

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: A43-02307

Date Received: 5/18/1989

Receipt No: M003636

Received By: *CF address change*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KIRTLAND YATES 208-645-2438
Address: 1941 S 2450 E
MALTA ID 83342
AND/OR
Name: JANET YATES 208-645-2438
Address: 1941 S 2450 E
MALTA ID 83342

2. Date of Priority: MAR 31, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	33	SE	NW	SW		CASSIA

5. Description of diverting works:
WELL 280' DEEP, 20" CASING, 100 HP PUMP, MAINLINE- WHEEL LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.900		

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

8. Total consumptive use is 504.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	27E	33	NE	NW		IRR	16.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	33	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	16.0
			NE		SW		IRR	16.0
			NW		SW		IRR	40.0

Section Acres 168.0

Total Acres 168.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
HAS FILED APPLICATION 43-07211

14. Remarks:
AC. IRR.=166.5.

4/17/00 CT: CHANGED ADDRESS AS PER REQUEST REC'D 2/18/00.

15. Basis of Claim: LICENSE

Water Right Number: 20340



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

FEB 18 2000

Department of Water Resources
Southern Region

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

- ☐ Water Right Number(s): A43-02307
A43-10593 ^{IDWR}
ARK A43-10188 ^{IDWR}
- ☐ Old Mailing Address: Kirtland Yates / Janet Yates
HC-72 Box 2136
Malta, ID 83342
- ☐ New Mailing Address: Kirtland Yates / Janet Yates
1941 S. 2450 E.
Malta, ID 83342
- ☐ New Telephone Number: (208) 645 - 2438
- ☐ Signature of Claimant(s): Kirtland Yates
Janet Yates
- Date: 2/19/2000

FOR IDWR USE ONLY	
Initial Review and Data Entry	
Date: <u>4/17/00</u>	By: <u>ct</u>
Further Action Needed:	
Further Action Taken	
Date:	By:
Final Review and Data Entry	
Date:	By:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KIRTLAND YATES
JANET YATES
1941 S 2450 E
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA) **Change of Address**
Water Right No A43-02307, A43-10593, A43- 10188

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cheryl E. Timm'.

Cheryl E. Timm
SRBA Records Clerk

Enc: Claim to a water right referenced above

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Date Received: 5/18/1989
Receipt No: M003636
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE

1. Name: KIRTLAND YATES
Address: HC 72 BOX 2136
MALTA, ID

208-645-2438

AND/OR

Name: JANET YATES
Address: HC 72 BOX 2136
MALTA, ID

208-645-2438

2. Date of Priority: MAR 31, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	33	SE	NW	SW		CASSIA

5. Description of diverting works:

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IRRIGATION	03/15	11/15	2.900		

7. Total Quantity Appropriated is:

2.900 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 504.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-02307

Page

1

Date: 06/30/89

MICROFILMED

MAR 08 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	33	NE		NW		IRR	16.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	16.0
			NE		SW		IRR	16.0
			NW		SW		IRR	40.0

Section Acres 168.0

Total Acres 168.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
HAS FILED APPLICATION 43-07211

14. Remarks:
AC. IRR.=166.5.

15. Basis of Claim: LICENSE
Water Right Number: 20340

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): Kintland Yako Date: 8-7-89
Janet Yates Date: 8-7-89

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of August 19 89 Floyd Schwarzman
Notary Public

Seal

Residing at Malta, Idaho
My Commission Expires 11-25-92

PROFILMED
MAR 08 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

OCT 24 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Department of Water Resources
Southern Region Office

July 6, 1989

Kirtland and/or Janet Yates
72 Box 2136

Anna - We weren't
sure if we still needed
to return this particular
communication or not.
We signed it anyway
in case. If it is
no longer necessary
please return it to us.

Janet Yates

Item #1, notarized and return the claim as "Amended" to the Department of Water Resources Southern Region Office, 2148 Fourth Avenue East, Twin Falls, ID 83301.

Do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,

Anna Baumhoff

Anna Baumhoff
Agent, Adjudication Section

AB:ab:south

Enclosures:

Claim #A45-02307

will call Friday

*talked to Anna
on 7-24-89 - She said
she'd take care of this and
send some additional papers
for our action (Anna's letter)
copy the letter to come
return with papers*

T.W.I.M.C.

No Problem

just derpheaton
put in file

No modification
B&K/89

RECEIVED

MAR 08 1993

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IN RE THE GENERAL ADJUDICATION
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Receipt No: M003636
Received By: _____

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ACQUIRED UNDER STATE LAW

1. Name: KIRTLAND YATES 208-645-2438
Address: HC 72 BOX 2136 19415 2450 E
MALTA, ID 83342

AND/OR

Name: JANET YATES 208-645-2438
Address: HC 72 BOX 2136
MALTA, ID 83342

2. Date of Priority: MAR 31, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	33	NE		NW		IRR	16.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	16.0
			NE		SW		IRR	16.0
			NW		SW		IRR	40.0

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Total Acres 168.0

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14. Remarks:
AC. IRR.=166.5.

15. Basis of Claim: LICENSE
Water Right Number: 20340

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: A43-02307
Date Received: 5/18/1989
Receipt No: mo036
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KIRTLAND YATES 208-645-2438
Address: HC 72 BOX 2136
MALTA, ID 83342

AND/OR

Name: JANET YATES 208-645-2438
Address: HC 72 BOX 2136
MALTA, ID 83342

2. Date of Priority: MAR 31, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	33	SE	NW	SW		CASSIA

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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	33	NE		NW		IRR	16.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	16.0
			NE		SW		IRR	16.0
			NW		SW		IRR	40.0
Section Acres								168.0
Total Acres								168.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
HAS FILED APPLICATION 43-07211

14. Remarks:
AC. IRR.=166.5.

15. Basis of Claim: LICENSE
Water Right Number: 20340

16. Signature(s)

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

Number of attachments: 1

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): Kurt Land Yates Date: 5-18-89
Janet Yates Date: 5-18-89

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of May 19 89 Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994

RESOURCES
7E

MICROFILMED
MAR 03 1993

		40	14
		40	14

AvB 02307





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 6, 1989

Kirtland and/or Janet Yates
HC 72 Box 2136
Malta, Idaho 83342

RE: Snake River Basin Adjudication
Claims #A45-02307

Dear Mr. And Mrs. Yates:

We are forwarding to you a data entered copy of the claim you submitted for your property in Cassia County. During review of the claim it was noted that item #8, Total Consumptive Use, was blank. For your legal description the Department recommends 3 acre feet per annum. You are claiming 168 acres on claim #A45-02347, therefore your consumptive use would be 504 acre feet per annum. If this agrees with your actual usage please keep the copy of your claim in your files. However if this does not agree with your actual usage, please correct the amount and explain at item #14, "Remarks". Then sign the claim having your signature notarized and return the claim as "Amended" to the Department of Water Resources Southern Region Office, 2148 Fourth Avenue East, Twin Falls, ID 83301.

Do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,

Anna Baumhoff
Agent, Adjudication Section

AB:ab:south

Enclosures:

Claim #A45-02307

MICROFILMED

MAR 03 1993

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-2307

JANET YATES
1941 S 2450 E
MALTA ID 83342
Telephone Number: (208)645-2438

KIRTLAND YATES
1941 S 2450 E
MALTA ID 83342
Telephone Number: (208)645-2438

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:

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

DATE:

May 30-01

SIGNATURE:

Kirtland Yates

Please print your name:

Kirtland Yates

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

09/21/2000

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

RIGHT NUMBER: 43-2307

NAME AND ADDRESS: JANET YATES
KIRTLAND YATES
1941 S 2450 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 2.9 CFS
666 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-10593 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 666 AF.

PRIORITY DATE: 03/31/1948

POINT OF DIVERSION: T13S R27E S33 NESWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.90 CFS 666.0 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S33	NENW	40	T13S R27E S33	NWNW	39
T13S R27E S33	SENW	40	T13S R27E S33	SWNW	37
T13S R27E S33	NESW	40	T13S R27E S33	NWSW	39

235 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-10593 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 166.5 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE 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 NO. 43-10593 IS AN EXPANSION OF THIS RIGHT PURSUANT
TO SECTION 42-1416B, IDAHO CODE.

09/21/2000

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

RIGHT NUMBER: 43-2307
NAME AND ADDRESS: JANET YATES
KIRTLAND YATES
1941 S 2450 E
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 2.9 CFS
666 AFY

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DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 666 AF.

PRIORITY DATE: 03/31/1948

POINT OF DIVERSION: T13S R27E S33 NESWS Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	2.90 CFS 666.0 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County					
T13S R27E S33	NENW	40	T13S R27E S33	NWNW	39
T13S R27E S33	SENW	40	T13S R27E S33	SWNW	37
T13S R27E S33	NESW	40	T13S R27E S33	NWSW	39

235 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-10593 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 166.5 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

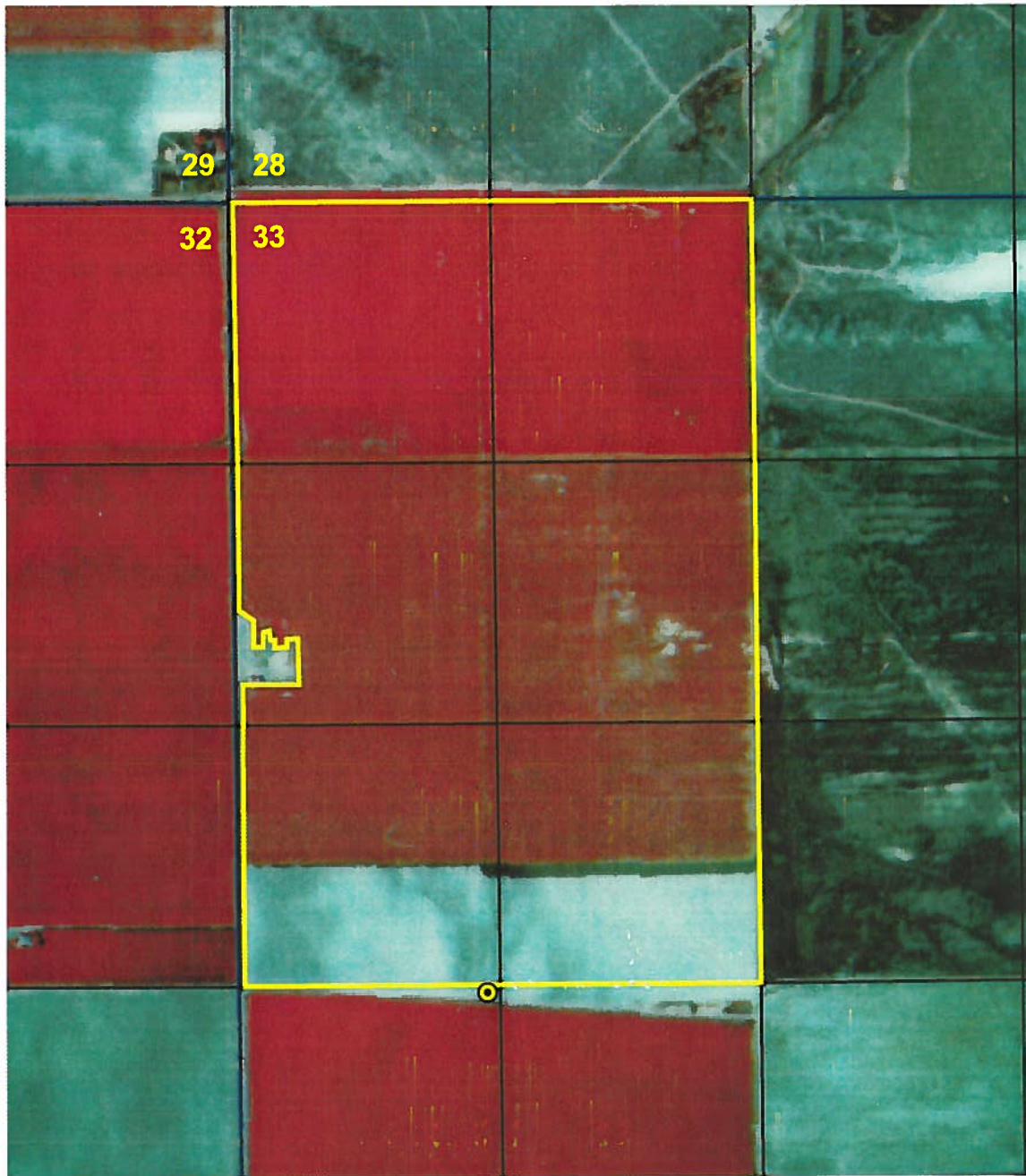
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 43-10593 IS AN EXPANSION OF THIS RIGHT PURSUANT
TO SECTION 42-1416B, IDAHO CODE.

43-02307 & 43-10593



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 11, 2000
TWP 13S, RNG 27E, SEC. 33



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

11:03:28
07/11/00
3

CLAIM NUMBER: A43-02307

~~500~~ AF
666
(116.5 x 4)
~~504.00 AFA~~

166.5 / 235 ppm
w/-10593

copy to
comments

Remarks:
 "EXP" KD3
 "QNT" E25
 "POU1" E11, KD6 (166.5A.)

CLAIM NUMBER A43-02307 DATE _____
AGENT _____

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 168
GIS ACRE TOTAL 235

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	27E	33					16	40	40	16	16	40							168
GIS	13S	27E	33					40	39	37	40	40	39							
RECOM	13S	27E	33					40	39	37	40	40	39							235
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-DBPOU.SHP

SHAPE NOS.

43-DBPOD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
528-76-8638 S KIRTLAND W YATES MALTA ID 83342 0000	240.0	237.7	237.7	237.7		ACTIVE

CRP: .0
IFM: N
RECON. REF. NO.: 000000
DEAF NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	P&CP-----		YIELD-----		
						YEAR		YEAR	NI	IR
WHEAT	1	138.0	.0			93	141.7	94	25	63
						92	144.7	85	25	75
						91	81.7			
						90	160.3	-----	HWY	-----
						89	161.7	94	63	
						88	160.0	85	75	
BARLEY	1	30.8	.0			93	34.4	94	25	79
						92	37.2	85	25	81
						91	39.0			
						90	43.3	-----	HWY	-----
						89	.0	94	25	
						88	52.3	85	25	
OATS	1	10.4	.0			93	12.0	94	25	71
						92	12.9	85	25	75
						91	12.4			
						90	14.5	-----	HWY	-----
						89	.0	94	25	
						88	20.4	85	25	

No. of Tracts: 1

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	Ø27	AØ27	W	CW	FW	FC	AW	MW	RW	MG	CWTE	CWNA	PCW
1637	240.0	237.7	237.7	Y	Y	Y	N	N	N								N
IDENTIFIER			S-33 T-13 R-27		FF-28												
OWNER			1 - KIRTLAND W YATES														

29 28

32 33 899
T 1637

1
76.0

NW
HEL

893
T 1635

566

2
161.7

NHEL/W

1075
T 1640

1
32.1 — HEL/NW —

32 33

5 4

State of Idaho License and Certificate of Water Right

Water License No. 20340
Water District No.

Amount 2.90 c.f.s.
Priority March 31, 1948

THIS IS TO CERTIFY that CHARLES L. HALL of Malta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 8, 1948; that Permit No. 20340 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3 second feet, was issued thereunder on March 19, 1953, showing that said works were completed on the 9th day of March, 1953; and that on the 9th day of April, 1958, CHARLES L. HALL

of Malta, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. 20340 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6419 on the 8th day of September, 1958; The right hereby confirmed dates from March 31, 1948; The Point of Diversion is located in the NW 1/4, SW 1/4, Sec. 13, T. 11 S., R. 27 E., B. M. County Cassia

that the amount of water to which this 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 2.90 cubic feet per second.

Description and location of use:

Tap	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
17 S.	27 E.	13	NW 1/4	40	15.5
			SW 1/4	40	40
			SE 1/4	40	40
			NE 1/4	40	15.5
			SW 1/4	40	15.5
			SE 1/4	40	40
Total number of acres irrigated -					166.5

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

Witness my hand and signature at the State Reclamation Engineer, at Boise, Idaho, this 10th day of September, 1958.

/s/ Geo. M. Garton
State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20340

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Charles L. Hall, Star Route, Malta, Idaho

2. Source of water supply: Subterranean (open well)

3. Location of point of diversion: Is in the NW 1/4 of Section 33
T. 13 S. R. 27 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Well 370' x 16" all cased 8" x 90' column shows 14" diameter. 1 1/2 motor 90 Hp 440 volts #1100377 Forbanks Morse Pump # PK 7799. Manometer control box mounted on utility pole 40' SW of well. Pump mounted on casing H = 18' lift = 44' no shelter. Water measured over weir.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Township 13 South, Range 27 East, R.M.

Section 33 - NW 1/4, NE 1/4 - total 240 acres

Q/W 3 E 13 - P.D. NW 1/4 33 - 13S - 27E R.R. & R.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: ...

Crops are grain, hay & row crops

This examination was made on the

9

day of July

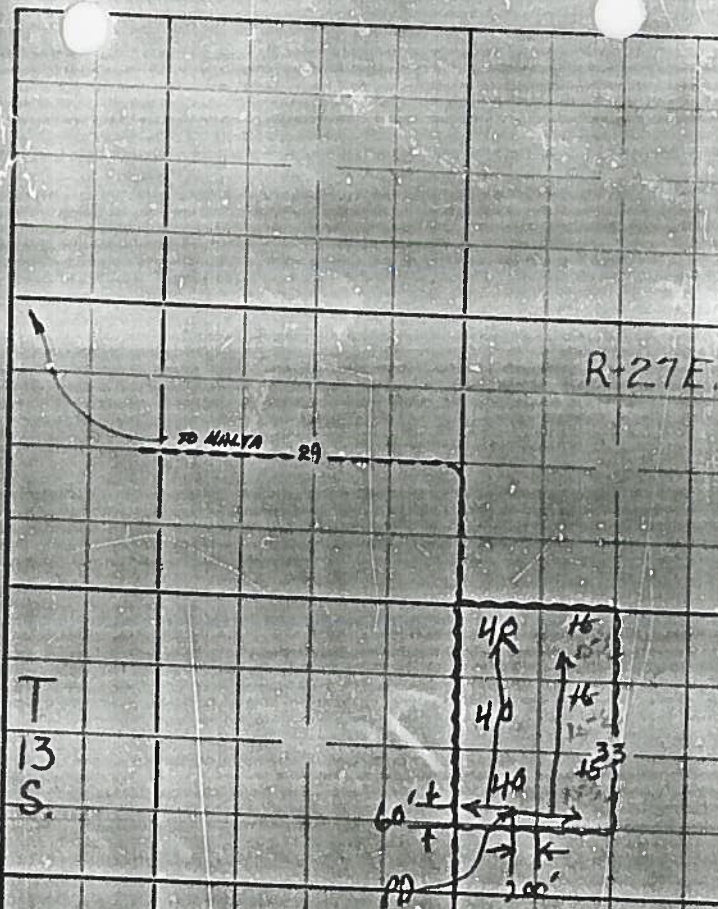
1958

(Signed)

Carol Peterson

Examiner

20340



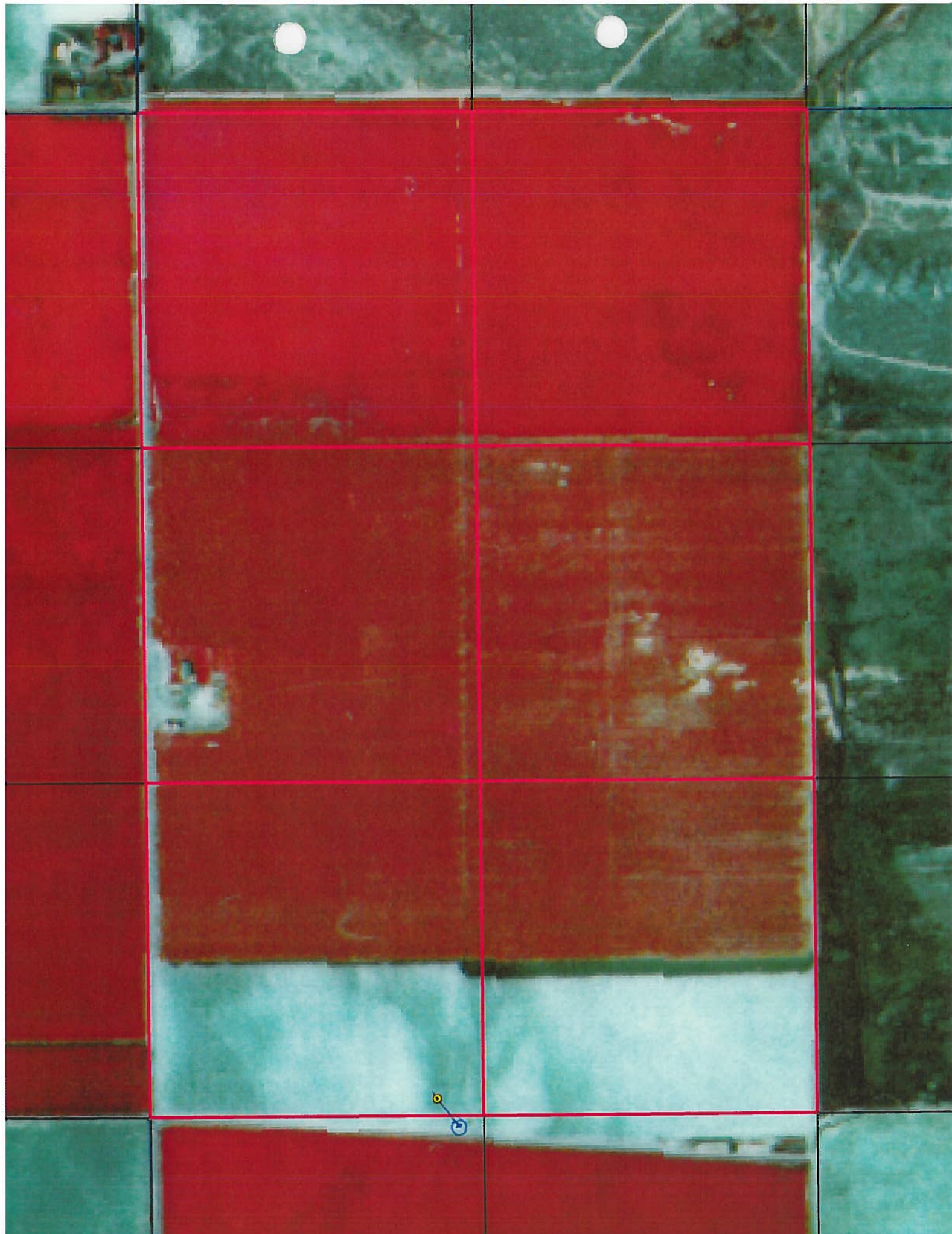
$$Q = 172''$$

Subdivisions = 6

Acres = 168 16 2

$$Q = 141'' \text{ or } 2.92 \text{ cfs.}$$

$$145'' \text{ or } 2.90 \text{ cfs.}$$



- Mrs. Yates wonders why Gardiners were able to transfer that water off of BLM & why?

- they were the ones who worked with BLM in turning it back to its natural state

- if possible, they might want to claim against that water that Gardiner transferred off as they were the ones who farmed the place?

1965 - Willard Yates farmed till

- if that water was available for Gardiners then, what water might be available for them since they have an expansion claim with no additional water



68.5 ac / 255 ac. pp4

6-30-1985 priority date

* possible decreased sts. for their property had been transferred off. . . .

* where is well on BLM land
(#43-22408)

The Yates were in and visited with KKC last Friday (2-18-00) about their rights. He told them that the Expansion claim was pretty worthless and they would be limited to dis. rate & volume in the near future.

They may ~~want~~ ^{look} into transferring some water into to give them more water. He also said there may be some ownership problems with the lower end of the property. They are irrigating it under their system, but they don't own it...

* should alert them that that ground is not claimed and if they acquire it later, it will not have a water right...

* (the entire 40's are actually claimed by Roland Allen L+L >)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 10, 2000

Janet Yates
1941 S 2450 E
Malta, ID 83342

RE: Request for information
Application for Permit 43-07211

Dear Mrs. Yates:

Please find enclosed printouts for the Snake River Basin Claims (SRBA) which we discussed on the phone yesterday. Claim A43-02307 is for the old original license for irrigation on the property. Claim A43-10593 is for expanded use of the original license on additional acres. Claim A43-10188 is for the domestic well on the farm.

Also enclosed is a copy of 42-1416B of the IDAHO CODE which deals with expansion claims in critical ground water areas such as your claim A43-10593.

As we discussed, your application for water permit filed in 1985 (43-07211) has no bearing on how your SRBA claims will be reviewed and recommended. As you know this application has been held without action since 1985. Review of data by the department finds the Raft River Critical Ground Water Area continues to be overdrafted and approval of any new water right application is not possible. For this reason all pending water right applications are going to be denied. Before this process you are given the opportunity to withdraw your application 43-07211 and get the fees refunded that were paid for this application (\$65.00). After September 1, 2000 no refunds will be given and the applications will start the process of being denied. In that process you are provided opportunity to respond to the preliminary order that will be issued denying your application pursuant to IDWR procedural rules. Ultimately if you wish you may appeal the denial to the district court.

If you have further questions, please feel free to contact this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CGWMA -List to pull on September 7, 2000

43-07208	Scott Knudsen
43-07209	Roland Allen Land & Livestock
43-07211	Kirtland Yates
43-07212	Warr Bros
43-07218	D. Jay Harper
43-07220	Glen Parke
43-07299	Interstate Feeders Inc
45-07576	Conrad Land & Livestock
45-07578	Howard Conrad
45-07579	Hepworth Farms
45-07607	Lambert Produce Inc
45-07665	Lambert Produce Inc
45-07666	Lambert Produce Inc.
45-07667	Lambert Produce Inc.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 2000

RE: Application for Permit in Critical Ground Water Area

Dear Applicant:

Our office has initiated a review of applications for permits to appropriate the public waters of the State of Idaho that have been held without action for many years. One type of application being held is those which propose development of ground water within an established critical ground water area. Our records indicate you have filed such an application. (Please find attached a computer printout describing your application)

Our office intends to dispose of all applications seeking ground water development in critical areas by denying the applications. Before initiating this action our office intends to provide you opportunity to withdraw your application and request a refund of the filing fees that have been paid.

Please review this matter and if you wish to withdraw your application please complete the enclosed form. If our office does not receive a withdrawal by September 1st, 2000 your application will be forwarded to the IDWR State Office with a recommendation it be denied. Any denial will be in the form of a preliminary order which you may request reconsideration or judicial review pursuant to procedural rules.

If you have questions, please feel free to contact this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

July 21, 1997 9:04am

NAME:

RE:

JANET YATES

CALLIN

QUESTIONS ON PUBLIC MTG.

SHE WANTED TO KNOW IF HER RIGHTS WERE ALL UP TO THE CURRENT REQUIREMENTS... I LOOKED THEM UP AND READ OF THESE RTSL.:

A43-02307

A43-10593 (EXP)

A43-10188 (D&S)

SHE SAID THAT WAS THE CORRECT FILINGS WE SHOULD HAVE.

I ENCOURAGED HER TO ATTEND THE MTG. IN RUPERT ON 7/28; IT WILL HAVE INFO ON THE EXPANSION CLAIM PROCESS AND MAY AFFECT HOW YOUR RTS. ARE HANDLED IN THE SRBA.

R PROOF

CVR

MAPS

PHOTOS

MISC

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