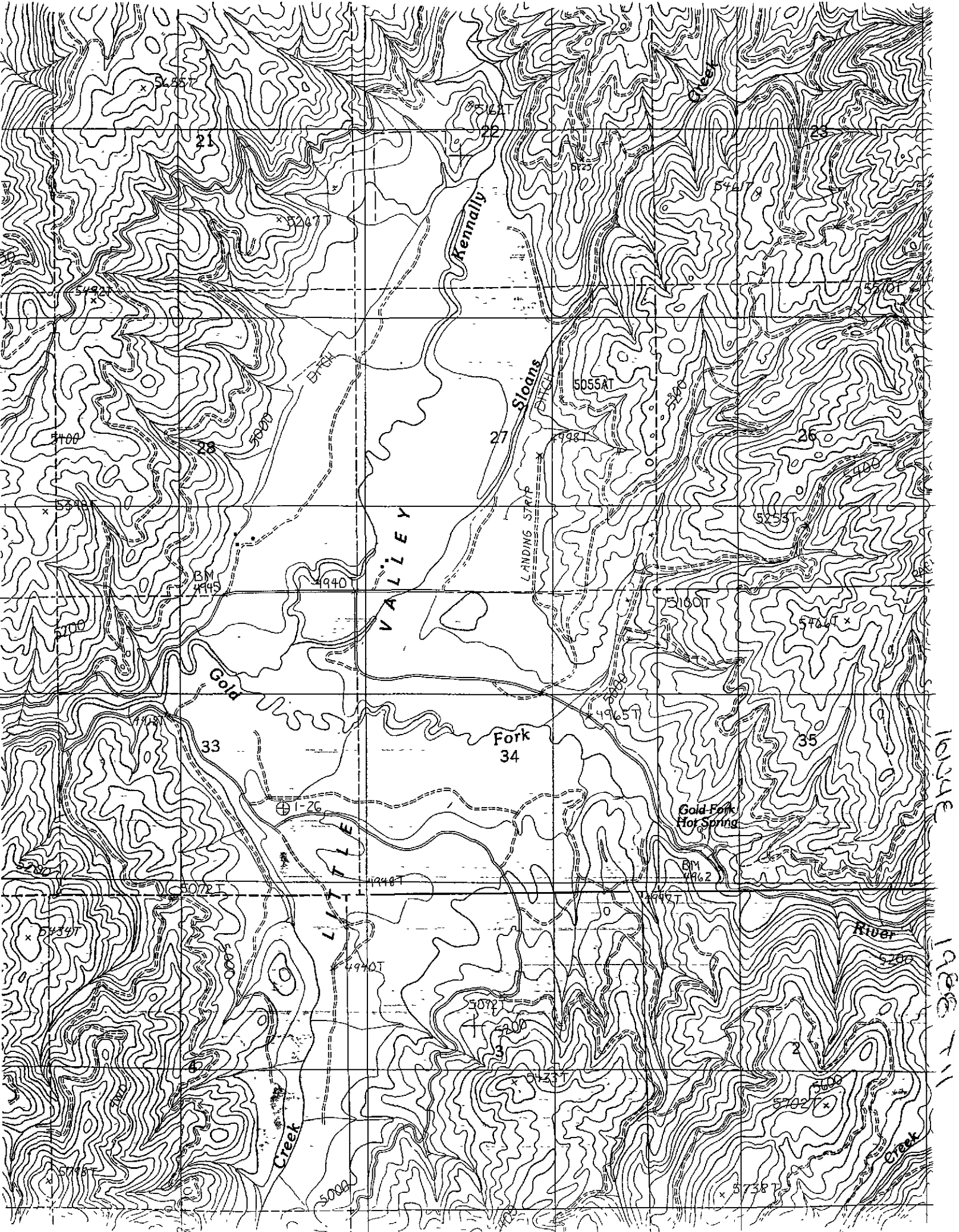
- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 4-1-1903
- (2) Describe source of water. (Name of stream, lake, spring, etc., or groundwater) McKinney Fork of Gold Fork Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|--|
| Quantity <u>3.2 cfs</u>
(CFS, GPD, AFD) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4-1</u> To <u>10-31</u>
(Mo. Day) (Mo. Day) |
| Quantity <u>3.2 cfs</u>
(CFS, GPD, AFD) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4-1</u> To <u>10-31</u>
(Mo. Day) (Mo. Day) |
| Quantity <u>3.2 cfs</u>
(CFS, GPD, AFD) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4-1</u> To <u>10-31</u>
(Mo. Day) (Mo. Day) |
- (4) 3.2 cfs TOTAL QUANTITY CLAIMED
(CFS, GPD, AFD)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SW 1/4
Sec. 22, Twp. 16N, Rge. 4E, B.M.; additional points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. gravity ditch
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	4E	22																	5
		27																	10
		28		10				10							30	10	20	30	135

Total No. of acres 150

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- (7) Effluent, sewage waste, or return water from this use is discharged into: _____
- (8) If you are claiming water as a member of an organization, list name of organization: _____
- (9) Remarks: _____
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use
☐ B) Right decreed by court, cite title of case: _____
☐ C) Right based on application license, or claim filed with the Idaho Department of Water Administration

DATE OF EXAM FIELD EXAMINER





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 24, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A65-05426

DANIEL R YANKE
SUSAN L NORBY
JILL M STEVENS
4414 S GEKELER LN
BOISE ID 83705

Dear Property Owners:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

The ownership has also been changed on water right number 65-17572 which has been decreed by the SRBA Court. A profile report of this right is enclosed.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

Idaho Dept of Water Resouces

Claim No(s): 65-05426

Claimant(s): Yanke,
Norby, Stevens

T16N, R04E, S 22, 27, 28

Prepared by: Sue Bock

Date: 06/02/1999

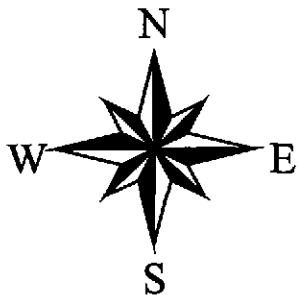


 Place of Use

 Point of Diversion

 Section lines

1/4 1/4 lines



0 0.25 0.5 0.75 1 Miles



1987 NAPP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 21, 1999

Tom Nicholson — 888-1593
PO Box 690
Meridian, Idaho 83680

RE: 65-05427, 65-05426, 65-04032, 6506837

Mr. Nicholson:

I have enclosed a map with the place of use outline in pink, and the points of diversion (POD's) as decreed in the Payette River Adjudication. Please look over the map and make the necessary changes, or you can set up an appointment to come in and go over the rights.

I need clarification on the following items:

Claim Nos. 65-04032 and 65-06837, were decreed with the water source - Sloans Creek and a POD located at T16N, R04E, Sec 16, NWNE. You can see on the map, that Sloans Creek does not go through Sec 16, and in fact is approximately two miles away from the place of use.

Claim 65-05426 shows the source as Mc Kinney Fork in T16N, R04E, Sec 22 NESW. There is no Mc Kinney Fork shown on the map. I am assuming this should have been Kennally Creek and the point of diversion is shown correctly.

Claim 65-05427 was decreed with two sources, Kennally Creek and Sloans Creek, but only one POD, T16N, R04E, Sec 27 NWNE. This POD corresponds to Sloans Creek, however, I still need a POD for Kennally Creek. Additionally this claim was decreed for 31 acres of irrigation in Sec 34 NENW. In looking at the photo, it appears a pond takes up a large portion of this quarter/quarter. Were some of these acres moved to another location?

Please look over this information and get back to me by June 18, 1999.

Thank you for your assistance.

Sincerely,

Susan Bock
Sr. Water Resource Agent

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 21 1999

WATER RESOURCES
WESTERN REGION

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 No(s).: 65-05426
Adjudication Claim No(s).: A65-05426

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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Yanke-Nicholson Children Trust, William E. Morris, Custodian
P. O. Box 5411, Boise, ID 83705

4. New Owner/Claimant(s) Daniel R. Yanke, Susan L. Norby, Jill M. Stevens
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 4414 S. Gekeler Ln.
City, State and ZIP Code Boise, ID 83705
New Telephone Number (208) 342-8901

5. Date you acquired the property Sept. 13, 1994

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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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 or Claimant(s)
Daniel R. Yanke *Susan L. Norby*
Jill M. Stevens
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

After Recording Return to:
 Richard D. Heaton
 P.O. Box 5405
 4414 S. Gekeler Lane
 Boise, ID 83705

206781
 MOUNTAIN HILL & ESCROW
 REQUESTED BY
 TYPE: *Leasehold*
 SET TO: *336,000.00*
 BY: *Valley County*
 FEE: *12.00*

WARRANTY DEED

FOR VALUE RECEIVED, WILLIAM E. MORRIS, as custodian for Daniel R. Yanke, Susan Yanke Norby and Jill Marie Yanke, the Grantor, does hereby grant, bargain, sell and convey unto Daniel R. Yanke, Susan L. Norby, and Jill M. Stevens, each an undivided one-third (1/3) interest as tenants in common, the Grantees, whose address is 4414 S. Gekeler Lane, Boise, Idaho 83705, that portion of property lying on the west side of the center line of the North Fork of the Gold Fork River (or Kennally Creek) within that property described in Exhibit "B", attached hereto and incorporated herein by this reference, located in Valley County, Idaho.

TO HAVE AND TO HOLD the said Premises, with their appurtenances unto the said Grantees, and Grantees' successors and assigns forever. The Grantor does hereby covenant to and with the said Grantees that Grantor is the owner in fee simple of said Premises; and that said Premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantees; and subject to general taxes and assessments (including irrigation and utility assessments, if any) for the current year which are not yet due and payable; and, that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: September 13, 1994

GRANTOR:

William E. Morris
 William E. Morris
 Custodian for Daniel R. Yanke, Susan
 Yanke Norby and Jill Marie Yanke

STATE OF IDAHO)
) ss
 County of ADA)

On this 13th day of September, 1994, before me, the undersigned Notary Public for the state of Idaho, personally

appeared William E. Morris, custodian for Daniel R. Yanke, Susan Yanke Norby and Jill Marie Yanke, known to me to be the person whose name is subscribed to the foregoing, and acknowledged to me that he executed the same in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

(Seal)

M. Margaret Johnson
Notary Public for the state of Idaho

Residing at: Bow, Idaho

My commission expires: 11-3-94

EXHIBIT "B"

Those premises containing approximately 946 acres situated in Valley County, Idaho, described as follows:

The E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 28, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, all in Township 16 North, Range 4 East of the Boise Meridian, containing 120 acres, more or less;

The SE $\frac{1}{4}$ of Section 28, Township 16 North, Range 4 East of the Boise Meridian, containing 160 acres, more or less;

The W $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, in Township 16 North, Range 4 East of the Boise Meridian, containing 160 acres, more or less;

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, in Township 16 North, Range 4 East of the Boise Meridian, containing 40 acres, more or less;

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditches and rights of ways for ditches used upon or appurtenant to the above described real property; including, but not limited to 3.2 cubic feet of water from Kenley Fork.

The W $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 27, the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 34, all in Township 16 North, Range 4 East of Boise Meridian, containing 160 acres of land, more or less;

Together with all water and ditch rights and rights of way for water and ditches,

AND

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ all in Section 27; the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22, in Township 16 North, Range 4 East, B.M., Valley County, Idaho. EXCEPTING THEREFROM a piece or parcel of land lying and being in the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27, T. 16N., R. 4E.; B.M., more particularly described as follows:

Starting at the NE corner of Section 27, T. 16 N., R. 4E., B.M.; thence N. 89°42' W., 1311 feet; thence S. 0°02' E., 440 feet, more or less, along the line between the E½ and the W½ of the NE¼ of said Section 27 to a steel pin, the real place of beginning; thence S. 59°42' W., 99.2 feet; thence S. 32°42' W., 93.0 feet; thence S. 25°12' W., 184.4 feet; thence S. 61°39' W., 108.1 feet; thence S. 30°40' W., 218.7 feet; thence S. 7°45' E., 150.2 feet; thence S. 8°45' W., 139.7 feet; thence S. 13°57' W., 229.8 feet; thence S. 10°46' E., 138.0 feet; thence S. 6°12' W., 103.8 feet; thence S. 1°25' W., 215.5 feet; thence S. 52°45' E., 256.3 feet; thence S. 81°03' E., 268.4 feet; thence N. 0°02' W., 1,697.6 feet along the 1/16 line to the point of beginning; all angle points in the above described line being marked by steel pins, and the above described exceptions containing 14.12 acres.

Yonkers

$\frac{21}{28} \frac{22}{27}$

F-12

5th

NOT TO SCALE

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: **A65-05426**
Date Received: 11/ 7/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: YANKE-NICHOLSON CHILDREN TRUST 208-342-8901
Address: WM E MORRIS CUSTODIAN
PO BOX 5405
BOISE ID 83705

2. Date of Priority: JUL 15, 1905

3. Source: MC KINNEY FORK Trib. to: GOLD FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04E	22	NE	SW			VALLEY

5. Description of diverting works:
DIVERSION DAM, DITCHES, HEADGATES, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.760		

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

8. Total consumptive use is 276.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04E	22	SW	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	6.0
		27	NW	NW	IRR	10.0
					Section Acres	10.0
		28	NE	NE	IRR	6.0
			SE	NE	IRR	35.0
			NE	SE	IRR	30.0
			NW	SE	IRR	10.0
			SW	SE	IRR	20.0
			SE	SE	IRR	21.0
					Section Acres	122.0
					Total Acres	138.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NOREY, JILL MARIE YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R. NICHOLSON.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 6, 1997

RECEIVED

DEC 02 1997

Department of Water Resources

YANKE-NICHOLSON CHILDREN TRUST
WILLIAM E MORRIS CUSTODIAN
PO BOX 5405
BOISE ID 83705

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim #A65-17572, A65-04032, A65-05426, A65-05427
A65-05430, & A65-06837
Change of Address

Dear Gentlemen:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by December 1, 1997. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Anita L. Warntjes
Administrative Assistant
Adjudication Bureau

ALW:region

The address is correct as shown above or as otherwise changed.

Claimant Signature

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: A65-05426
Date Received: 11/07/1988
Receipt No: X999999
Received By: DE AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: YANKE-NICHOLSON CHILDREN TRUST 208-342-8901
Address: WM. E. MORRIS, CUSTODIAN
P.O. BOX 5411
BOISE, ID 83705

2. Date of Priority: JUL 15, 1905

3. Source: MC KINNEY FORK Trib. to: GOLD FORK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04E	22		NE	SW		VALLEY

5. Description of diverting works:
DIVERSION DAM, DITCHES, HEADGATES, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.760		

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

8. Total consumptive use is 276.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04E	22	SW	SW		IRR	6.0
Section Acres							6.0

A65-05426

Page 1

Date: 01/04/89

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04E	27	NW	NW		IRR	10.0
						Section Acres	10.0
		28	NE	NE		IRR	6.0
			SE	NE		IRR	35.0
			NE	SE		IRR	30.0
			NW	SE		IRR	10.0
			SW	SE		IRR	20.0
			SE	SE		IRR	21.0
						Section Acres	122.0
						Total Acres	138.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRUST MEMBERS - DANIAL R. YANKE, SUSAN YANKE NOREY, JILL MARIE YANKE, JENNIFER J. NICHOLSON, KELIA A. NICHOLSON, SCOTT R. NICHOLSON.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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/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 _____

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 65-5426Date Received 11/07/88Receipt Number exempt

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly YANKE-NICHOLSON CHILDREN TRUST1. Name of Claimant (s) WIFE MORRIS - CUSTODIAN Phone (208) 342-8901Mailing Address P.O. Box 5411 BOISE ID Zip 837052. Date of Priority (Only one (1) per claim) 15 JULY 19053. Source of water supply (a) McKinney Fork
which is tributary to (b) GOLD FORK CREEK4. a. Location of existing point of diversion is: Township 16N Range 9E Section 22,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, — B.M., County of VALLEYAdditional points of diversion if any: NONE

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 DAM - ~~BRA~~
DITCHES, HEADGATES, ETC.

MICROFILMED

SEP 22 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 15 to Oct 15 amount 2.76 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.76 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 276 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	04E	22											6						6
16N	04E	27						10											10
16N	04E	28	06			35									30	10	20	21	122

Total number of acres irrigated 138

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

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

or None X

14. Remarks: TRUST MEMBERS DANIAL R. YANKE, SUSAN
YANKE, NORBY, BILL MARIE YANKE, JENNIFER J.
NICHOLSON, KELIA A. NICHOLSON, SCOTT R.
NICHOLSON.

MICROFILMED

Last Name Y-N TRUST Ident No. _____

Copies: SEP 22 1992 State of Montana

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

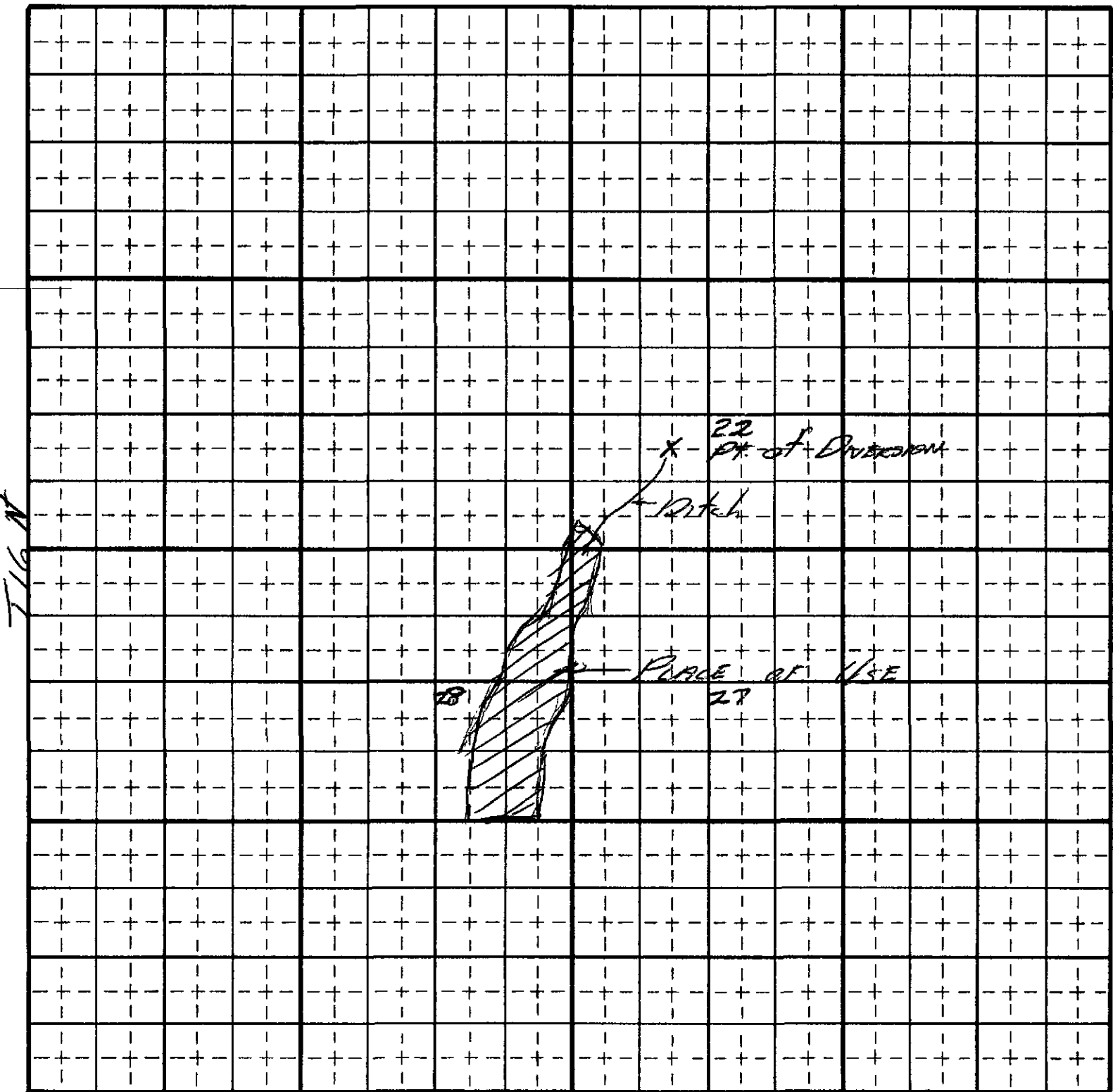
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



R4E

Last Name Y-N TRUST Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 22 1992

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

Decree ☒

If applicable provide IDWR Water Right Number 65-5426

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 0

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of YANKE-NICHOLSON CHILDREN TRUST, that I have signed the foregoing

Organization

document in the space below as CUSTODIAN of Y-N Children Trust

Title

Organization

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

Signature of Authorized Agent William E. Morris

Title and Organization CUSTODIAN, YANKE NICHOLSON Date Nov 7, 1988

Children Trust

State of Idaho/or IDAHO)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7th day of November 19 88

SEAL

Notary Public Keith E Stokes

Residing at Boise, ID

My Commission Expires Apr 9, 1992

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 _____

Last Name Y-N TRUST Ident. Number _____

Copies of this form: Yellow: 1, Green: 1

MICROFILMED

SEP 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief