

10/19/2006

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

RIGHT NUMBER: 1-10402
NAME AND ADDRESS: GERALD YAMASAKI
7262 N 26 W
IDAHO FALLS ID 83402
TED YAMASAKI
7262 N 26 W
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.520 CFS
PRIORITY DATE: 06/01/1887
POINT OF DIVERSION:

T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.520 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R37E S26	SWNE	15.00	T03N R37E S26	NESE	15.00
T03N R37E S26	NWSE	32.00	T03N R37E S26	SWSE	31.00
T03N R37E S26	SESE	12.00			

105 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 105 acres in a single irrigation season. Combined Right Nos.: 1-10402, 1-10403, and 1-10404.

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 - Decreed

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

This right is former right 1-116X.

Water is delivered through Great Western Canal.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-10402

WATER RIGHT NUMBER: 1-10402

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GERALD YAMASAKI 7262 N 26 W IDAHO FALLS, ID 83402 (208)522-8690
Current Owner	TED YAMASAKI 7262 N 26 W IDAHO FALLS, ID 83402 (208)522-8690
Original Owner	SALLY YAMASAKI 7262 N 26TH W IDAHO FALLS, ID 83402 (208)522-8690

Priority Date: 06/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.520 CFS	
	<u>Total Diversion:</u>	0.520 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L1 (NE1/4NE1/4NE1/4)	Sec. 35, Twp 04N, Rge 37E, B.M.
BONNEVILLE County		

Place of UseIRRIGATION Within BONNEVILLE County

T03N R37E S23	SWSW	12.0	T03N R37E S23	SESW	19.0
T03N R37E S26	SWNE	15.0	T03N R37E S26	NENW	38.0
T03N R37E S26	NWNW	39.0	T03N R37E S26	SWNW	34.0
T03N R37E S26	SENE	38.0	T03N R37E S26	NESW	39.0
T03N R37E S26	NWSW	38.0	T03N R37E S26	SWSW	39.0
T03N R37E S26	SESW	40.0	T03N R37E S26	NESE	22.0
T03N R37E S26	NWSE	28.0	T03N R37E S26	SWSE	26.0
T03N R37E S26	SESE	15.0			

Total Acres: 442

Conditions of Approval:**PROFILED**

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-10402

Remarks:

1. Explanatory THIS RIGHT IS BASED ON A PORTION OF 01-00116X. SEE TX #485.
2. Explanatory RIGHT USED WITH 01-10402, 10403, 10404.

Comments:

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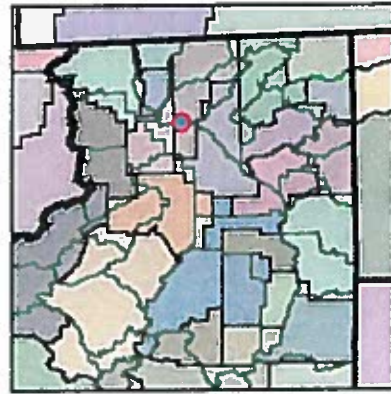
Idaho Department of Water Resources

SRBA Recommendations:

**1-10402,
1-10403,
& 1-10404**

Legend

	Place of Use
	Townships
	PLS Sections
	Quarter Quarters



Bonneville County
IDWR Basin 1



Prepared by M. Holliday
On Thursday, October 19, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 485

23.5% on
Harris land
in Sec 23
Kennedy Ditch

T485 + T486
share same
300 acre
land list

THIS IS TO CERTIFY That B. G. Lawson, of Menan, County of Jefferson, State of Idaho, has rights to the use of the waters of Snake River, for irrigation and domestic purposes, and that said rights have been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of "Rexburg Irrigation Company, et al, plaintiffs, vs. Teton Irrigation Canal Company, et al, defendants", J. M. Stevens, District Judge, wherein 1.52 second feet of the waters of Snake River were decreed to the Long Island Irrigation Company, in the following amounts and with the following dates of priority, to-wit:

- 26 inches, with date of priority of June 1, 1887;
- 24 inches, with date of priority of June 1, 1888;
- 26 inches, with date of priority of June 1, 1889;

said water being dedicated to certain lands lying under the Long Island Irrigation Company's canal, in Water District No. 36, and that said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Book 3 of Decrees, at page 450:

THAT, On the 19th day of April, 1929, the Commissioner of Reclamation of Idaho issued to the said B. G. Lawson a certificate of transfer of water right, No. 442, said certificate granting the right to transfer the use of 76 inches, or 1.52 second feet of the waters of Snake River from the lands to which it was originally decreed to the following described lands, to-wit: North half of North half (N $\frac{1}{2}$ N $\frac{1}{2}$), Sec. 4, Twp. 1 N., R. 44 E., B.M.

37- in letter 6/3/30

THAT, Upon the application of the said B. G. Lawson for a transfer of water right, made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of 76 inches, or 1.52 second feet of the waters of Snake River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, is given below, said water to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

- 26 inches, dated June 1, 1887; 1-116 X
- 24 inches, dated June 1, 1888;
- 26 inches, dated June 1, 1889;

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 3 N., R. 37 E., B.M.

THAT the water to be transferred has heretofore been diverted at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 2 N., R. 44 E., B.M., but will hereafter by virtue of this certificate be diverted at a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 4 N., R. 44 E., B.M., and carried through a private ditch.

THAT the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

WITNESS The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 26th day of May, 1930.

(SEAL)

B.G. Lawson to
L. Island to
Gr. Washburn

GEO. N. CARTER
Commissioner of Reclamation.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 27, 2004

GERALD OR TED YAMASAKI
7262 N 26 W
IDAHO FALLS ID 83402

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 01-10132, 01-10167,
01-10168, 01-10169, 01-10170, 01-10171, 01-10172, 01-10173, 01-
10174, 01-10175, 01-10176, 01-10177, 01-10402, 01-10403, 01-10404

Dear Messrs Yamasaki:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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<u>Basin</u>	<u>Sequence</u>	<u>Basis</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Owner(s)</u>	<u>Source Table</u>
1	10132	Decreed	1880-06-11	0.06	YAMASAKI, GERALD or SALLY	wrAdjudicationClaim
1	10167	Decreed	1881-06-01	0.08	"	wrAdjudicationClaim
1	10168	Decreed	1882-06-01	0.08	"	wrAdjudicationClaim
1	10169	Decreed	1883-06-01	0.08	"	wrAdjudicationClaim
1	10170	Decreed	1884-06-01	0.08	"	wrAdjudicationClaim
1	10171	Decreed	1885-06-01	0.28	"	wrAdjudicationClaim
1	10172	Decreed	1886-06-01	1.67	"	wrAdjudicationClaim
1	10173	Decreed	1887-06-01	0.2	"	wrAdjudicationClaim
1	10174	Decreed	1888-06-01	0.58	"	wrAdjudicationClaim
1	10175	Decreed	1889-07-10	0.95	"	wrAdjudicationClaim
1	10176	Decreed	1890-06-01	0.95	"	wrAdjudicationClaim
1	10177	Decreed	4/1/1939	3.33	"	wrAdjudicationClaim
1	10402	Decreed	1887-06-01	0.52	"	wrAdjudicationClaim
1	10403	Decreed	1888-06-01	0.48	"	wrAdjudicationClaim
1	10404	Decreed	1889-06-01	0.52	"	wrAdjudicationClaim

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If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) Lenny Yonacki
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

Notes

Claims A01-110167 thru A01-110177 +
claims A01-10402, -10403 + -10404

- 1/ A place of use confirmation exam was done on 1-13-2004 with Gerald Yamasaki. The map was modified to show what ground Mr. Yamasaki irrigates.
- 2/ Co-owner Sally Yamasaki is deceased and Gerald & his brother are the new owners. Mr Yamasaki was given a change of ownership form to complete.
- 3/ This exam was done by Harold Jones of Water Rights Contracting Services.
- 4/ See map in file A01-10132

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Idaho Department of Water Resources Receipt

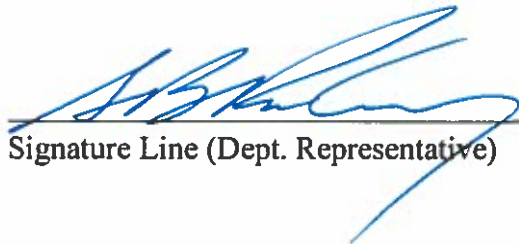
Receipt ID E027896

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$150.00	ADJUDICATION FILING FEE	0337		43503	1155


Signature Line (Dept. Representative)**PROFILED****SCANNED**
NOV 18 2004

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 1-10402
Date Received: 6/24/2002
Receipt No: E027896
Received By: ASA 6/24/02

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SALLY YAMASAKI Phone: (208)522-8690

7262 N 26TH W
IDAHO FALLS ID USA 83402

GERALD YAMASAKI Phone: (208)522-8690

7262 N 26TH W
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/01/1887

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	Type
04N	37E	35	NE NE NE 1	BONNEVILLE	

5. Description of diverting works:

DELIVERY THROUGH THE GREAT WESTERN CANAL. PRIVATE RIGHTS WITH PRIVATE PUMPS TO SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.52	

7. Total Quantity Appropriated is:
0.52 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

A1100402

8/01/0402



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Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	37E	23	SW	SW	IRRIGATION	12
			SE	SW	IRRIGATION	19
					Section Acres	31
03N	37E	26	SW	NE	IRRIGATION	15
			NE	NW	IRRIGATION	38
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	34
			SE	NW	IRRIGATION	38
			NE	SW	IRRIGATION	39
			NW	SW	IRRIGATION	38
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	22
			NW	SE	IRRIGATION	28
			SW	SE	IRRIGATION	26
			SE	SE	IRRIGATION	15
					Section Acres	411
					Total Acres	442

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS BASED ON A PORTION OF 01-00116X. SEE TX #485.

RIGHT USED WITH 01-10402, 10403, 10404.

15. Basis of Claim: Decreed

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.

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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): Lerald You asahi Date: 6/24/02

_____ Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 24th
of June 2002 Arion B. Ruben

Notary Public

Residing at PO Box 1000, Pocatello

My commission Expires 09/23/03

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