

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 37-7113B
Date Received: 9/12/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Y 3 RANCH Phone: (208)342-8901
PO BOX 5405
BOISE ID 83705-5405

2. Date of Priority: 09/29/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	18E	23	NW SE	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.05	14

7. Total Quantity Appropriated is:
0.05 C.F.S. and/or 14 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	18E	23	NW	SE	IRRIGATION	4
Section Acres						4
Total Acres						4

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

The total instantaneous diversion of water from all points of diversion under Transfer No. 4977 shall not exceed 1.60 cfs, nor total combined annual volume of 280.7 af.

The total instantaneous diversion of water from all points of diversion under Right Nos. 37-07113A and 37-07838A shall not exceed 1.52 cfs, nor the total combined annual volume of 266.7 af for the irrigation of 76.2 total acres.

The total instantaneous diversion of water from all points of diversion under Right Nos. 37-07113B and 37-07838B shall not exceed 0.08 cfs, nor the total combined annual volume of 14.0 af for the irrigation of 4.0 total acres.

Two points of diversion are located within NWSE, S23, T01S, R18E. The right holder shall cease irrigation on 4.0 acres of land within SWNE, S10, T01S, R18E, that was previously irrigated under Right Nos. 13-07113 and 37-07838.

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

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.

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.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

15. Basis of Claim: License

12/11/2006

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

RIGHT NUMBER: 37-7113B
NAME AND ADDRESS: SHELDON YANKE
PO BOX 5405
BOISE ID 83705

Y 3 RANCH
PO BOX 5405
BOISE ID 83705-5405

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
14.000 AFY

Rights 37-7113B and 37-7838B when combined shall not exceed a total diversion rate of 0.08 cfs, nor a total annual maximum diversion volume of 14.0 af.

PRIORITY DATE: 09/29/1971

POINT OF DIVERSION:

T01S R18E S23 NWSE Within BLAINE County
T01S R18E S23 NWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.050 CFS 14.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S23 NWSE 4.00

4 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: BASIS OF CLAIM - License

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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



Idaho Department of Water Resources

SRBA Recommendation:

37-7113B

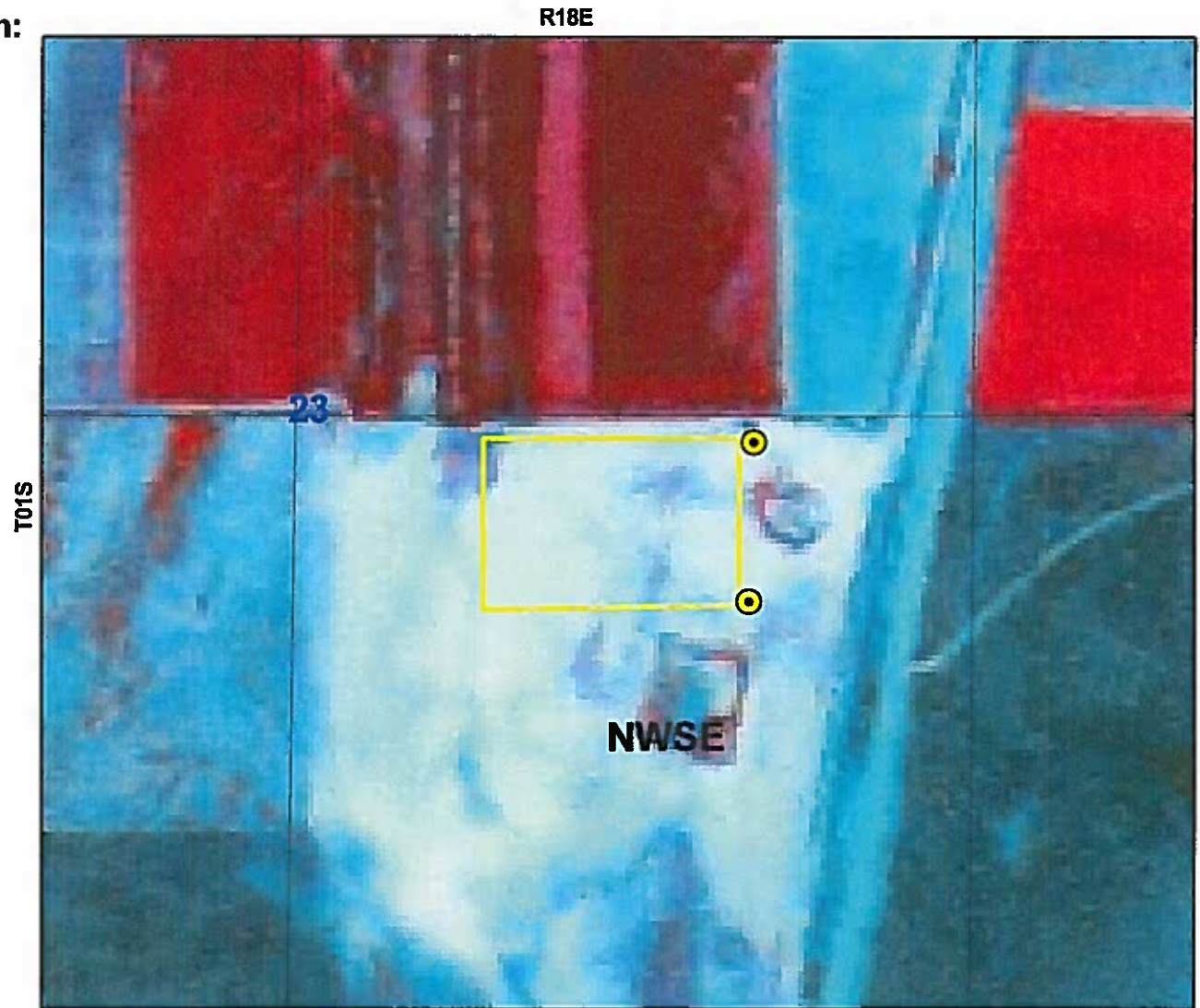
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



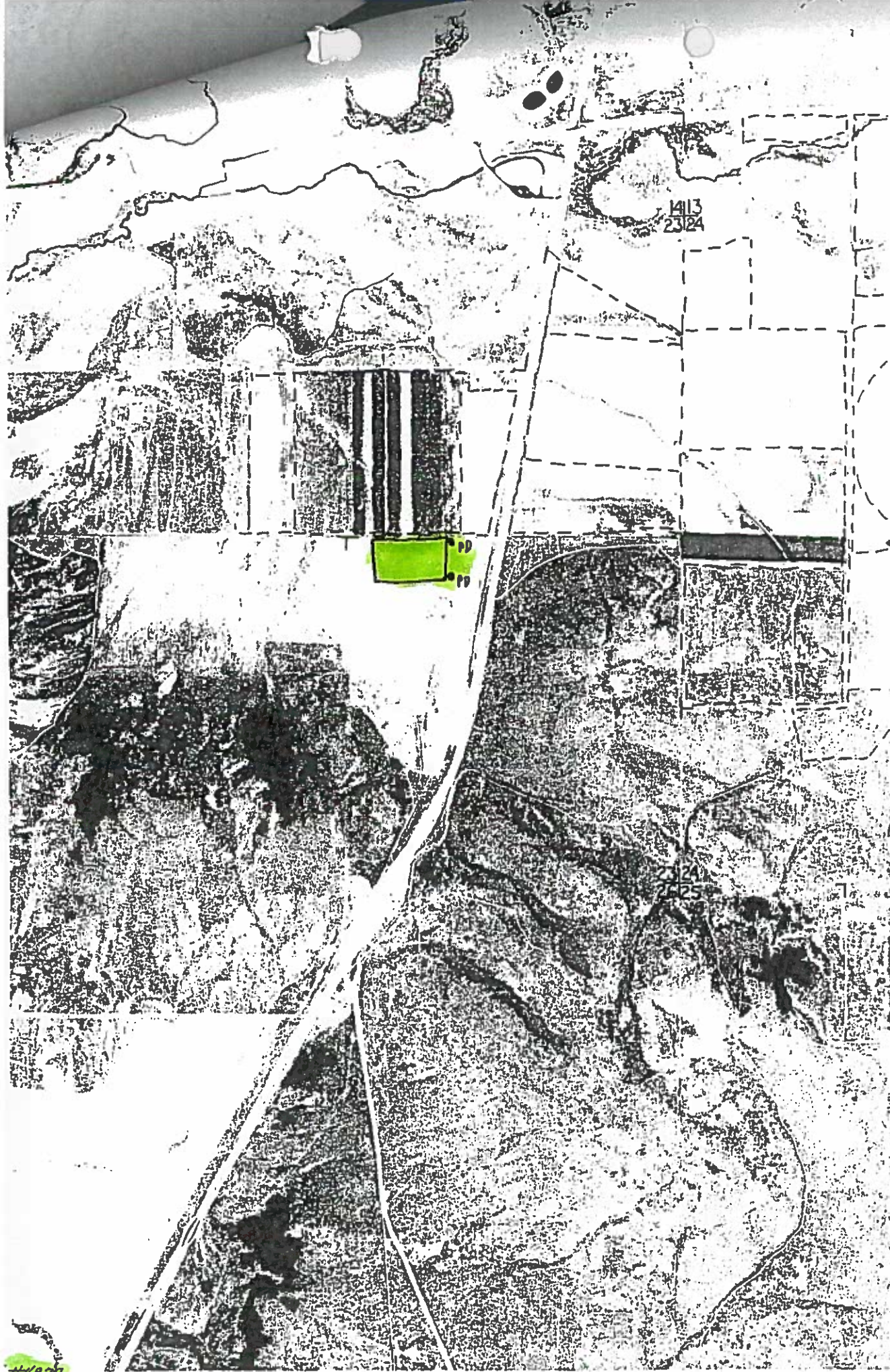
Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by C. Skinner
On Monday, December 11, 2006
1987/88 Aerial Photography



1413
2324

2324
2325

467#

Adjudication Claim Notes

Claim(s): 37-7113B, 37-7838B

Background Data

37-7113B

- Source is Groundwater
- Licensed for 0.05 cfs and 14.0 af on 4.0 acres (Transfer No. 4977)
- Claimed for 0.05 cfs and 14.0 af on 4.0 acres

37-7838B

- Source is Groundwater
- Licensed for 0.08 cfs and 0.0 af on 4.0 acres (Transfer No. 4977)
- **Unclaimed**

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

2004 Aerial Photo



Licensated POU
(Green Line)

Notes

T1S R18E Section 23

- Found 4.0 acres
- Is the 0.0 af correct for 37-7838A?
- **37-7838B is unclaimed in the SRBA**
- Data used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 21 1997

TRANSFER OF WATER RIGHT

Department of Water Resources

TRANSFER NO. 4977

Southern Region WATER RIGHT NO(S). 37-07113A/37-07113B/37-07838A/37-07838B

This is to certify that: Y 3 RANCH
PO BOX 5405
BOISE ID 83705

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-07113A : IRRIGATION	04/15 to 10/15	1.04 CFS	266.0 AF
Priority: 09/29/1971			
Right No. 37-07838A : IRRIGATION	04/15 to 10/15	1.50 CFS	0.7 AF
Priority: 05/23/1980			
SUBTOTAL:		1.52 CFS	266.7 AF
Right No. 37-07113B : IRRIGATION	04/15 to 10/15	0.05 CFS	14.0 AF
Priority: 09/29/1971			
Right No. 37-07838B : IRRIGATION	04/15 to 10/15	0.08 CFS	0.0
Priority: 05/23/1980			
SUBTOTAL:		0.08 CFS	14.0 AF
TOTAL:		*1.60 CFS	*280.7 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 37-07113A/37-07838A :

NWNE , Sec. 10, Township 01S, Range 18E

SWNW , Sec. 10, Township 01S, Range 18E

Right No. 37-07113B/37-07838B :

NWSE , Sec. 23, Township 01S, Range 18E

BLAINE County

TRANSFER NO. 4977
WATER RIGHT NO(S). 37-07113A/37-07113B/37-07838A/37-07838B

PLACE OF USE: IRRIGATION

Right No. 37-07113A/37-07838A :

NWNE , Sec. 10, Township 01S, Range 18E

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>
01S	18E	10	NWNE 6.6
			NWNW 0.6
			NESW 0.9

<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
SWNE 6.3	NENW 7.3		
SWNW 21.0	SENW 33.0		
NWSW 0.5			76.2

Total number of acres irrigated: **76.2

Right No. 37-07113B/37-07838B :

NWSE , Sec. 23, Township 01S, Range 18E

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>
01S	18E	23	NWSE 4.0

<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		4.0

Total number of acres irrigated: 4.0

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4977 shall not exceed 1.60 cfs, nor total combined annual volume of 280.7 af.
8. The total instantaneous diversion of water from all points of diversion under Right Nos. 37-07113A and 37-07838A shall not exceed 1.52 cfs, nor the total combined annual volume of 266.7 af for the irrigation of 76.2 total acres.
9. The total instantaneous diversion of water from all points of diversion under Right Nos. 37-07113B and 37-07838B shall not exceed 0.08 cfs, nor the total combined annual volume of 14.0 af for the irrigation of 4.0 total acres.

TRANSFER NO. 4977
WATER RIGHT NO(S). 37-07113A/37-07113B/37-07838A/37-07838B

CONDITIONS OF APPROVAL AND REMARKS

- **10. Right No. 37-07113A is limited to the irrigation of 76.0 acres in the place of use described above in a single irrigation season.
- 11. The right holder shall cease irrigation on 4.0 acres of land within SWNE, S10, T01S, R18E, that was previously irrigated under Right Nos. 37-07113 and 37-07838.
- 12. Two points of diversion are located within NWSE, S23, T01S, R18E.

Dated this 14th day of

August, 1997.

J. Glen Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NOS. 37-07113 & 37-07838

FROM: PAM SKAGGS/^{CS}STATE OFFICE

SUBJECT: TRANSFER NO. 4977

DATE: August 11, 1997

ok 

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Transfer No. 4977 changes the point of diversion and place of use under Right Nos. 37-07113 and 37-07838, splitting the rights into two separate systems identified under combined Part As & Bs. Four acres are being transferred to a new location to provide water for an existing system and the acres under the remaining portions of the rights are modified to describe the existing irrigated acres✓

These rights are overlapping and are limited by combined conditions under the junior right, 37-07838.✓ Season of use and diversion volume were adjusted to current standards. Recommended conditions include multiple points of diversion, measuring devices, future annual reporting, irrigation overlap, combined limits, permissible place of use, cease irrigation of 4 acres and standard transfer ✓ conditions.