

10/19/2006

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

RIGHT NUMBER: 1-10404

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: 06/01/1889

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

Water is delivered through Great Western Canal.

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

This right is former right 1-1182.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-10404

WATER RIGHT NUMBER: 1-10404

<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: 06/01/1889

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	NE1/4NE1/4NE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON 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		

Conditions of Approval:**PROFILED**

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-10404

Remarks:

1. Explanatory THIS RIGHT IS A PORTION OF 01-00118Z. 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% in
Harris Canal
in Sec 23
Kennedy Ditch

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;

T485 + T486
share same
300 acre
land list

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. 4/3/30

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;
- 24 inches, dated June 1, 1888;
- 26 inches, dated June 1, 1889;

1-118Z

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; 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. 35, 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. H. Stevens
Gr. W. Stevens

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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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

FEB 26 2004

Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>(see attached list)</u>			_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Gerald + Sally Yamasaki

4. New Owner/Claimant(s) Gerald or Ted Yamasaki
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address 7262 N 26th W

City, State and ZIP Code IF ID 83402 **SCANNED**

New Telephone Number (808) 522-8690

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5. Date you acquired the property _____

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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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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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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 1-10404
Date Received: 6/24/2002
Receipt No:
Received By: *ED 27896*
SAK 6/24/02

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

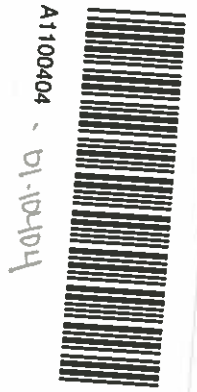
1. Name of Claimant(s)

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: 06/01/1889

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	JEFFERSON	

5. Description of diverting works:

DELIVERY THROUGH THE GREAT WESTERN CANAL. PRIVATE RIGHTS.

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:

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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
				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 A PORTION OF 01-001182. SEE TX #485.

RIGHT USED WITH 01-10402, 10403, 10404.

15. Basis of Claim:

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): Ronald J. Garcia Date: 6/24/02
_____ Date: _____

State of Idaho)
County of Bonaville) SS.

Subscribed and sworn (or affirmed) before me this 24th
of June 2002 [Signature]

Notary Public

Residing at Barro Luis Barro

My commission Expires 09/23/03

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NOV 19 2004