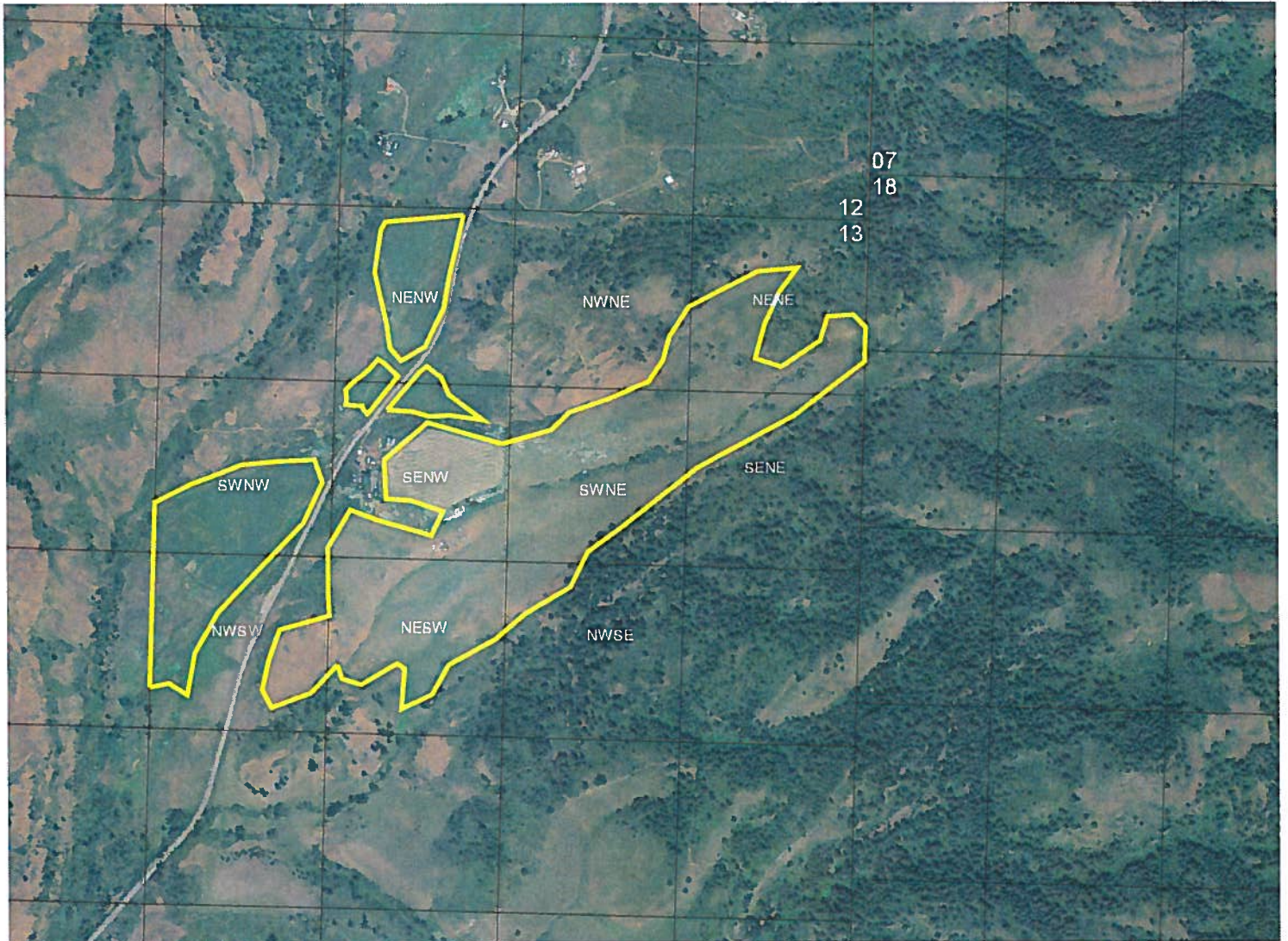


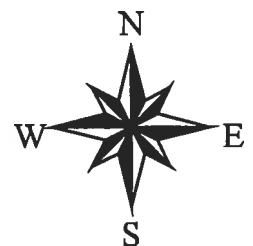
78-2035



1000 0 1000 2000 3000 4000 5000 Feet

T17N R01W S13

Map prepared by: Carter Fritschle
Date prepared: 12/18/06
2004 NAIP Photography
Idaho Department of Water Resources



12/18/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-2035

NAME AND ADDRESS: DONNA YANTIS
2562 HWY 95
COUNCIL ID 83612

JACK YANTIS
2562 HWY 95
COUNCIL ID 83612

SOURCE: BOULDER CREEK TRIBUTARY: LITTLE SALMON RIVER
Point of injection into the East Branch Weiser River. Point of redirection
from the East Fork Weiser River.

QUANTITY: 3.000 CFS

PRIORITY DATE: 07/31/1924

POINT OF DIVERSION:

T17N R01E S8 NESW Rediversion Within ADAMS County

T20N R01W S10 NESW Within ADAMS County

T20N R01W S14 SESW Injection Within ADAMS County

Water diverted under this right is exchanged with water from the East Fork
Weiser River by injecting water diverted under this right into the East Branch
Weiser River, and diverting an equal amount from the East
Fork Weiser River.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	3.000 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S13	NENE	17.00	T17N R01W S13	NWNE	2.60
T17N R01W S13	SWNE	29.00	T17N R01W S13	SENE	7.60
T17N R01W S13	NENW	12.00	T17N R01W S13	SWNW	16.00
T17N R01W S13	SENW	24.00	T17N R01W S13	NESW	25.00
T17N R01W S13	NWSW	17.00	T17N R01W S13	NWSE	3.80

154 ACRES TOTAL

Right Nos. 67-11449 and 78-2035 are limited to the irrigation of a combined
total of 208 acres in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MEMORANDUM

TO: ANDY BRUNELLE

FROM: KEITH HIGGINSON *KH*

RE: YANTIS DITCH

DATE: MAY 26, 1993

This memo is in response to your inquiry at staff meeting for background information and possible solutions for the Yantis Ditch water supply problem. The attached letter signed by Joe Jordan on behalf of the Adams County Water Resource Committee accurately documents the water right development and provides additional information concerning the history of the authorization to build and use a ditch across U.S. Forest Service controlled land.

The USFS has indicated that they will not issue a special use permit for use of the ditch this year, but they will also not inspect the ditch. This seems to imply that Mr. Yantis can use the ditch without authorization. He, of course, is reluctant to operate on that basis. Jordan advises me that the USFS views shares in the expanded Lost Valley Reservoir as a viable solution. However, the reservoir expansion is still in the planning stage so it will be one or more years before this would be a solution. The cost of this solution for Mr. Yantis is estimated as being as much as \$120,000 at the present estimated cost of the reconstruction of the Lost Valley Dam.

Another solution that has been suggested is to switch the source of water for Mr. Yantis's irrigation to ground water. The drought moratorium has been lifted in the Weiser Basin so an application for a new well could be considered. However, the availability of ground water at a location useable by Mr. Yantis is unknown, and the cost of drilling and pumping a well could be significant. I also expect that Mr. Yantis would object to sacrificing a 1924 priority in the Salmon River Basin for a new priority for ground water.

In any case, the USFS should be encouraged to recognize the valid existing water right and authorize use of the existing diversion until such time as solid information is available to demonstrate that this 70 year old use is actually injurious to salmon. If the use is found to be injurious, USFS and/or NMFS should provided compensation to Mr. Yantis adequate to cover the loss to him of his valid property interest in the existing water right as provided in Section 5(a)(2) of the ESA.

Board of Adams County Commissioners



Ed Kesler, Chairman
Walt Francis, Commissioner
Ray Bennett, Commissioner

Michael Fisk
Clerk of the Board
Ph. 253-4561

P.O. Box 48
Council, ID 83612
May 10, 1993

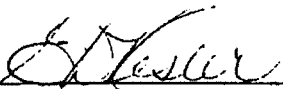
Dear Mr. Spann:

The Board of Adams County Commissioners has read and hereby endorses the attached letter dated May 10, 1993, from the Adams County Water Resource Committee.

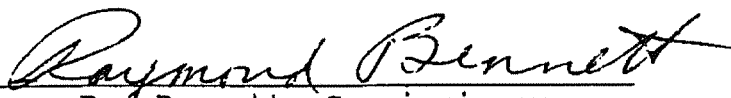
We would be happy to meet with you concerning this matter anytime at your convenience.

Yours truly,

BOARD OF ADAMS COUNTY COMMISSIONERS


Ed Kesler, Chairman


Walt Francis, Commissioner


Ray Bennett, Commissioner

/jm

ADAMS COUNTY WATER RESOURCE COMMITTEE

U.S. Department of Agriculture
Forest Service, New Meadows District
Box J
New Meadows, ID 83654

May 10, 1993

Attention: David Spann, District Ranger

Subject: Special Use Permit, Yantis Ditch

Dear Mr. ~~Spann~~: *Dave*

This letter is to express Committee concern regarding the Yantis Ditch permit. Mr. Jack Yantis, the current permittee, recently requested assistance following telephone conversations with your office which indicated the permit may not be renewed for 1993. The Endangered Species Act was cited as the basis for this possible denial.

The Water Resource Committee is part of the Adams County Land Use Program initiated recently to participate in Federal decisions affecting the county. Our understanding of relevant background follows:

- * The Ralph Yantis Estate (Sarah Yantis) applied for a permit to appropriate 3.0 cubic feet per second of irrigation water for 154 acres on July 31, 1924.
- * Water License No. 16075 was issued on January 10, 1931, by the Commissioner of Reclamation, stating that a Certificate of Completion of Works was issued on August 11, 1926, and showing that the works were completed on August 3, 1926.
- * The License and Certificate of Water Right states that the Ralph Yantis Estate made proof on August 4, 1926, of the right to use the waters of Boulder Creek, a tributary of Little Salmon River, for the purpose of irrigation and domestic use. The water right dates from the application date of July 31, 1924.

The Committee understands that:

- * The Forest Service issued a Special Use Permit to Sarah Yantis for the right of way for a 1,525 foot long conduit for the purpose of maintaining an already constructed ditch diverting water from Boulder Creek to the Weiser River for irrigation purposes.

* The permit was reissued to Ray Yantis (son) on March 7, 1977, and subsequently to Jack Yantis (nephew) on February 2, 1982.

* The permit was amended to current status on December 8, 1987, remaining in the name of Jack Yantis.

Mr. Yantis states that:

* The Yantis family had made beneficial use of this water since 1924, with no detrimental effect to the source or the environment.

* The diverted water is essential to irrigation of his land and operation of his ranch.

* The Special Use Permit fee has been paid annually since fee inception in 1977.

* Irrigation must begin in the near future to maintain his water right as well as his ranch operation.

The Committee appreciates the importance of protecting endangered species, using logical and reasonable measures. The following considerations should be weighed carefully by the Forest Service and other involved agencies in evaluating measures which may adversely affect established beneficial use of water.

* Habitat degradation in Idaho is not a primary cause of the decline in anadromous fish. Dams on the Lower Snake and Columbia Rivers are the primary cause.

* The Idaho Fish and Game Department has estimated that only 13% of the habitat carrying capacity of the Little Salmon River is used. On the other hand they conclude that more than 90% of man-caused mortality of chinook salmon is due to main stem dams and reservoirs.

* The diversion of 3 c.f.s. is insignificant in terms of the spring flows of the Little Salmon which are measured in thousands of c.f.s.

* The detrimental effect upon endangered anadromous fish of this small historic diversion is simply not supported by fact or logic.

* On the other hand, the denial of Mr. Yantis' special use permit could result in a taking of his legal water right. The impact on his family ranching operation would be severe.

The office of the State Attorney General is aware of this case and will be kept advised. Your prompt renewal of the Yantis permit is requested. Please call me or Mr. Yantis if further information is required. We will be pleased to meet at your convenience, preferably including a representative of the Adams County Commissioners.



Joseph L. Jordan, P.E. Committee Chairman

cc: Senator Larry Craig

Chairman, Adams County Commissioners (Ed Kesler)

Chairman, Adams County Land Use Committee (Alice Branstetter)

Office of Attorney General (Phil Rassier)

Idaho Fish and Game (Cal Groen)

Jack Yantis



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

July 28, 1988

R. KEITH HIGGINSON
Director

Jack and Donna Yantis
HC64, Box 3595
Council, ID 83612

Dear Mr. and Mrs. Yantis:

We are returning the Claim to a Water Right filed in connection with your License No. 16075/78-02035.

In the Snake River Adjudication it is required that a Notice of Claim to a Water Right be filed on existing water rights as well as those not filed on. The correct claim form is enclosed and should be completed covering the licensed water right.

On the claim form you did submit, the date of priority is several years earlier than that on the original licensed right. You can claim an earlier priority than the license, however, justification of the earlier date will be required at the time of claims review.

Another item I noticed concerns the number of acres claimed. The license shows a total of 154 acres under the column entitled No. Acres Actually Irrigated. On your claim you have listed the 175 acres shown under the column entitled No. Acres Described in Permit. A copy of this license is enclosed for your review. The correct number of acres to claim would be the number of acres being irrigated over the years. If you are irrigating more than the 154 acres on the license, this claim can be completed showing the total acres, however, justification proving these acres have been irrigated for several years would also be necessary.

There is a fee for filing adjudication claims. The fee for irrigation claims is \$50 plus a \$1 per acre fee. There is also a late fee of \$50 for this claim. The deadline for filing in Adams County for those rights tributary to the Little Salmon and Salmon Rivers was June 8, 1988. Your mandatory claim came in on June 20, 1988, therefore the above fee plus the \$50 late fee is needed before we can accept this claim. Your previously submitted \$20 will be transferred to the adjudication claim fee when the enclosed claim is completed, notarized and submitted.

If you have any questions concerning this letter, please feel free to contact our office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:sl
Enclosures

MICROFILMED
OCT 05 1992

IDAHO DEPARTMENT OF WATER RESOURCES

MEMO-REPLY	Date <u>6/7/05</u>
------------	--------------------

To CAROL KRETSCHKE & CRAIG SUTTON

From Steve Lester

- | | |
|---|---|
| ☐ Take Appropriate Action
☐ Draft A Reply
☐ Action Required By _____
☐ See Me
☐ Call Me
☐ Return To Me | ☒ For Your Information
☐ For Your Approval
☐ For Your Comments
☐ As You Requested
☐ Copy (____ Copies)
☐ File |
|---|---|

Comments

DRUG MMS & Bill Lind & NOAA Fisheries
 Asked for info & Yanti's Ditch via Bill
 Graham. I sent notes to Bill Lind today.
 CC to both of you since involves 2 NJ
 Records listing this P/D location on Boulder
 Creek for that ditch. Ditch diserts @ Xam

~~Reply~~ Br. 78 to Br. 67. Hard to tell if
 67-11449 is valid & use of Boulder Ck.
 water or not.

Signed

SL

Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

RECEIVED

JUN 08 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

6/7/05

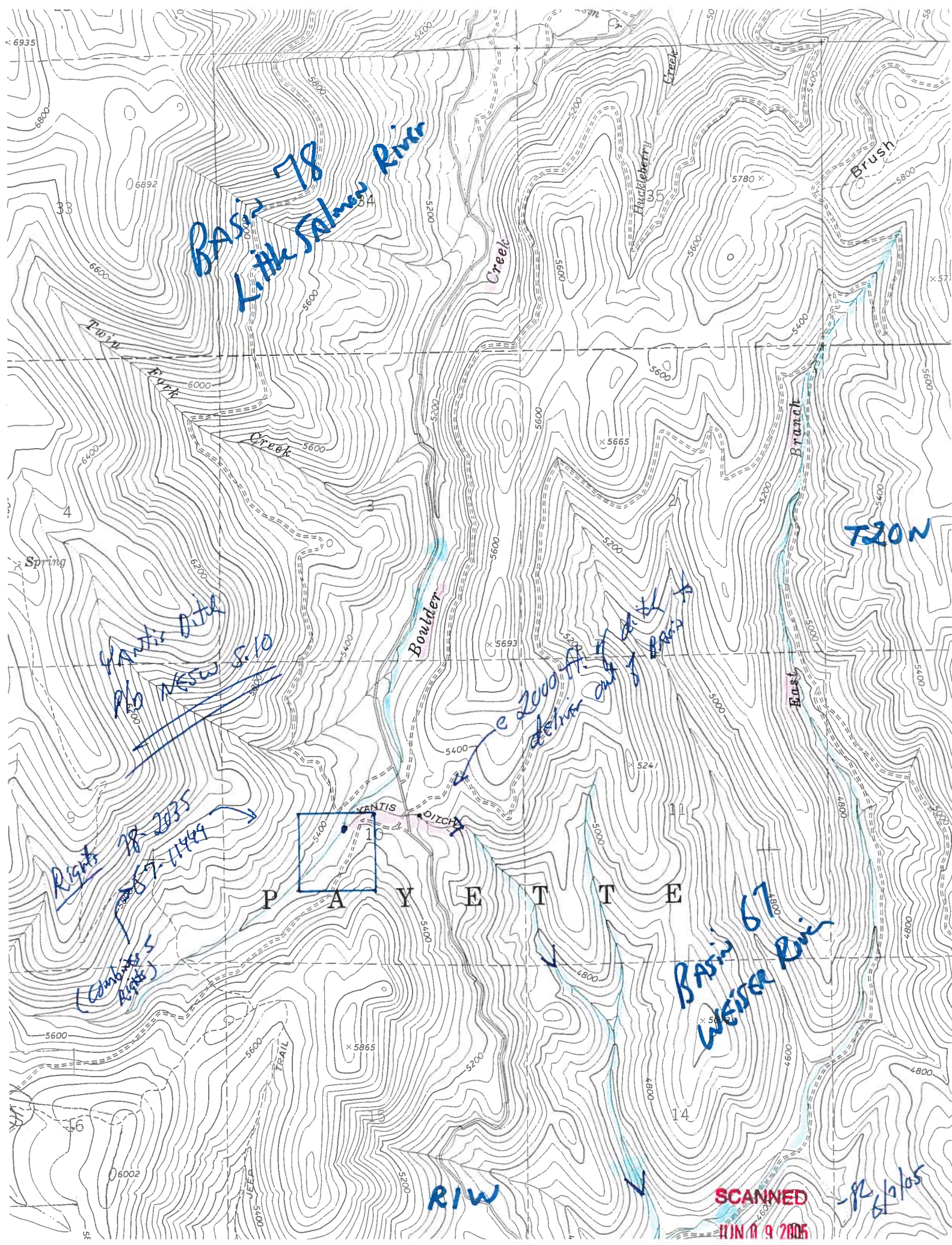
Yantis Ditch - Notes

- ① Ditch starts in T20N RIW S. 10 NESW, see map.
- ② Point of Diversion Query that location - 2 Records:
 - a) SRBA claim 78-2035 (per License 78-2035)
 - b) SRBA claim 67-11449 (combines decreed rights 67-104 through 67-107 & License 67-2012).
 - (1) Like Pt of Div. & location in #1 above but without id. Boulder Creek as source.
 - (2) Decrees 67-104 through 67-107 listed E. Fk. Weiser R. as source, did not specify diversion location except remark of Tumhieson-Yantis Ditch.
 - (3) License 67-2012 does not appear to reference Boulder Creek or Yantis Ditch.
- ③ Records confirm that up to 3.00 cfs diverted from Boulder Creek through Yantis Ditch. Not clear if records confirm that additional water - up to 7.10 cfs - diverted from Boulder Creek through Yantis Ditch.
- ④ Yantis Ditch answers will need to be confirmed in SRBA, probably during 2005.

SCANNED

JUN 09 2005

- SZ Western Region



BASIN 78
Little Salmon River

T20N

Right 78-2035
P.A.Y.E.T.T.E
78-11449

e 2000 ft. ditch out of Basin

BASIN 67
Wester River

RIW

SCANNED
JUN 19 2005

7/2/05

AJ Records

Page 1

06/02/2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 78-2035

WATER RIGHT NUMBER: 78-2035

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776
Current Owner	JACK YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776
Original Owner	RALPH YANTIS EST FRUITVALE, ID

Priority Date: 07/31/1924

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BOULDER CREEK	LITTLE SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/15	3.000 CFS	
	<u>Total Diversion:</u>	3.000 CFS	

← Yantis Ditch

Location of Point(s) of Diversion

BOULDER CREEK	NE1/4SW1/4	Sec. 10, Twp 20N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13		20.0	40.0	30.0	4.0			30.0	30.0								154.0

Total Acres: 154

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 78-2035

1. BOULDER CREEK WATER IS DIRECTED VIA A DIVERSION DAM AND HEADGATE INTO A 4' X 2000' DITCH. BOULDER CREEK WATER IS INJECTED INTO THE EAST BRANCH OF THE WEISER RIVER VIA THIS DITCH IN THE NWSE, SEC. 10, TWP. 20N, RGE. 1W. THEN, ON AN EXCHANGE BASIS, THIS WATER IS DIVERTED FROM THE EAST FORK WEISER RIVER WITHIN THE NESW, SEC. 8, TWP. 17N, RGE. 1E, VIA A DIVERSION DAM AND DITCH TO PLACE OF USE IN SEC. 13, TWP. 17N, RGE. 1W.
SEE ALSO RECEIPT NO. C001455 WHICH WAS ORIGINALLY SUBMITTED FOR THE MANDATORY CLAIM FEE IN ERROR AND IS NOW ATTACHED TO THIS CLAIM. TOTAL FEE SUBMITTED - \$204.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 6/20/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-11449

WATER RIGHT NUMBER: 67-11449

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776
Current Owner	DONNA YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776

Priority Date: 06/13/1905

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/15	7.100 CFS	
	<u>Total Diversion:</u>	7.100 CFS	

Location of Point(s) of Diversion

EAST FORK WEISER RIVER ADAMS County	NE1/4SW1/4	Sec. 10, Twp 20N, Rge 01W, B.M.
EAST FORK WEISER RIVER ADAMS County	NE1/4SW1/4	Sec. 8, Twp 17N, Rge 01E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13	30.0										30.0	16.0		1.0	20.0		97.0
17N	01W	24	20.0	20.0															40.0

Total Acres: 137

Conditions of Approval:

- I AM COMBINING 67-00104, 67-00105, 67-00106, 67-00107 AND 67-02012 INTO ONE WATER RIGHT WITH SAME PRIORITY DATE.
67-02012 IS A LICENSED WATER RIGHT.
SEE ATTACHED MEMO

Should be Boulder Creek per location

Yantis ditch Boulder Creek

Re-diversion or exchange point At Weiser system

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-11449

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 11/9/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

WR Ascents

Page 1

06/07/2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-104

WATER RIGHT NUMBER: 67-104

Owner Type Name and Address
Current Owner MARY E TOMLINSON

 FRUITVALE, ID

Priority Date: 06/13/1905

Basis: Decreed

Status: Active

Source Tributary
EAST FORK WEISER RIVER WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion
EAST FORK WEISER RIVER

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N	01W	13											X	X		X	X		

Conditions of Approval:

1. THIS WATER CARRIED IN THE TOMLINSON-YANTIS DITCH.

Dates and Other Information:

Decreed Date: 6/20/1921

Water District Number: 67

Decree Defendant: William Allison, et al

Decree Plaintiff: John T Muir, et al

Civil Case Number:

Judicial District: Seventh District

Not clear if this means
from Boulder Creek in BS 78

WATER RIGHT NUMBER: 67-105

Priority Date: 06/13/1905
Basis: Decead
Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.100 CFS	
	<u>Total Diversion:</u>	1.100 CFS	

Place of Use
IRRIGATION

[illegible]

1. THIS WATER CARRIED IN THE TOMLINSON-YANTIS DITCH.

Dates and Other Information:
Decreed Date: 6/20/1921
Water District Number: 67
Decree Defendant: William Allison, et al
Decree Plaintiff: John T Muir, et al
Civil Case Number:
Judicial District: Seventh District

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-106

WATER RIGHT NUMBER: 67-106

Owner Type Name and Address

Current Owner SARAH YANTIS

, ZZ

Priority Date: 06/13/1905

Basis: Decreed

Status: Active

Source

EAST FORK WEISER RIVER

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

0.800 CFS

Annual VolumeTotal Diversion: 0.800 CFSLocation of Point(s) of Diversion

EAST FORK WEISER RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13			X	X				X	X								

Conditions of Approval:

1. THIS WATER CARRIED IN THE TOMLINSON-YANTIS DITCH.

Dates and Other Information:

Decreed Date: 6/20/1921

Water District Number: 67

Decree Defendant: William Allison, et al

Decree Plaintiff: John T Muir, et al

Civil Case Number:

Judicial District: Seventh District

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-107

WATER RIGHT NUMBER: 67-107

Owner Type Name and Address

Current Owner L A SPIRA

, ID

Priority Date: 06/13/1905

Basis: Decreed

Status: Active

Source

EAST FORK WEISER RIVER

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

0.200 CFS

Annual VolumeTotal Diversion: 0.200 CFSLocation of Point(s) of Diversion

EAST FORK WEISER RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13							X			X							

Conditions of Approval:

1. THIS WATER CARRIED IN THE TOMLINSON-YANTIS DITCH.

Dates and Other Information:

Decreed Date: 6/20/1921

Water District Number: 67

Decree Defendant: William Allison, et al

Decree Plaintiff: John T Muir, et al

Civil Case Number:

Judicial District: Seventh District

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-2012

WATER RIGHT NUMBER: 67-2012

Owner Type Name and Address
 Current Owner MARY E TOMLINSON
 FRUITVALE, ID

Priority Date: 06/13/1905

Basis: License

Status: Active

Source Tributary
 EAST FORK WEISER RIVER WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion
 EAST FORK WEISER RIVER NE1/4NW1/4 Sec. 17, Twp 17N, Rge 01E, B.M.
 ADAMS County

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13	30.0						10.0	30.0	30.0	5.0	30.0				20.0		155.0
17N	01W	24	20.0	30.0															50.0

Total Acres: 205

DOMESTIC same as IRRIGATION

Dates and Other Information:
 Licensed Date: 1/31/1979
 Water District Number: 67

*does not appear to reference
 Boulder Ck - Yantis Ditch ... -
 unless original file has more
 detail e this*

County: Adams
Stream: East Fork of Weiser River
Amount: 4 cu.ft. per sec.
Use: Irrigation
Priority: June 13, 1905.

STATE OF IDAHO

Water License No. 1453

License
67-2012

1068

67-2012

WHEREAS, On the 13th day of June, A. D. 1905,

Mary E. Tomlinson

of Fruitvale, County of Adams, State of Idaho, duly made application (No. 1904) to me for a permit to use four (4) cubic feet per second of the waters of East Fork of Weiser River

County of Adams, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 21st day of August, A. D. 1905, Permit No. 1453 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 2nd day of August, A. D. 1910, and for the application to beneficial use of said water on or before the 2nd day of August, A. D. 1914, and,

WHEREAS, On the 2nd day of August, A. D. 1910

Mary E. Tomlinson

the holder of said permit, duly made proof of the completion of adequate works for the diversion of four (4) cubic feet per second of said waters, as evidenced by my Certificate No. 1453 dated August 25, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use four (4) cubic feet per second of said water, with date of priority of June 13, 1905, and

WHEREAS, On the 3rd day of August, A. D. 1914

Mary E. Tomlinson

the holder of said permit, duly made proof of the application to beneficial use of four (4) cubic feet per second of said water

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Mary E. Tomlinson

of Fruitvale, County of Adams, State of Idaho, the holder and owner of said Permit No. 1453, a perpetual right, dating from June 13, 1905 to the use of four (4) cubic feet per second of the waters of East Fork of Weiser River

in the County of Adams and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE₁ of NW₁, Sec. 17, Twp. 17 N., R. 1 E., S. 1.

and conducted to and upon 205 acres, divided as follows: 5 acres in NW₁ of SW₁; 10 acres in SW₁ of NW₁; 30 acres in NW₁ of SW₁; 30 acres in NE₁ of SW₁; 30 acres in SE₁ of NW₁; 20 acres in SW₁ of SE₁; and 20 acres in NE₁ of NE₁; in Section 12; 10 acres in NW₁ of NE₁; and 20 acres in NE₁ of NE₁; in Section 24; all in Twp. 17 N., R. 1 E., S. 1.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 20th day of October A. D. nineteen hundred and fourteen.

Herbert Wing,

Acting State Engineer:

(Seal)

67-2012

REPORT OF ENGINEER

e 67-2012

1. State name of applicant and number of permit: Mary B. Thompson 1153
2. State source of water supply: Tricer River
3. Location of point of diversion: N.E. 1/4 Sec. 17, T. 17 N., R. 1 W., B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

Yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 2.5 ft
- (b) Width at water line: 3.5 "
- (c) Depth of water: 1.0 "
- (d) Grade per mile: 7.0 "
- (e) Capacity of ditch: at least 4 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Water has been turned in ditch to capacity
is now flowing about 7/8 "

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

forty acre tract: 50 a. in N.W. 1/4 SW 1/4, 100 a. in SW 1/4 NW 1/4, 30 a. in
SW 1/4 SW 1/4, 30 a. in NE 1/4 SW 1/4, 30 a. in SE 1/4 NW 1/4,
20 a. in SW 1/4 of SE 1/4, 30 a. in NE 1/4 NE 1/4 Sec. 13
and 30 a. in NW 1/4 of NE 1/4, 20 a. in NE 1/4 of NE 1/4
of Sec 24 All in T. 17 N., R. 1 W., B.M.

Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED

AUG 17 1914

OFFICE OF STATE ENGINEER

Ex Aug 7th/14

T. H. Bantz

STATE OF IDAHO,

County of _____

ss.

1153

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

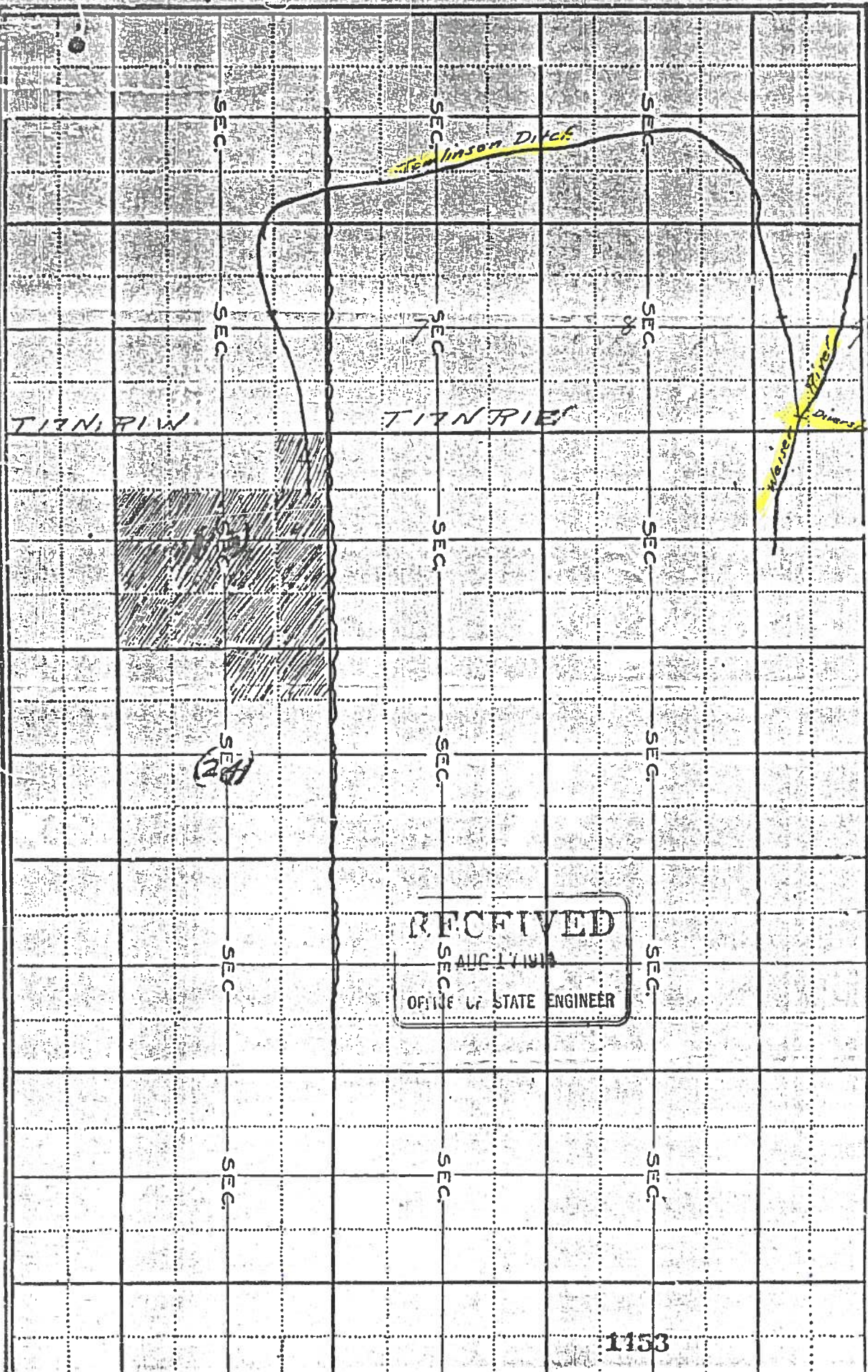
Subscribed and sworn to before me this _____ day of _____ 1914

My Commission Expires _____

Notary Public.

Name of applicant *Mary E. Tamlin*

P. 1453



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 78-2035

WATER RIGHT NUMBER: 78-2035

Owner Type Name and Address
 Current Owner ESTATE OF RALPH YANTIS
 FRUITVALE, ID

Priority Date: 07/31/1924

Basis: License

Status: Active

Source Tributary
 BOULDER CREEK LITTLE SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.000 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		3.000 CFS	

Location of Point(s) of Diversion

* BOULDER CREEK NE1/4SW1/4 Sec. 10, Twp 20N, Rge 01W, B.M.
 ADAMS County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 01W 13		20.0	40.0	30.0	4.0			30.0	30.0								154.0

Total Acres: 154

DOMESTIC same as IRRIGATIONConditions of Approval:

1. WATER IS INJECTED INTO THE E. BRANCH OF THE WEISER RIVER IN NWSE SEC. 10, T20N, R1W.
 ON AN EXCHANGE BASIS, WATER IS DIVERTED IN SW1/4 SEC. 12, T17N, R1W FROM AN UNNAMED TRIBUTARY TO THE WEISER RIVER.

Dates and Other Information:

Licensed Date: 10/10/1979

* Original license references
 Boulder Creek - Yantis ditch
 per above name/location

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: A78-02035
Date Received: ~~9/14/1988~~ 6-20-88
Receipt No: W000882
Received By: DE SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK YANTIS 208-253-4776
Address: HC 64, BOX 3595
COUNCIL, ID 83612

Name: DONNA YANTIS 208-253-4776
Address: HC 64, BOX 3595
COUNCIL, ID 83612

2. Date of Priority: JUL 31, 1924

3. Source: BOULDER CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01W	10	NE	SW			ADAMS

5. Description of diverting works:
DIVERSION DAM & HEAD GATE IN BOULDER CREEK. SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/15	3.000		

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

8. Total consumptive use is 462.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	13	NW		NE		IRR	20.0
			SW		NE		IRR	40.0
			SE		NE		IRR	30.0
			NE		NW		IRR	4.0
			SE		NW		IRR	30.0
			NE		SW		IRR	30.0

Section Acres 154.0

Total Acres 154.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

NONE

14. Remarks:

BOULDER CREEK WATER IS DIRECTED VIA A DIVERSION DAM AND HEADGATE INTO A 4' X 2000' DITCH. BOULDER CREEK WATER IS INJECTED INTO THE EAST BRANCH OF THE WEISER RIVER VIA THIS DITCH IN THE NWSE, SEC. 10, TWP. 20N, RGE. 1W. THEN, ON AN EXCHANGE BASIS, THIS WATER IS DIVERTED FROM THE EAST FORK WEISER RIVER WITHIN THE NESW, SEC. 8, TWP. 17N, RGE. 1E, VIA A DIVERSION DAM AND DITCH TO PLACE OF USE IN SEC. 13, TWP. 17N, RGE. 1W.

15. Basis of Claim: LICENSE

Water Right Number: 16075

MICROFILMED
OCT 05 1992

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: 39356
Ident. Number A67-10003 A78-02035
Date Received 8-19-88
Receipt Number W0000882

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 19 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Jack and Donna Yantis Phone (208) 253-4776
Mailing Address HC64 Box 3595 Zip 83612

2. Date of Priority (Only one (1) per claim) July 31, 1924

3. Source of water supply (a) Boulder Creek
which is tributary to (b) Little Salmon

4. a. Location of existing point of diversion is: Township 20N Range 1W Section 10,
NE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Adams

Additional points of diversion if any: Eastfork Weiser River 717 N R1E Sec 8 SE 1/4 SW 1/4

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 & Headgate in Boulder
creek, ditch 4ft by 2000ft. Water flows into East branch of Weiser River
and is used as replacement water in lieu of water diverted
by diversion Dam in Eastfork of Weiser River to place of use.
300 to 400 in. capability 4ft by 4 miles Long

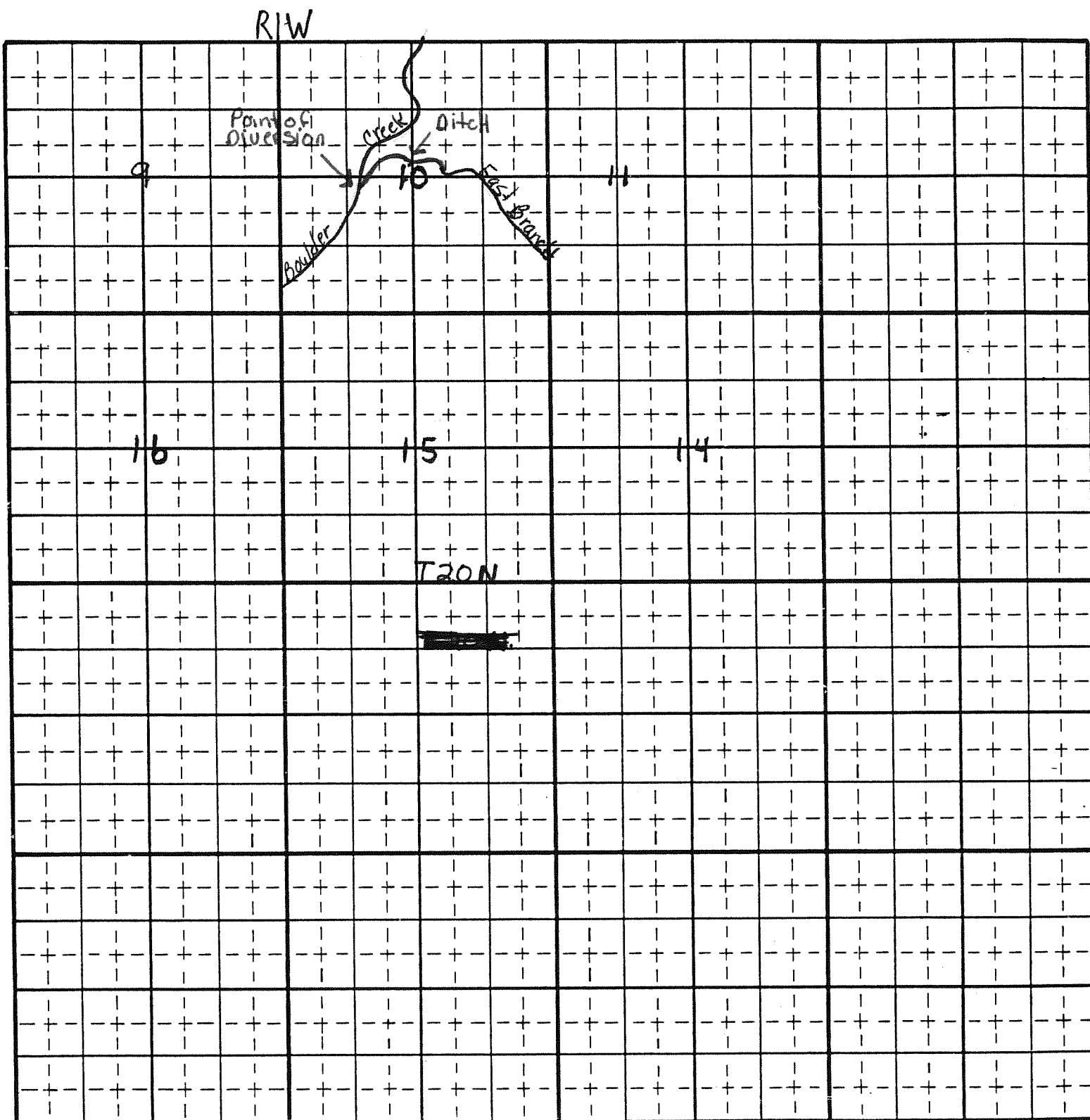
MICROFILMED

OCT 05 1992

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

Yantis

Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 10-15 amount 3.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 462 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
17N	1W	13		20	40	30	4				30	30							154

Total number of acres irrigated 154

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

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.
We have water rights for Springs for Domestic, Livestock Use or None ()

14. Remarks:

Last Name Yantis Ident No. _____

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OCT 05 1992
Copies: White -State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number 1607/78-02035

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) Jack F. Yantis Date 8-8-88

Donna Yantis Date 8-8-88

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

_____ Title _____ of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Adams)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 8 day of August 19 88

SEAL

Notary Public Karen Poulson

Residing at Council, Idaho

My Commission Expires April 11, 1994

Please Print Name

17. Notice of Appearance:

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

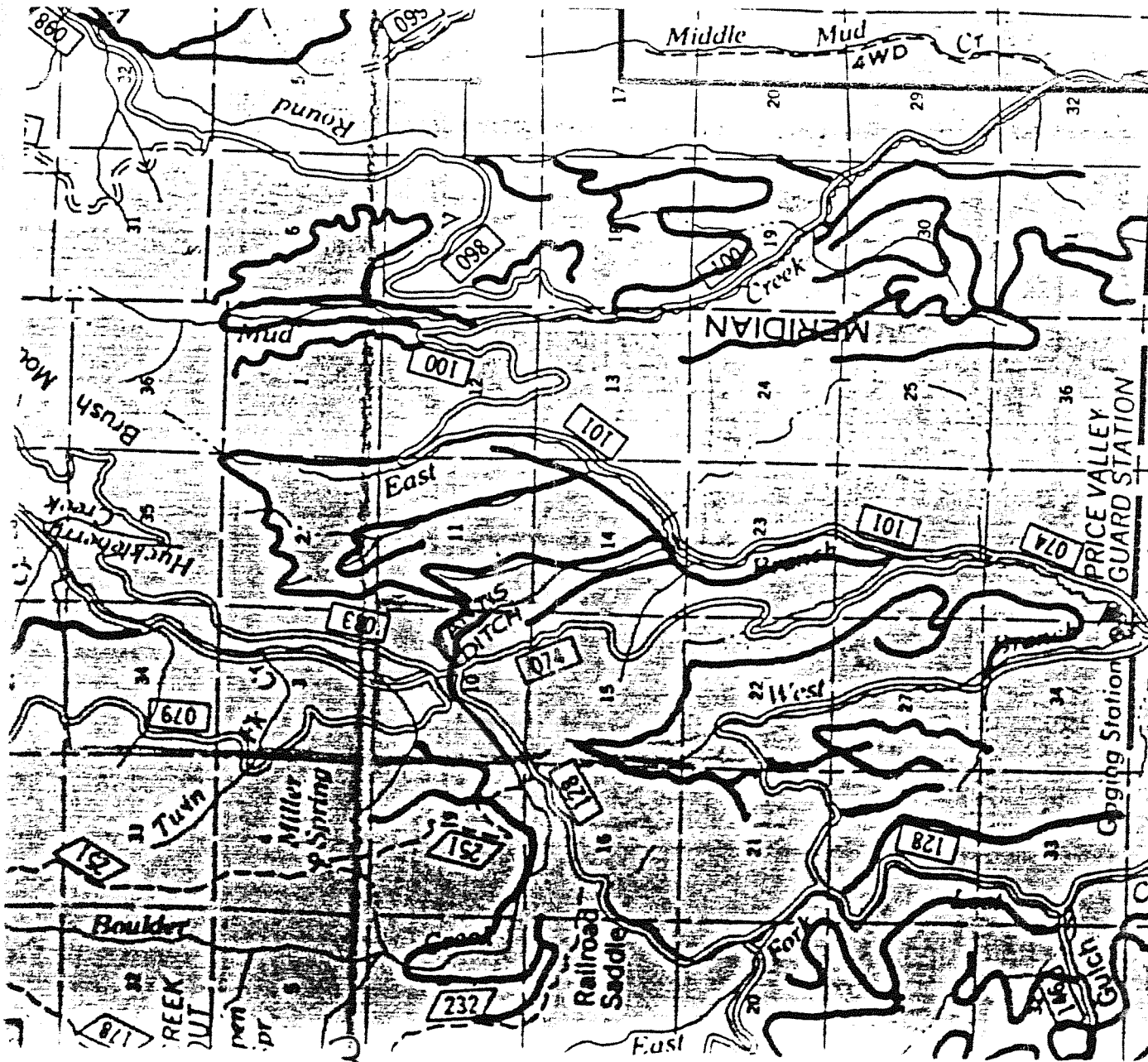
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
OCT 05 1992
Copies White-State, Yellow-Claimant



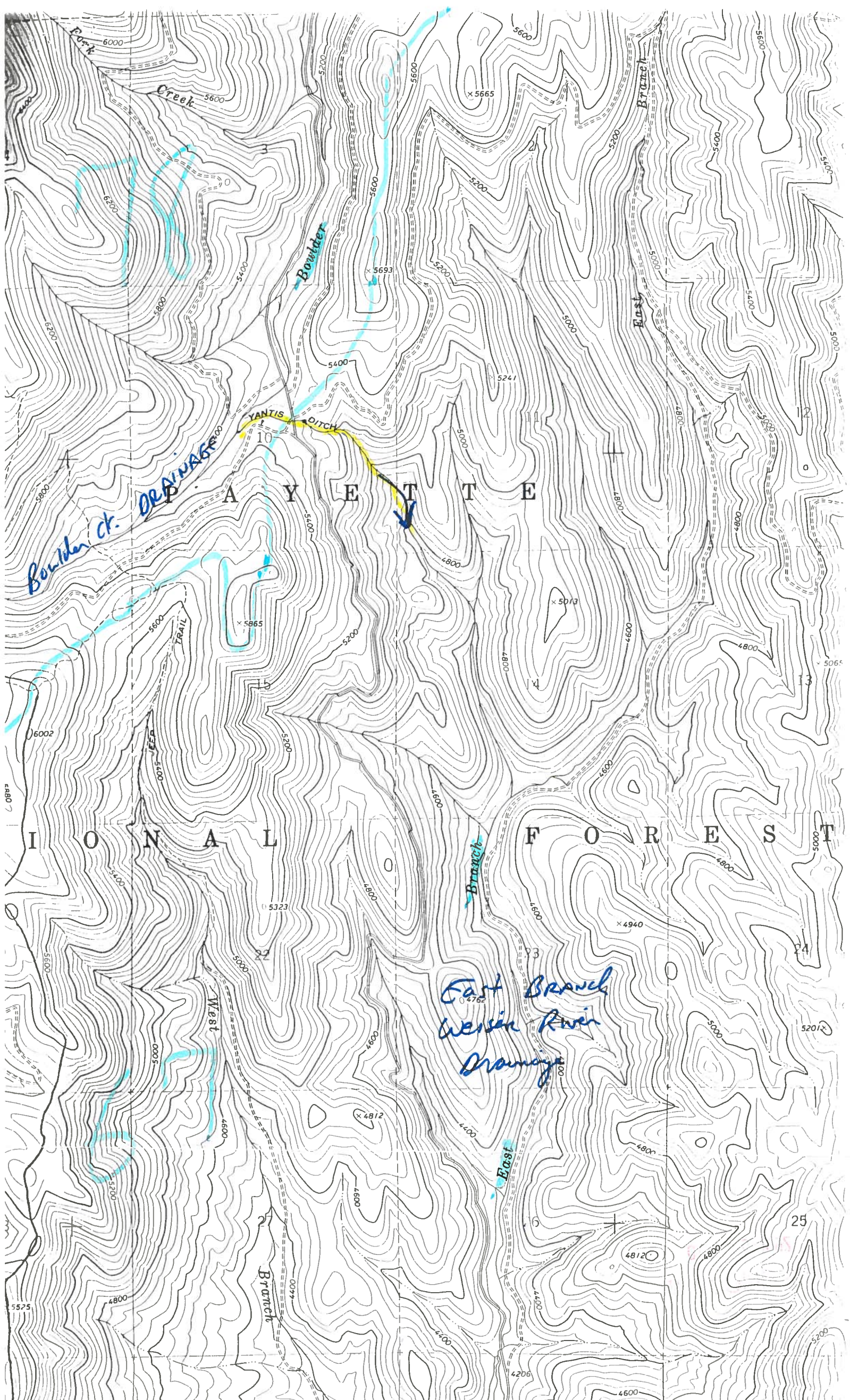
fantis Ditch

Boulder Creek

1E4SW1/4

SEC 10 20N R1W

MICROFILMED
OCT 05 1992



State of Idaho

License and Certificate of Water Right

Water License No. 16075
Water District No.

Amount - 3.0 sec.ft.
Priority - July 31, 1924

THIS IS TO CERTIFY that **Ralph Yantis Estate** of **Fruitvale, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **July 31, 1924**; that Permit No. 16075 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **3.0** second feet, was issued thereunder on **August 11, 1926**, showing that said works were completed on the **3rd** day of **August, 1929**; and that on the **4th** day of **August, 1929**.

Ralph Yantis Estate of **Fruitvale, State of Idaho**, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of **Boulder Creek**, a tributary of **Little Salmon River**, for the purpose of **irrigation and domestic use**, under Use Permit No. 16075 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume **7** of Licenses, at page **3645**, on the **10th** day of **January, 1931**;

The right hereby confirmed dates from **July 31, 1924**;

The Point of Diversion is located in the **NE ¼ SW ¼ Sec. 10, Tp. 20 N., R. 1 W., B.M. Adams County.**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **3.0** cubic feet per second.

Description and location of use:

Description and location of use:					
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
17 N	1 W	13	NW 1/4 NE 1/4	25	20
			SE 1/4 NE 1/4	20	30
			SW 1/4 NE 1/4	35	40
			NE 1/4 NW 1/4	25	4
			SE 1/4 NW 1/4	35	30
			NE 1/4 SW 1/4	35	30
					Total 154

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **10th** day of **January, 1931.**

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

MICROFILMED
OCT 11 1961

7-MAR-1988

SOURCE: BOULDER CREEK

TRIBUTARY: LITTLE SALMON RIVER

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WR-NUMBER: 78-2035
CURRENT OWNER: RALPH YANTIS EST.
FRUITVALE, ID

PRIORITY DATE:
31-Jul-1924

STAGE:
LICENSE

COUNTY: ADAMS
SOURCE: BOULDER CREEK
WATER USE:
IRRIGATION
DOMESTIC

TRIBUTARY: LITTLE SALMON RIVER
DIVERSION-RATE: 3.000 CFS
DIVERSION-VOLUME: 0.00 AF
TOTAL RATE: 3.000 CFS
TOTAL VOLUME: 0.00 AF

REMARKS: WATER IS INJECTED INTO THE E. BRANCH OF THE WEISER RIVER IN
NWSE SEC. 10, T20N, R1W.
ON AN EXCHANGE BASIS, WATER IS DIVERTED IN SW1/4 SEC. 12, T17N,
R1W FROM AN UNNAMED TRIBUTARY TO THE WEISER RIVER.

POINT OF DIVERSION: T20N R01W S10 NESW

WR-NUMBER: 78-7095
CURRENT OWNER: MIDDLE VALLEY DITCH CORP.
MIDVALE, ID 83654

PRIORITY DATE:
8-May-1977

STAGE:
PERMIT

COUNTY: ADAMS
SOURCE: BOULDER CREEK
WATER USE:
IRRIGATION
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
DIVERSION TO STORAGE

TRIBUTARY: LITTLE SALMON RIVER
DIVERSION-RATE: 50.000 CFS
DIVERSION-VOLUME: 0.00 AF
TOTAL RATE: 50.000 CFS
TOTAL VOLUME: 3000.00 AF

REMARKS: PT. OF INJECTION INTO LOST CR. E. FK.: NWSW, S16, T20N, R1W.
PT. OF REDIVERSION FROM LOST CRK., E. FK.: SENW, S28, T19N, R1W.
WTR. STORED IN LOST VALLEY RES. IN S21, 22, 27 & 28, T19N, R1W.
PER. INCORRECTLY DESCRIBES PT. OF INJECTION AS SENE, S16, T20N,
R1W,
MEASURING DEVICE NEAR DISCHARGE TO LOST VALLEY RES.
P/U WITHIN LANDS OF MIDDLE VALLEY DITCH CORP. AC. IRR.=3711.

POINT OF DIVERSION: T20N R01W S10 NESW
T20N R01W S08 NWSE
T20N R01W S08 SWNE

WR-NUMBER: 78-7094
CURRENT OWNER: ROBERT F. SMITH
STAR RT.
NEW MEADOWS, ID 83654

PRIORITY DATE:
7-Jun-1977

STAGE:
PERMIT

COUNTY: ADAMS
SOURCE: BOULDER CREEK
WATER USE:
IRRIGATION

TRIBUTARY: LITTLE SALMON RIVER
DIVERSION-RATE: 0.020 CFS
DIVERSION-VOLUME: 0.00 AF
TOTAL RATE: 0.020 CFS
TOTAL VOLUME: 0.00 AF

REMARKS: AC. IRR.=.83.

POINT OF DIVERSION: T22N R01E S34 SWSE

WR-NUMBER: 78-7094

PRIORITY DATE:

STAGE:

OCT 05 1992
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78-7201

DICK PULLEN
STAR RT.
POLLOCK, ID 83547

28-Jan-1982

APPLICATION

COUNTY: ADAMS
SOURCE: BOULDER CREEK
WATER USE:
POWERTRIBUTARY: LITTLE SALMON RIVER
DIVERSION-RATE:
20.000 CFS
TOTAL RATE: 20.000 CFSDIVERSION-VOLUME:
0.00 AF
TOTAL VOLUME: 0.00 AF

POINT OF DIVERSION: T21N R01E S08

T21N R01E S08 SWNE
T21N R01E S08 SENEWR-NUMBER:
78-7224CURRENT OWNER:
JOSEPH L. YATES
P.O. BOX 217
POLLOCK, ID 83547PRIORITY DATE:
6-Jul-1982STAGE:
APPLICATIONCOUNTY: ADAMS
SOURCE: BOULDER CREEK
WATER USE:
POWERTRIBUTARY: LITTLE SALMON RIVER
DIVERSION-RATE:
20.000 CFS
TOTAL RATE: 20.000 CFSDIVERSION-VOLUME:
0.00 AF
TOTAL VOLUME: 0.00 AFREMARKS: FEET OF HEAD = 1000. HORSEPOWER = 1186.
PROTESTANTS - JACK YANTIS
POWER

POINT OF DIVERSION: T21N R01W S24

T21N R01W S24 NWSW
T21N R01W S24 NWSW
T21N R01W S24 SENEWR-NUMBER:
78-7227CURRENT OWNER:
HY-TECH CO.
2109 BROADVIEW DR.
LEWISTON, ID 83501PRIORITY DATE:
3-Sep-1982STAGE:
APPLICATIONCOUNTY: ADAMS
SOURCE: BOULDER CREEK
WATER USE:
POWERTRIBUTARY: LITTLE SALMON RIVER
DIVERSION-RATE:
50.000 CFS
TOTAL RATE: 50.000 CFSDIVERSION-VOLUME:
0.00 AF
TOTAL VOLUME: 0.00 AFREMARKS: FEET OF HEAD = 500. HORSEPOWER = 2500.
PROTESTANTS - JACK YANTIS, U S F S
POWER
FERC NO. 6591. PENDING FERC ACTION.

POINT OF DIVERSION: T21N R01E S07

T21N R01E S07 NESE

MICROFILMED
OCT 05 1992

Wf 52

16075

CLAIM TO A WATER RIGHT

Water Resources

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

Jack and Donna Yantis

(Name of Claimant)

HC 64 Box 3595 Council Ida. 83612 (Mailing Address) (Name of Claimant) (Zip Code)

Telephone No. 253-4776

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 11, 1910

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Boulder Creek tributary to Little Salmon

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>3.0 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>9-31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

- (4) 150 in. or 3.0 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SW ¼, Sec. 10 Twp. 20N Rge. 1W B.M., County of Adams
Additional points of diversion: Eastfork Welsh River T19N R1E Sec 8
SE ¼ SW ¼

- 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. Describe any changes in the system and give the date of the change. *Diversion Dam in Boulder Creek to divert water which passes thru a ditch 2000 ft. flows into East Branches of West and is used as replacement water in line of water diverted by diversion Dam in East*

- (6) A) 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.

[illegible]

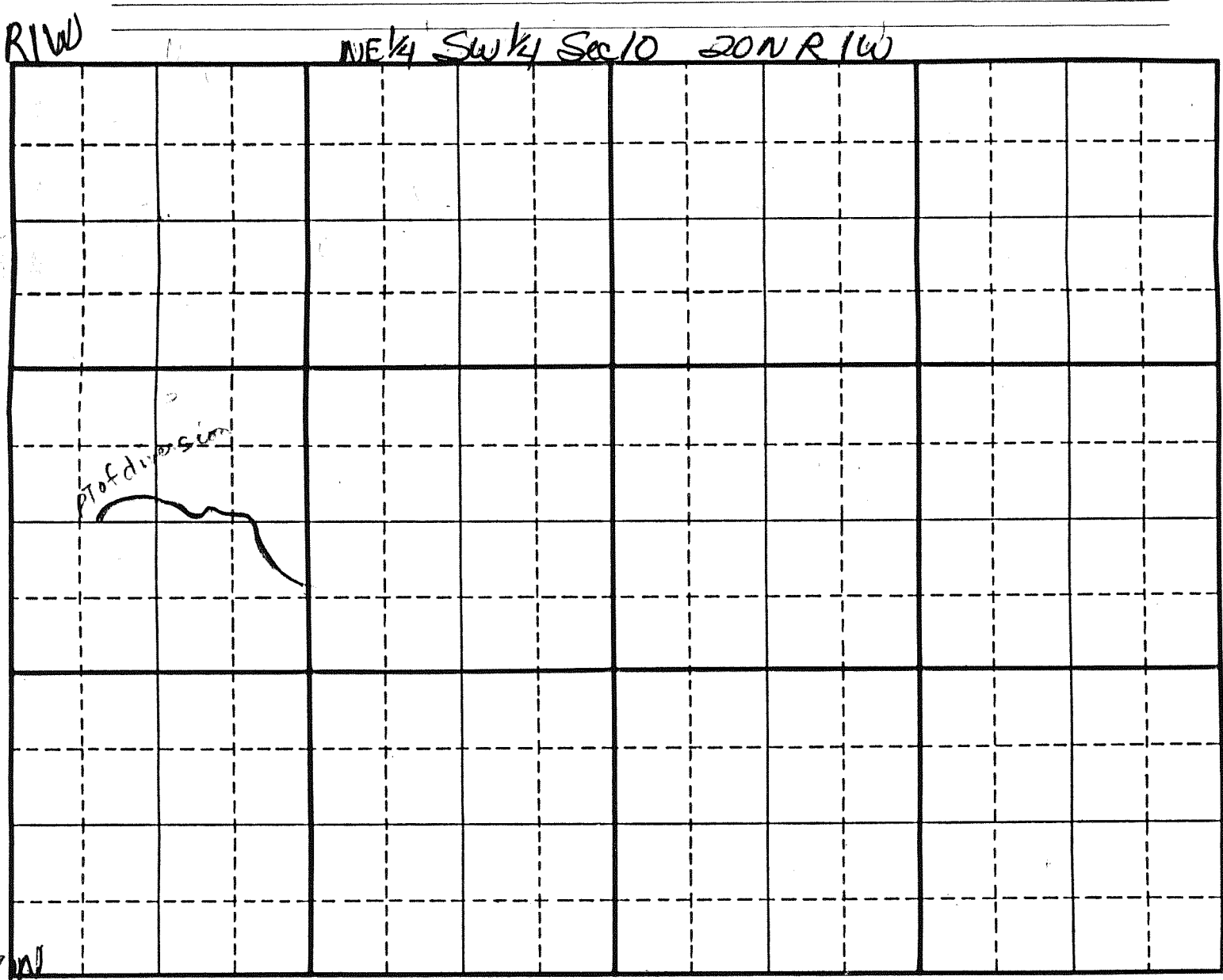
No. of acres

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks Refu to maps



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Jack Yantis Donna Yantis
(Claimant)

Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>nl</u>	Date <u>6-24-88</u>	Exception filed by:	Forwarded to	Date
Prelim. check by _____	Date _____	<u>C001455</u>	claimant by: <u>BOI</u>	_____
\$20.00 fee received by <u>Nme</u>	Date <u>6/20/88</u>			
Published in _____	_____	_____	_____	_____
Dates _____	_____	_____	_____	_____

Handwritten notes:
Boulder
7/1

CONVERSATION MEMORANDUM

Date 3/17/88 File # SRBA-Adams

NAME OF PARTY Swinford, Joseph + Danielle

EMPLOYEE D. Billups

RE Swinford Water Rights - Boulder Ck.

Mrs. S. called because she
rec'd Comm. Notice. When questioned
she said they owned 5 ac. Adams Co. -
no well, no house or improvements. I
told her doubtful ady. would impact her
as it seemed she had no water right.
Wanted to know why she had to have water
right when Boulder Ck ran right past.
Short course in water law. Told her I
would check computer to verify. But ran
over