

05/19/2003

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

RIGHT NUMBER: 2-102

NAME AND ADDRESS: LUCY R YARBROUGH
RT B BOX 216
GRAND VIEW ID 83624

WALTER H YARBROUGH
RT B BOX 216
GRAND VIEW ID 83624

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 05/09/1969

POINT OF DIVERSION:

T05S R03E S6 SWNENW Lot 5 Within OWYHEE County Source: SNAKE RIVER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.100 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R03E S06 Lot 4 NWNE 6.0

6 ACRES TOTAL

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

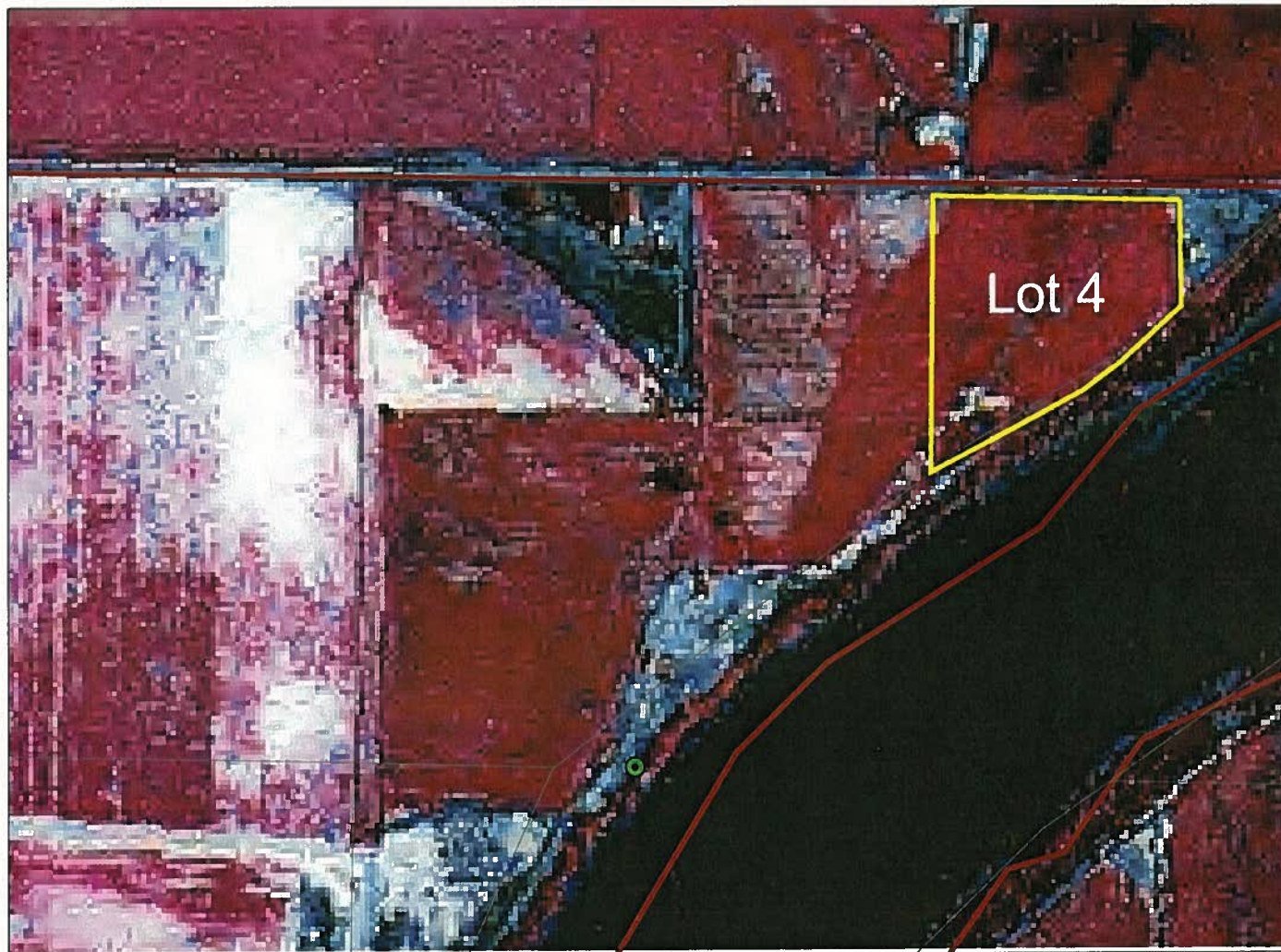
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT NO. 02-02069 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Idaho Department of Water Resources

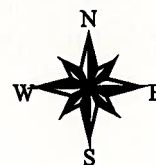
Place of Use Layout 2-102



0

0.25 Miles

Township 5S Range 3E Section 6



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: May 19, 2003

	Point of Diversion
	Place of Use
	PLSS Township
	PLSS Section Lines
	PLSS quarter-quarter lines

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: A02-00102
Date Received: 12/01/1988
Receipt No: MO 02025
Received By: JWC

RECEIVED

DEC 7 1988

Department of Water Resources
Western Regional Office

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

1. Name: WALTER H. YARBROUGH 208-834-2727
Address: RT. B BOX 216
GRAND VIEW, ID 83624
AND/OR
Name: LUCY R. YARBROUGH
Address: RT. B BOX 216
GRAND VIEW, ID 83624

2. Date of Priority: MAY 09, 1969

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	03E	6	SW	NE	NW	5	OWYHEE

5. Description of diverting works:
PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A02-00102

Page 1

Date: 12/01/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	6	NW	NE	4	IRR	6.0
Section Acres							6.0
Total Acres							6.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

GRANDVIEW IRR. DIST. SHARES, A0202069

14. Remarks:

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): *Walter J. Garbrough* Date: _____
_____ Date: _____

State of Idaho)
County of *Campana*) SS.

Subscribed and sworn (or affirmed) before me this *1* day

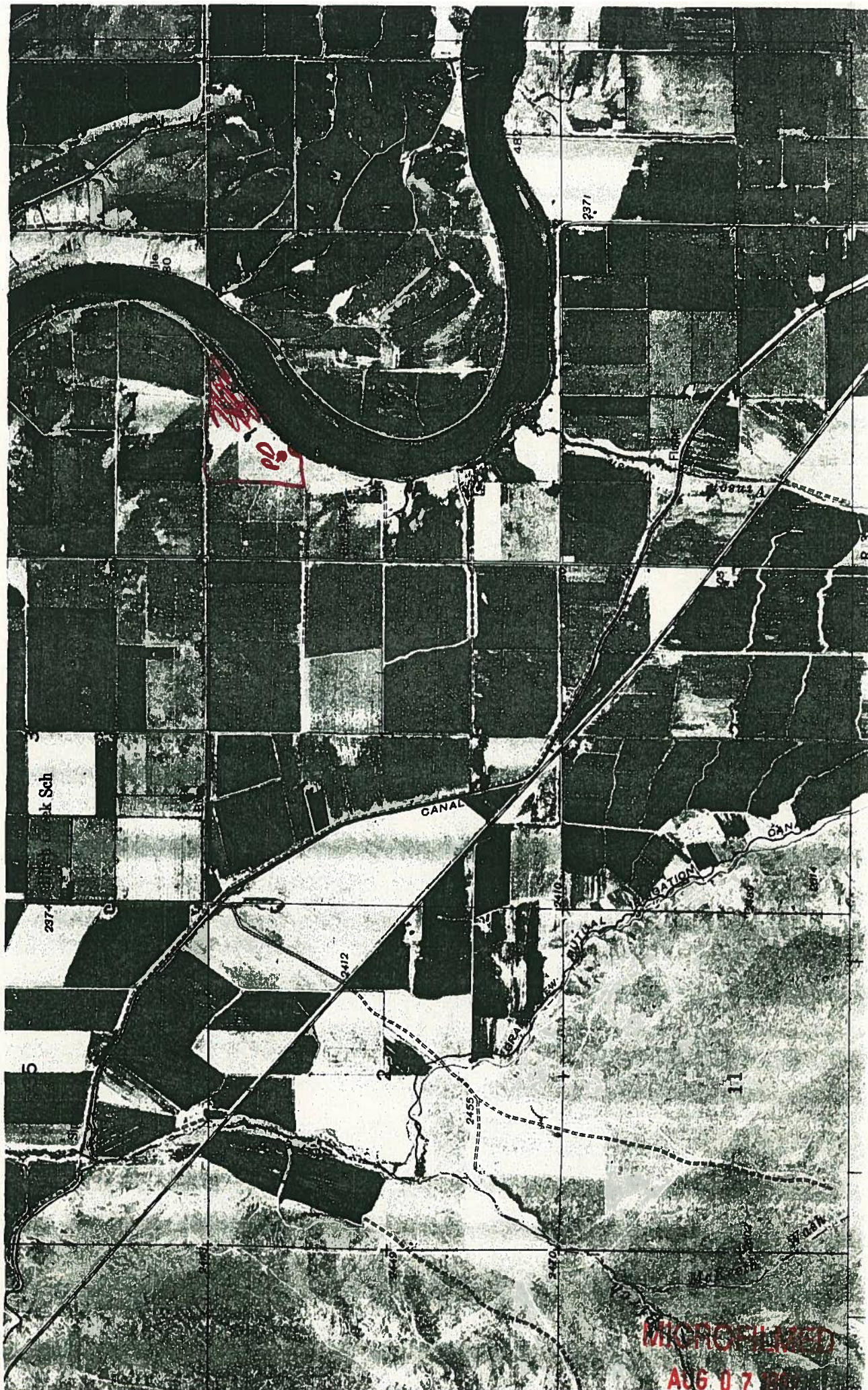
of *Dec* 19 *88*

John Dale Carlson
Notary Public

Seal

Residing at *Boise, ID*

My Commission Expires *6/2/90*



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HEAD37

ADJUDICATION PROOF READING REPORT

09/19/84

PAGE 1

WATER RIGHT NUMBER 02-0102

OWNER LAST NAME - YARBROUGH FIRST NAME - WALTER H. ORIG OWNER -
OWNER LAST NAME - YARBROUGH FIRST NAME - LUCY R. ORIG OWNER -

ADDRESS LINE 1 - RT. B BOX 216 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - GRAND VIEW STATE - ID ZIP CODE - 83624

SOURCE - SNAKE RIVER TRIBUTARY OF - COLUMBIA RIVER PRIORITY - 05-09-1969 COUNTY - QUYHEE TOTAL DIV. RATE - .1000 -CFS

STAGE - STATUS - PRIORITY - 05-09-1969 COUNTY - QUYHEE RIGHT BASIS - A TOTAL DIV. RATE - .1000 -CFS

TOTAL DIV. VOLUME - .00 AFH TRFR/AMEND - WATER DIST. - 02 DLE/OPREY ACT - RIGHT BASIS - A TOTAL DIV. RATE - .1000 -CFS

DIVERSION POINT - NEEN 06 055 03E LOT 05 REDIV - USE DIV. RATE - .1000 CFS USE DIV. VOLUME - .00 AFH

FROM - 03-15 TO - 11-15 USE - IRRIGATION PLACE OF USE - TWIN 055 RND 03E SEC 06 TRACT NAME LOT 04 AC 05 TOTAL ACRES 6

USE - IRRIGATION DEGREE NAME - DATE - TOTAL ACRES 6

REMARKS -

NON IRRIG USE - OTHER RIGHTS FOR SAME USE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -

PROOF DUE - FLD EXAM - COND. OF APPROVAL -

PROOF MADE - DIVERSION MEANS - PUMP & PIPELINE

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF
MILNER DAM TO YARBROUGH BASIN
OREGON BORDER.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-0102</u> I.D. No.	<u>22594</u> Map No.
\$ <u>30.00</u> Fee Paid	<u>22594</u> Receipt No.

Notice is hereby given that Walter H. Yarbrough &/or Lucy R. Yarbrough

(Name of Claimant)

Rt. B, Box 216, Grand View, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. 834-2727

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, or priority date of decreed, licensed or permit right) 3/15/1950 5/09/1969
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Snake River tributary to Columbia River
- (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 10.10 Use Irrigation A Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) .10 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW/NE Lot 5 NE
Sec. 6, Twp. 5S, Rge. 3E, B.M., Owyhee 73 County
Additional Points: SC1: 2720(1) 480.7
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.
Pump & pipeline

- (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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>5S</u>	<u>3E</u>	<u>6</u>		<u>L. 4</u>															<u>6</u>

Total no. of acres 6

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 Ralph Belfier in conjunction with 02-2069 irrigated this land that was not owned by him. See 02-2069 for system capacity and use.
- (9) 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, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

KEYPUNCHED

Se 8/27/84

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.

March 23, 1984

(Date)

State of Idaho

County of Ada

ss.

Organization

Seal

Organization

(Signature of Authorized Agent)

1984

On this 23rd day of March, in the year 1984 before me

a notary public, personally appeared Walter H. Yarbrough and Lucy R. Yarbrough Department of Water Resources

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 they) executed the same.

My commission expires 11/28/84

Notary Public residing at

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 3/28/84

Right No. 02-0102

Claimant YARBROUGH

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 02-2069

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 8-01-1957 6-24-1964 5-09-1969
DLG-137-77, DLG-1EE-194, CIV-3KK-91

☒ Irrigation Company/District Records. ☐ In file. Or Name &
location GRAND VIEW IRR. DIST. GRAND VIEW

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 4-15-1949

☐ Adj. Report in file ☒ Beneficial Use Report in License (S.O.) File
02-2069

Measurement .60 cfs. Amount recommended .10 cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. '74 09 JACKASS BUTTE

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

APR 10 1984
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3/28/84

To: 02-2069, 02-0102

From: D. SHAFF

Subj: REVIEW ANALYSIS

PHOTOCOPIES OF EARLIER AERIAL PHOTOGRAPHS (57 & '64)

IN 02-0102 SHOW THE CLAIMANTS WERE NOT IRRIGATING 3/ ACRES. ~~57~~ PRIOR TO 1969, LAND IN LOT 4 WAS IRRIGATED, BUT WHEN ADDED TO THE LAND IRRIGATED IN LOT 5 BY THIS PUMP, THE TOTAL EQUALLED 25 ACRES. THE LICENSED RIGHT WAS ESSENTIALLY TRANSFERRED. IN 1969 25 ACRES WERE IRRIGATED IN LOT 5 AND 6 ACRES IN LOT 4. THE RECOMMENDATION FOR THE RIGHTS CONFIRMS THE CLAIMS AS SUBMITTED, EXCEPT TO ADVANCE THE PRIORITY DATE FOR 02-0102. THE ORIGINAL PHOTO PRINTS FOR 1957 & 1964 ARE IN THE ELMORE CO. ASSESSOR'S OFFICE. THE 1969 PHOTO PRINT IS IN THE STAFF FILES.

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POOR ORIGINAL

5-09-69
CVS-5KK-91

69

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3
could
be flooded
pasture
except white
area

LG-238

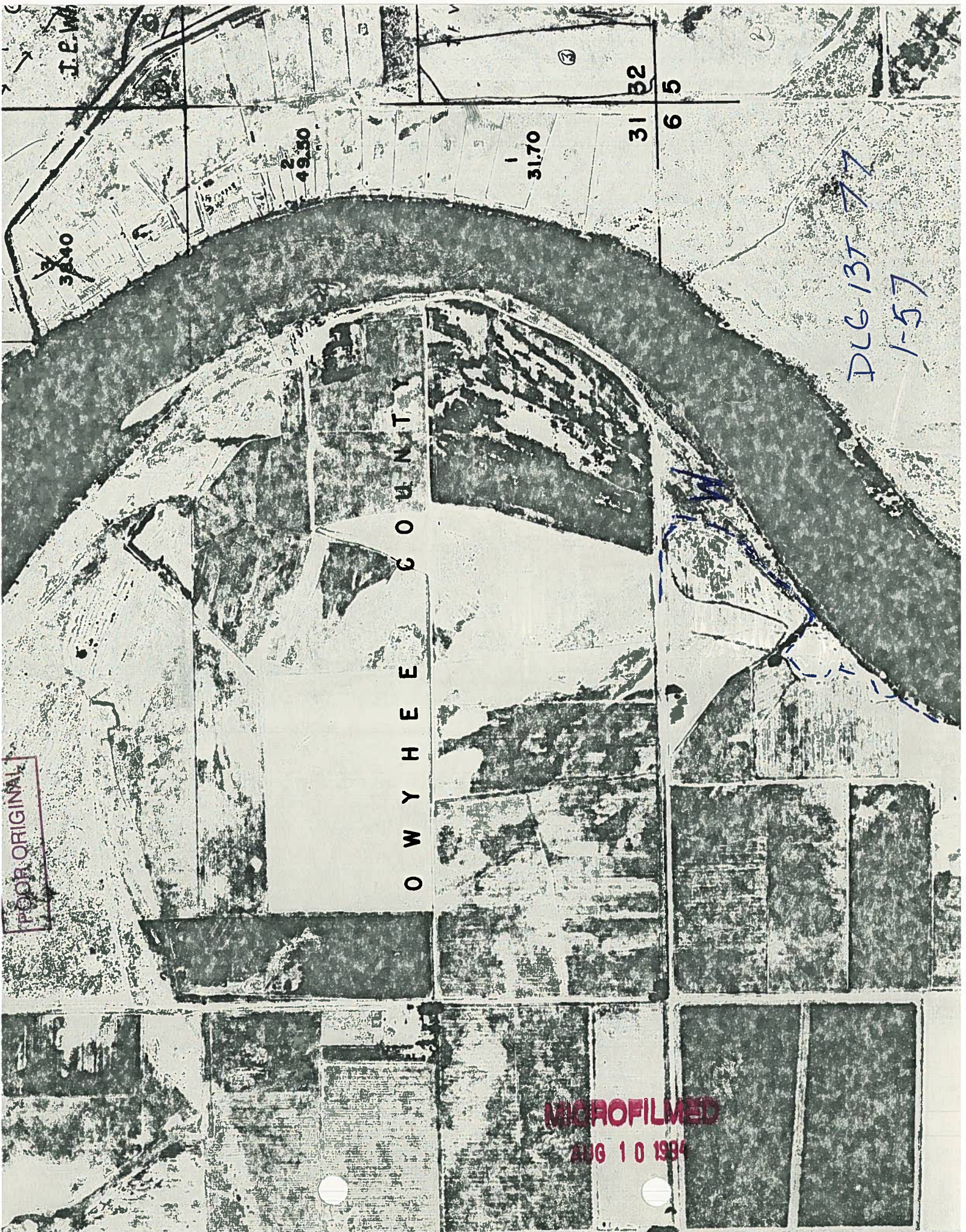
Lot
(23)

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DLG-1EE-194
6-24-64

POOR ORIGINAL

POOR ORIGINAL



J.E.W.

38.40

2
49.30

31.70

31 32

6 5

O W Y H E E C O U N T Y

DLC-13T-77
1-57

MICROFILMED
AUG 10 1984

POOR ORIGINAL

O W Y H E E C O U N T Y

38.40

J.E.W.

49.30

31.70

31 32

6 5

DLG-13T-77

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IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-00102 Date: 5-30-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	55	3E	6		04-6															6
GIS					6															6
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 6

Overlapping POU Claim #'s:

Total GIS Acres: 6

COMMENTS:

per claim map

Idaho Department of Water Resources

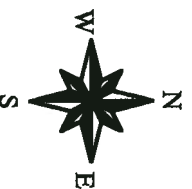
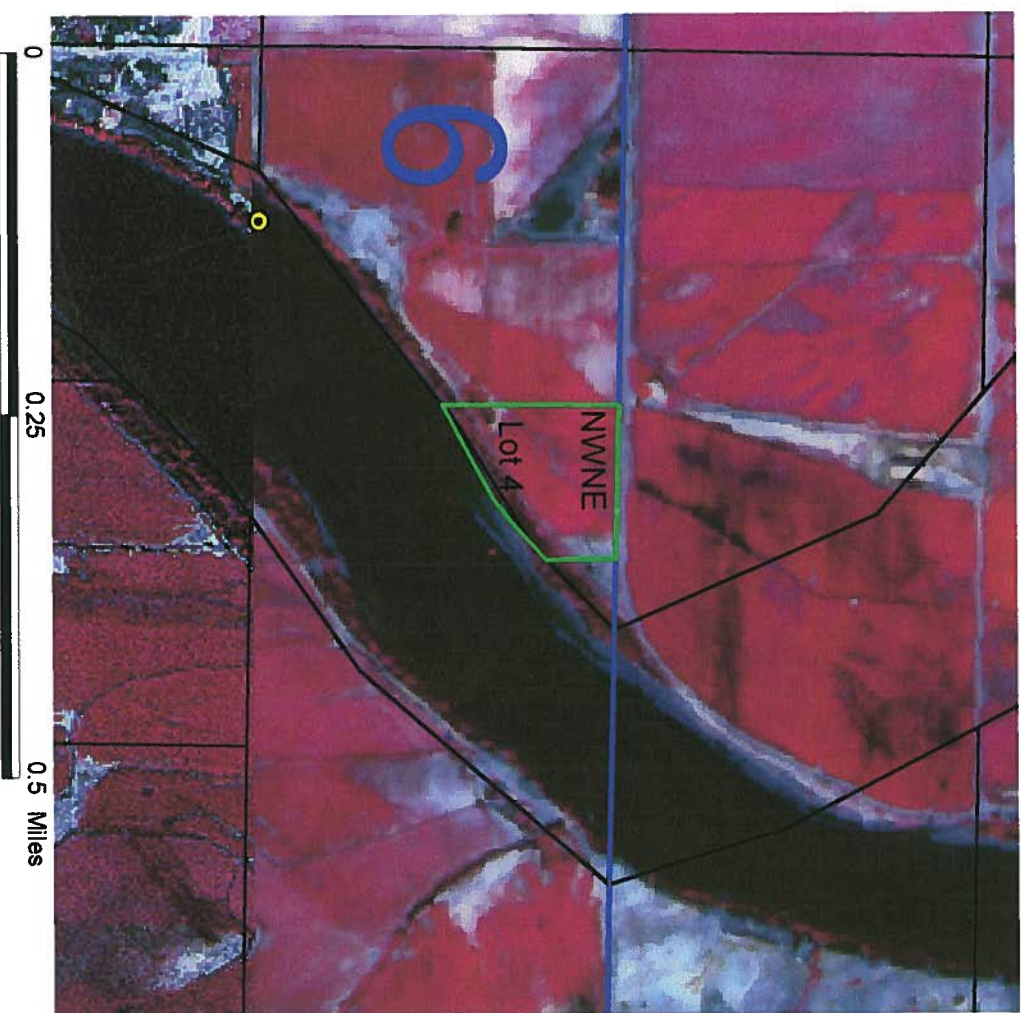
Claim Number: 02-00102

Legal: T05S, R03E, S06

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-00102
Legal: T05S, R03E, S06
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1987 Napp Photo

