

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 21-11241
Date Received: 1/22/1999
Receipt No: E024735
Received By:

Amended

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

Amended

1. Name of Claimant(s)

LAWRENCE J YBARRONDO Phone: (307)734-1964
PO BOX 3399
JACKSON WY USA 83001

2. Date of Priority: 05/01/1926

3. Source: UNNAMED STREAM , UNNAMED STREAM Trib. to: PORCUPINE CREEK , PORCUPINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	45E	30	NW NW	FREMONT	
09N	45E	30	NW NE	FREMONT	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.58	

7. Total Quantity Appropriated is:
0.58 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
09N	44E	24	SE SE	IRRIGATION	5

09N	44E	25	NE	NE	Section Acres	5
					IRRIGATION	12
09N	45E	30	NW	NW	Section Acres	12
					IRRIGATION	12
					Section Acres	12
					Total Acres	29

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The first year that water is diverted to recreation and recreation storage uses, the irrigation use under this right shall be limited to 40.8 acres, 0.82 cfs and 142.8 afa.

The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 8.8 af associated with the 2.5 acres no longer irrigated.

This transfer approval includes and supercedes any right represented by Claim to a Water Right No. 21-04106 filed with the department by William F. Duke on May 10, 1983.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

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 A21-11241Date Received 12 Sept 2005

Receipt Number _____

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

RECEIVED

SEP 12 2005

Department of Water Resources
Eastern District

Please type or print clearly

1. Name of Claimant (s) LARRY J. YBARRONDO Phone (307) 734-1964
Mailing Address P.O. BOX 3399, JACKSON, WY Zip 83001

2. Date of Priority (Only one (1) per claim) MAY 1, 1926

3. Source of water supply (a) UNNAMED SPRINGS
which is tributary to (b) PORCUPINE CREEK

4. a. Location of existing point of diversion is: Township 9N Range 45E Section 30,
NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: T9N R45E SEC 30 NW 1/4 NW 1/4

N/A 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 INTO

IRRIGATION DITCH.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 0.58 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.58 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.58 acre feet per annum.

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

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	
9N	45E	30						12											12
	44E	25	12																12
	44E	24																5	5

Total number of acres irrigated 29

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

12. Do you own the property listed above as place of use? Yes 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.
RISING CREEK A21-11248

or None ()

14. REMARKS:

BASIS FOR CHANGE OF PRIORITY DATE. A Homestead was applied for on what is now the Howell Ranch in 1925. A warranty deed was granted by the USA to George and Rhoda Airhart (deceased) in 1926 (N° 99740). The ranch can only be irrigated at the diversion points of record. The ranch has only been used to graze cattle by all the owners of record. Irrigation water is essential for the grazing of the cattle on the ranch. Meaningful improvements had to be made to obtain title under the 1862 Homestead Act. I claim that the original owner established the only possible diversion points-which was easy to do because of the way the land lays- and used them from about 1 May 1926 just as all the following owners have done. There have been five owners of the Howell Ranch. It can be established (see affidavits) that the first four owners used the same diversion points and irrigated at about the same time each year. Thus 1 May 1926 is the proper priority date not 1935.

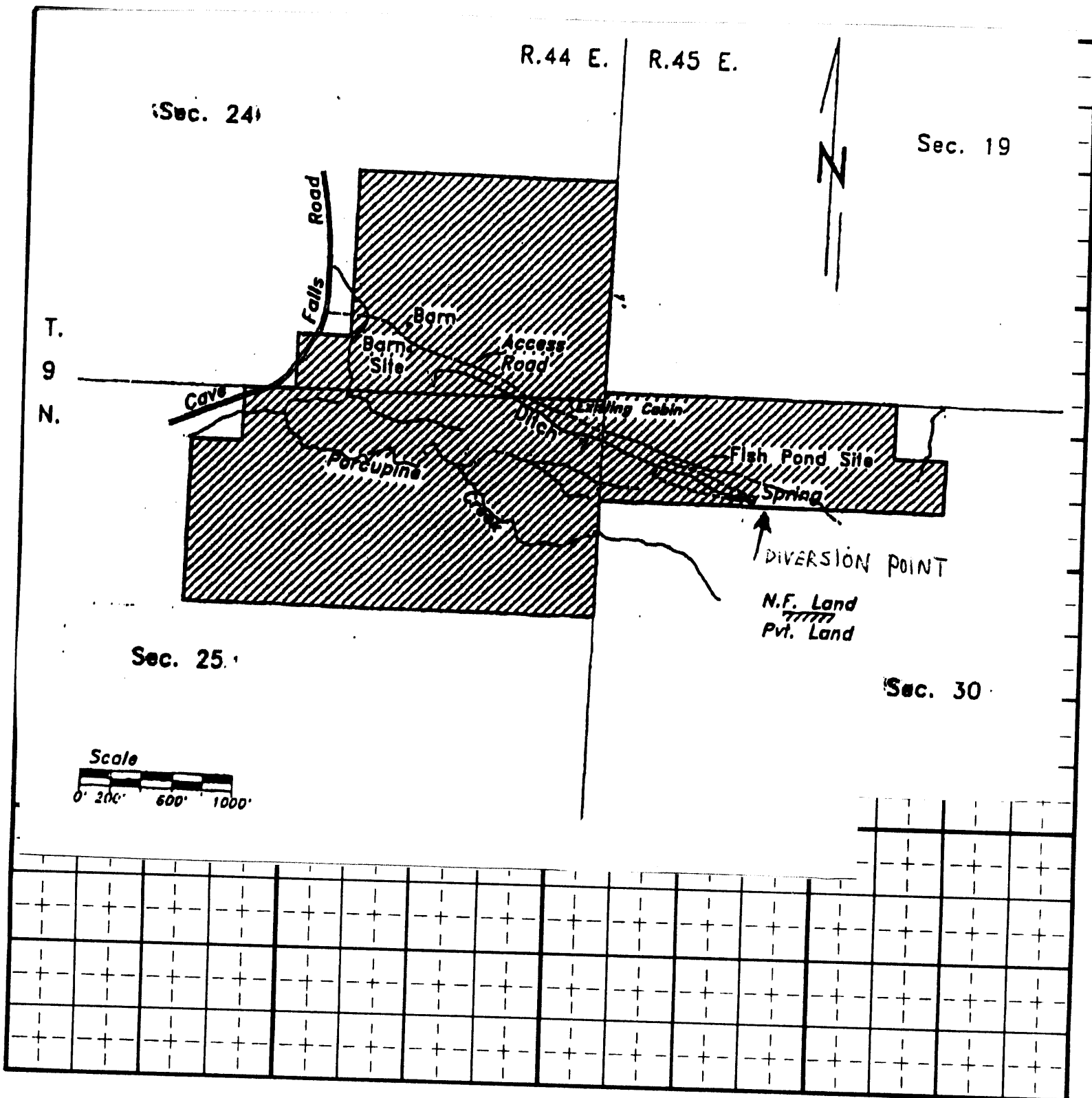
↑ AS PREVIOUS OWNER

Last Name YBARRONDO Ident No. A21-11241

Copies: White -State, Yellow-Claimant

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 YBARRONDO

Ident No. A21-11241

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) Larry J. Ybarondo

Date 10 Sept 2005

Date _____

N/A
For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title _____ Organization _____

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

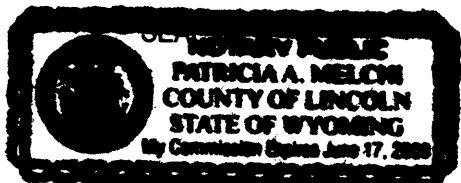
Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of ~~Idaho~~/or WYOMING)
County of TETON) SS.

Subscribed and sworn (or affirmed) before me this 10th day of Sept. 2005



Notary Public Patricia A. Meloni

Residing at 607 Alpine Hills Dr, Etta, WY

My Commission Expires 6-17-2008

Please Print Name

17. Notice of Appearance: N/A

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 YBARRONDO Ident. Number A21-11241