

RECEIVED

APR 05 1995

WATER RESOURCES
WESTERN REGION

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: A67-04069

Date Received: 12/27/1989

Receipt No: W007255

Received By: Dee

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Amended

Amended

1. Name: ALVIN YANTIS 208-253-4411
Address: ~~HC 62 BOX 1770~~ *2235 Middle Fork Rd.*
COUNCIL ID 83612

5-1-1900 Amended March 1995

2. Date of Priority: ~~5-1-1900~~

3. Source: WEISER RIVER, MIDDLE FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	14	NW	NE	NE		ADAMS

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	0.900		

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

A.F.A.

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
15N	01W	10	NW	NE		IRR	20.0
			NE	NW		IRR	20.0
			NW	NW		IRR	5.0

Section Acres 45.0

SCANNED
APR 08 2004

10. Place of Use: Continued

Total Acres 45.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
67-00089B, 67-07403

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

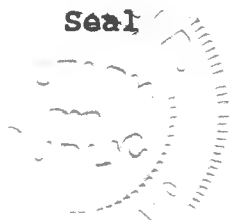
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Nancy Gantes Date: 4-3-95
Alvin Gantes Date: 4-3-95

State of Idaho)
County of WASHINGTON) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of April 19 95

B. G. Soules
Notary Public



Residing at Cambridge
My Commission Expires 8-21-97

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: **A67-04069**
Date Received: 12/27/1989
Receipt No: W007255
Received By: llt

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

1. Name: ALVIN YANTIS 208-253-4411
Address: HC 62 BOX 1770
COUNCIL ID 83612

2. Date of Priority: JUN 27, 1974

3. Source: WEISER RIVER, MIDDLE FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	14	NW	NE	NE		ADAMS

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	0.900		

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

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
15N	01W	10	NW	NE		IRR	20.0
			NE	NW		IRR	20.0
			NW	NW		IRR	5.0

Section Acres 45.0

10. Place of Use: Continued

Total Acres 45.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
67-00089B, 67-07403

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): _____ 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

Date Received

Receipt Number

12-27-89

W007255

RECEIVED

DEC 27 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Alvin Yantis Phone (253) 4411Mailing Address HC 62 Box 1770 Council, Idaho Zip 836122. Date of Priority (Only one (1) per claim) 6-27-743. Source of water supply (a) Middle Fk. Weiser River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township T15N Range 1W Section 14,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Adams

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. diversion dam and ditch

MICROFILMED

OCT 22 1996

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 10-31 amount 0.90 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.90 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>15N</u>	<u>1W</u>	<u>10</u>		<u>20</u>			<u>20</u>	<u>5</u>											<u>45</u>

Total number of acres irrigated 45

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
67-0089 67-7403 or None ()

14. Remarks:

MICROFILMED
OCT 22 1996

Last Name Gantis Ident No. 67-4069

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

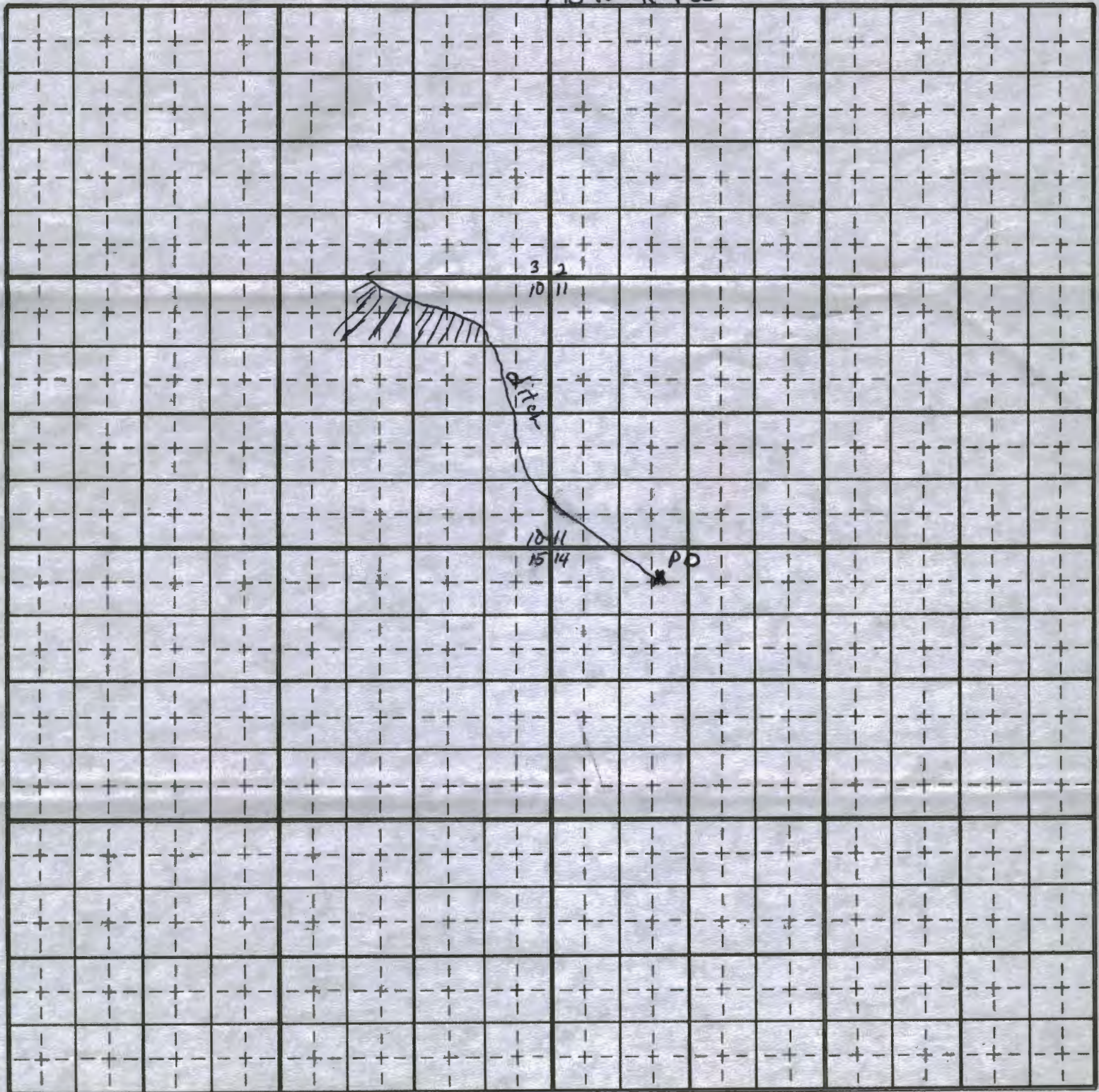
If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

DEMILITIZED

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T15N R1W



MICROFILMED

OCT 22 1996

Last Name Yantis

Ident No. 67-4069

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 67-4069

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Alexis Yantis Date 12-22-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 22 day of December 19 89

SEAL

Notary Public Patricia Wicks

Residing at Council

My Commission Expires 10-23-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Yantis Ident. Number 67-4069

MICROFILMED

OCT 22 1996

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Yantis

CLAIM IDENT. NO.

A 67-04069

DATE RECEIVED 12-27-89 RECEIPT # W007255 FEE PAID \$195 FEE REQ'D \$95

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	see comments
Is the priority date acceptable in view of mandatory filing dates? ☒			
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☐	☒	
Is the consumptive use correct?	☐	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☐	☐	*
Is multiple domestic, is single ownership indicated?	☐	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	☐	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?			
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	☒	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	☐	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☐	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?			
22. Is the fee enclosed correct?	☒	☐	*

MICROFILMED

OCT 22 1996

YES NO

23. Can this claim be data entered? ☒ YES ☐ NO
24. Was claim modified? ☐ YES ☒ NO
 Claimant is being notified of modifications: ☐ YES ☐ NO
25. Is this claim being rejected and returned to claimant? ☐ YES ☐ NO
26. Was the claim returned to IDWR? ☐ YES ☐ NO
 If no, has a refund been recommended? ☐ YES ☐ NO
27. Is the claim now complete? ☒ YES ☐ NO

Review completed by: het Date 3-13-95

Claim data entered by: het Date 3-13-95

Comments: Priority date claimed puts this into conflict with the law, however,
the statutory claim which is the basis of claim listed 5/1/1900. Send
letter after processing discussing the priority date

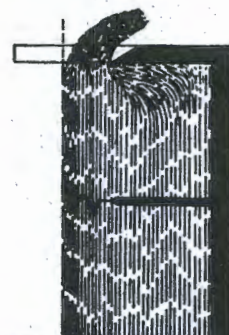
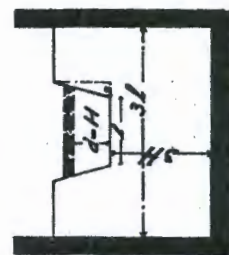
These are the
 measurements as
 per our phone
 conversation
 This is the type
 of weir we have
 Thank you for your
 time.
 Alvin Yunta
 208-253-4411 Blue

SCANNED
 APR 06 2006

Discharge of Cippolletti Weirs in Cubic Feet per Second
 Discharge Computed for head in inches, and length of
 crest in inches.

LENGTH OF WEIR—INCHES					LENGTH OF WEIR—INCHES				
Head in Inch.	12	18	24	36	Head in Inch.	12	18	24	36
1	.08	.12	.16	.24	6%	2.07	2.76	4.14	
1 1/4	.10	.15	.19	.29	6%	2.13	2.84	4.26	
1 1/2	.11	.17	.23	.34	6%	2.19	2.92	4.38	
1 3/4	.13	.20	.26	.39					
1 3/4	.15	.22	.30	.45	7	2.25	3.00	4.50	
1 3/4	.17	.25	.33	.50	7 1/4		3.08	4.62	
1 3/4	.19	.28	.38	.56	7 1/4		3.16	4.74	
1 3/4	.21	.31	.42	.62	7 1/4		3.25	4.87	
2	.23	.34	.46	.69	7 1/4		3.33	4.99	
2 1/4	.25	.38	.50	.75	7 1/4		3.41	5.12	
2 1/4	.27	.41	.55	.82	7 1/4		3.50	5.24	
2 1/4	.30	.45	.59	.89			3.58	5.37	
2 1/4	.32	.48	.64	.96	8		3.67	5.50	
2 1/4	.34	.52	.69	1.03	8 1/4		3.75	5.63	
2 1/4	.37	.55	.74	1.11	8 1/4		3.84	5.76	
2 1/4	.40	.59	.79	1.19	8 1/4		3.93	5.89	
3	.42	.63	.84	1.26	8 1/4		4.01	6.02	
3 1/4	.45	.67	.89	1.34	8 1/4		4.11	6.16	
3 1/4	.47	.71	.95	1.42	8 1/4		4.19	6.29	
3 1/4	.50	.75	1.00	1.51			4.29	6.43	
3 1/2	.53	.80	1.06	1.59	9		4.37	6.56	
3 1/2	.56	.84	1.12	1.68	9 1/4		4.47	6.69	
3 1/2	.59	.88	1.17	1.76	9 1/4		4.55	6.84	
3 1/2	.62	.93	1.24	1.86	9 1/4		4.65	6.98	
4	.65	.97	1.29	1.94	9 1/4		4.73	7.12	
4 1/4	.68	1.02	1.36	2.04	9 1/4		4.83	7.26	
4 1/4	.71	1.06	1.42	2.13	9 1/4		4.95	7.40	
4 1/4	.74	1.11	1.48	2.22			5.05	7.54	
4 1/2	.77	1.16	1.55	2.32	10		5.14	7.69	
4 1/2	.80	1.21	1.61	2.42	10 1/4		5.22	7.84	
4 1/2	.84	1.26	1.68	2.53	10 1/4		5.31	7.97	
4 1/2	.87	1.31	1.74	2.62	10 1/4		5.37	8.12	
5	.91	1.36	1.81	2.72	10 1/4		5.47	8.27	
5 1/4	1.41	1.88	2.82	10%				8.42	
5 1/4	1.46	1.95	2.92	10%				8.56	
5 1/4	1.51	2.02	3.03	10%				8.72	
5 1/4	1.56	2.09	3.13	11				8.87	
5 1/4	1.62	2.16	3.24	11 1/4				9.02	
5 1/4	1.67	2.23	3.35	11 1/4				9.17	
5 1/4	1.73	2.31	3.46	11 1/4				9.33	
6	1.78	2.38	3.57	11 1/4				9.48	
6 1/4	1.84	2.45	3.68	11 1/4				9.63	
6 1/4	1.90	2.53	3.80	11 1/4				9.79	
6 1/4	1.95	2.61	3.91					9.94	
6 1/2	2.02	2.69	4.03	12				10.10	

To convert discharge to miner's inches, multiply dis-
 charge in cubic feet per second by 50.



THE CIPPOLETTI WEIR



69-4176
67-4069

RECEIVED

APR 05 2006

DEPARTMENT OF
WATER RESOURCES

APR 11 2006
SCANNED

Month of		Name or Number of Right as Shown in Decree		Priority Date	Amount Sec. Feet	Total Right Sec. Feet	NOTE—Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name					Acres Utilized	Sec.	Twp.	Rge.
Name of Present Owner		Address					1	2	3	4	5				
Wilson		1 1/2 cfs													
Gibs		1/4 acre													
Measured May 30 1979		10 AM 7 1/4"			3.16 cfs		July 25	unlocked headgate							
" 31		9 PM 8			3.67 cfs		" 29	9" 4.37							
Turned water off June 2		9:00 PM						9" 4.37			6:00 AM				
Turned back on " 4		9:00 PM			3.67 cfs		Beavers working in weir hard to measure.				1:00 PM				
" 5		7:30 AM 9 3/4"			4.75 cfs		29	8 3/4"			6:00 AM				
Closed ditch with head		5			7:45 PM 10 1/2"	5.47 cfs	Aug 4	7" 7:00 PM worked on dam							
closed down to		" 8"			3.67 cfs		4	9 1/2" 7:30 PM							
" 6		7:50 PM 8 1/2"			3.75 cfs		Changed weir to 36"								
" 16		1:30 PM 7 1/2"			2.25 cfs		June 8	6 1/2" 4.08 9:00 AM							
raised to		8 3/4"			1.12 cfs		July 19	cleared ditch put water in 5" 2.72 10:00 AM							
" 22		7:15 PM 8 7/8"			4.79 cfs		" 24	Put more water in 6 1/2" 4.14 9:00 AM							
June 25		7:15 PM 8 5/8" 4			3.7 cfs		25	7" 4.50 4:00 PM							
" 27		9:30 AM 8"			4.71 cfs		Aug 2	6 3/4" 4.26 8:30 AM							
" 19		8:30 8			3.67 cfs		2	6 1/4" 3.80 6:30 PM							
" 21		9:00 8 1/2"			4.01 cfs		4	6 1/2" 3.68 9:00 AM							
" 29		worked on head					18	Put more in 6 1/2" 4.02 3:00 PM							
Aug 8		worked on head 9-7					started irrigating May 21, 1983								
" 15		turning Turned down 9 1/2"					river extremely high ran over bank								
May 18 1979		Turned water on					washed weir out June 6 replaced								
" 18		17:00 PM 8 3/4"			4.19 cfs		weir set water at 7 3/4" 5.24 12:00								
" 20		8:00 PM 9 1/2"			4.75 cfs		June 7	7 1/2" 4.99 7 PM							
June 21 1980		5:00 AM 1 1/2"			4.75 cfs		June 10	7 1/2" 4.99 7 AM							
June 24 1981		8:00 PM 3 3/4"			1.17 cfs		June 14	7 1/2" 4.99 4 PM							
headgate locked down							June 15	7 1/2" 4.99 7 PM							
							June 24	8 1/2" turned down to 7 1/2"							

6	7	8	9	10	11	12	13	14	15	Acres ulti- ated	Sec.	Twp.	Rge.
June 25		7 1/2	4.99	8 PM									
July 19	stand irr.	6 1/2	4.03	4 PM									
Aug 3	8:00 PM	7	put more in	4.5									
1984													
June 18	11 AM	7 3/4	started irr	5.24									
July 13	put water	6 1/2	back in ditch										
14	7 AM	7 1/2	raised to 8 PM										
16	6 PM	7 3/4	put more in										
Aug 1	5 PM	6 1/2	Put more in										
3	8 PM	8											
Started irrigation May 6 1985													
well not in box													
June 15	Put well in box												
15	4 PM	7 3/4	river dropping										
30	10 AM	6 1/2											
July 2	2 PM	7 1/4	Put more water in										
wheel off headgate given													
May 18, 1986	Started irrigation												
Aug 30	10:30 AM	6 1/2	river running over										
"	31 2:00 PM	6 1/2	Put more in										
June 26	6 PM	6	Put more in										
July 6	2 PM	5 1/2	Put more in										
"	7 PM	6 1/4	found wheel headgate										
"	15 3 PM	6	Put more in										
April 24 1987	Started irrigation												



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 19, 2006

ALVIN YANTIS
2235 MIDDLE FK RD
COUNCIL ID 83612

RE: Hubble Analysis, Claim No. 67-4069

Dear Mr. Yantis,

We received the packet of information you sent in response to the Hubble Analysis Worksheet that we gave you to investigate and determine whether more than 0.02 cfs per acre has been put to beneficial use.

The information submitted appears to be applicable to the ground below your property, which is owned by Carolex LP. I spoke with my supervisor and it was determined that there is not sufficient information to conduct a review of the property you claimed for this water right.

I will be recommending the water rights as is at a combination of one inch per acre with an additional 0.46 cfs for ditch loss on this right.

You will have a chance to object to the recommendation and submit the detailed information requested that can lead to settlement of the water right for the Court to decree. I encourage you to use the form that I mailed you on September 28, 2006 so as not to miss any needed information.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Alvin Yantis
2235 Middlefork Road
Council, ID 83612

October 6, 2006

Mr. Craig Saxton
Dept. of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 837

RE: Water rights 67-4069, 67-89B, & 67-7403

Dear Mr. Saxton,

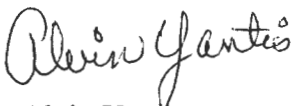
The crops irrigated are native grasses used for hay and pasture. The ditch irrigating these crops is approximately two miles long. There are thirty-five checks on a seven-day rotation.

Measuring records, which you have, indicate the amount of water used from the 1970's. The water master has more records, which are forthcoming. You will find enclosed work sheets from Mr. Tom Dietz who used his gps to gather data on the area and noted the slopes and soil types.

We use more than an inch per acre but are really only borrowing it. As is indicated by the aerial photos, the longest run back to the river is one-fourth mile. Most water is returned in less than two hours. There is a river-measuring device at Fall Creek above us, and another below us at the highway bridge. Measurements in the past indicate that when we are irrigating more water is measured below us than above our place.

We appreciate all your time and effort and if you have any further questions please let us know. Thank you.

Sincerely,



Alvin Yantis
(208)253-4411

Enclosures

SCANNED

OCT 12 2006

To:

RECEIVED

OCT 11 2006

REGARDING: ALVIN YANTIS "HOME PLACE" GPS AREA

DEPARTMENT OF
WATER RESOURCES

ALVIN YANTIS ASKED ME TO GPS HIS ACREAGE AND GIVE A GENERAL DESCRIPTION.

I USED A GARMIN GPS INSTRUMENT AND WALKED THE PERIMETERS OF FIELDS MOSTLY PLANTED TO ^{NATIVE GRASSES} ~~ALFALFA~~.

LOCATIONS OF FIELDS WERE BETWEEN THE MIDDLE FORK ROAD AND THE MIDDLE FORK OF THE WESER RIVER, EXTENDING FROM THE YANTIS' HOME TO THE LOWER DIVERSION (MARKED *).

COMBINED ACREAGE FOR ALL AREAS UNDER IRRIGATION (BETWEEN DITCH AND RIVER) IS APPROXIMATELY 162.2 ACRES (ALLOWING FOR POSSIBLE ERRORS IN TREE AREAS).

GENERALLY, THE ACREAGE HAS A SOUTH ASPECT, AVERAGING 4-5% SLOPE; AREAS CLOSEST TO RIVER ARE LEVEL.

OVERALL, SOILS ARE VERY ROCKY, AND WELL-DRAINED, RESULTING IN POOR FIELD RETENTION.

RUNOFF INTO MIDDLE FORK IS EASILY OBSERVED (WATER PERCOLATING THROUGH ROCKS); EASTERN-MOST SECTIONS HAVE SOME MARSHY, CATTAIL-PRODUCING SOIL).

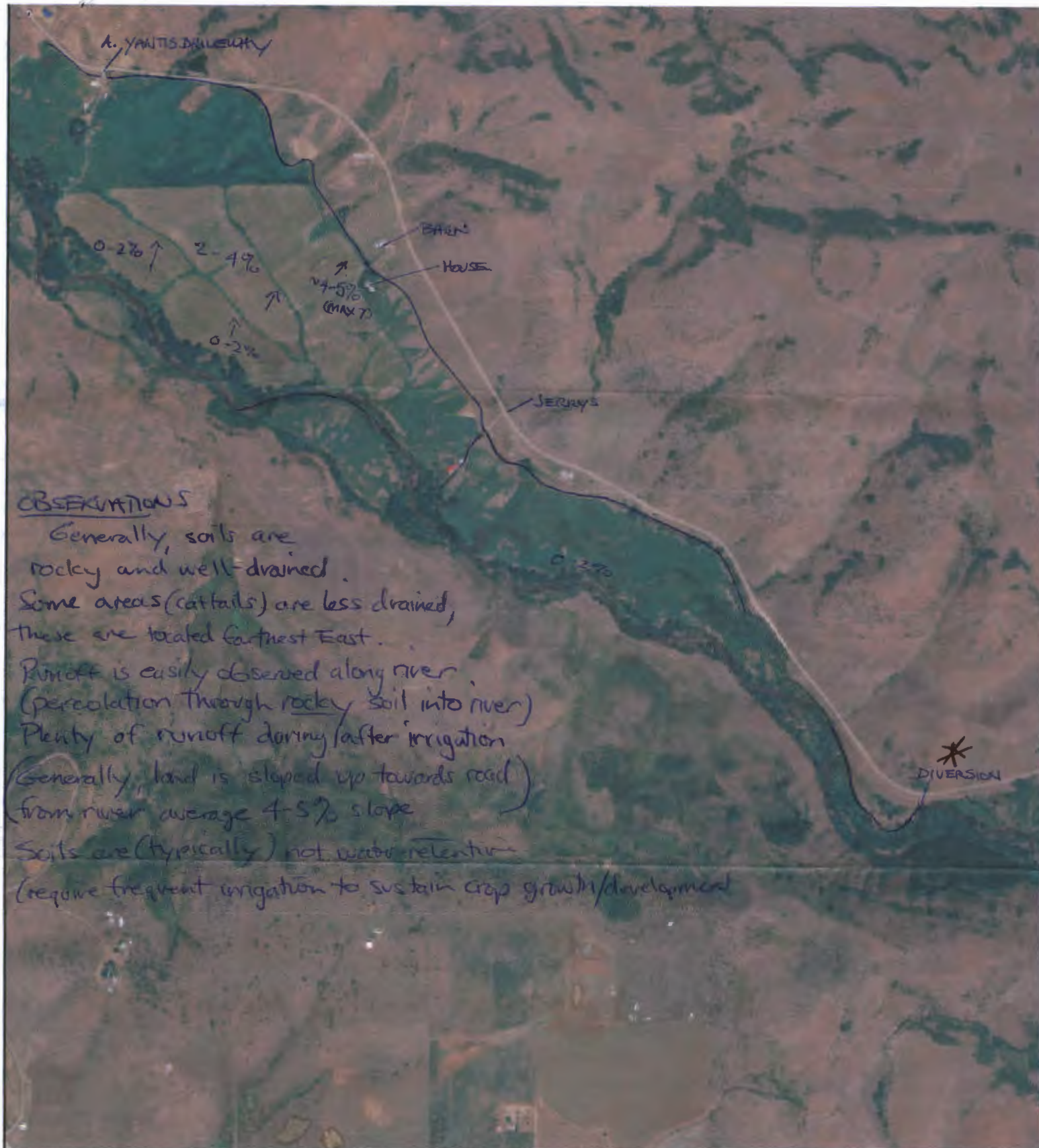
ACREAGES OF INDIVIDUAL SECTIONS (DIVIDED FOR EASIER MEASUREMENT) ARE AVAILABLE.

I'M NOT A LICENSED ENGINEER, BUT I DO HAVE A BACKGROUND IN FORESTRY AND AGRICULTURE (B.S. AGRONOMY).

TOM DIETZ
(208) 2534423

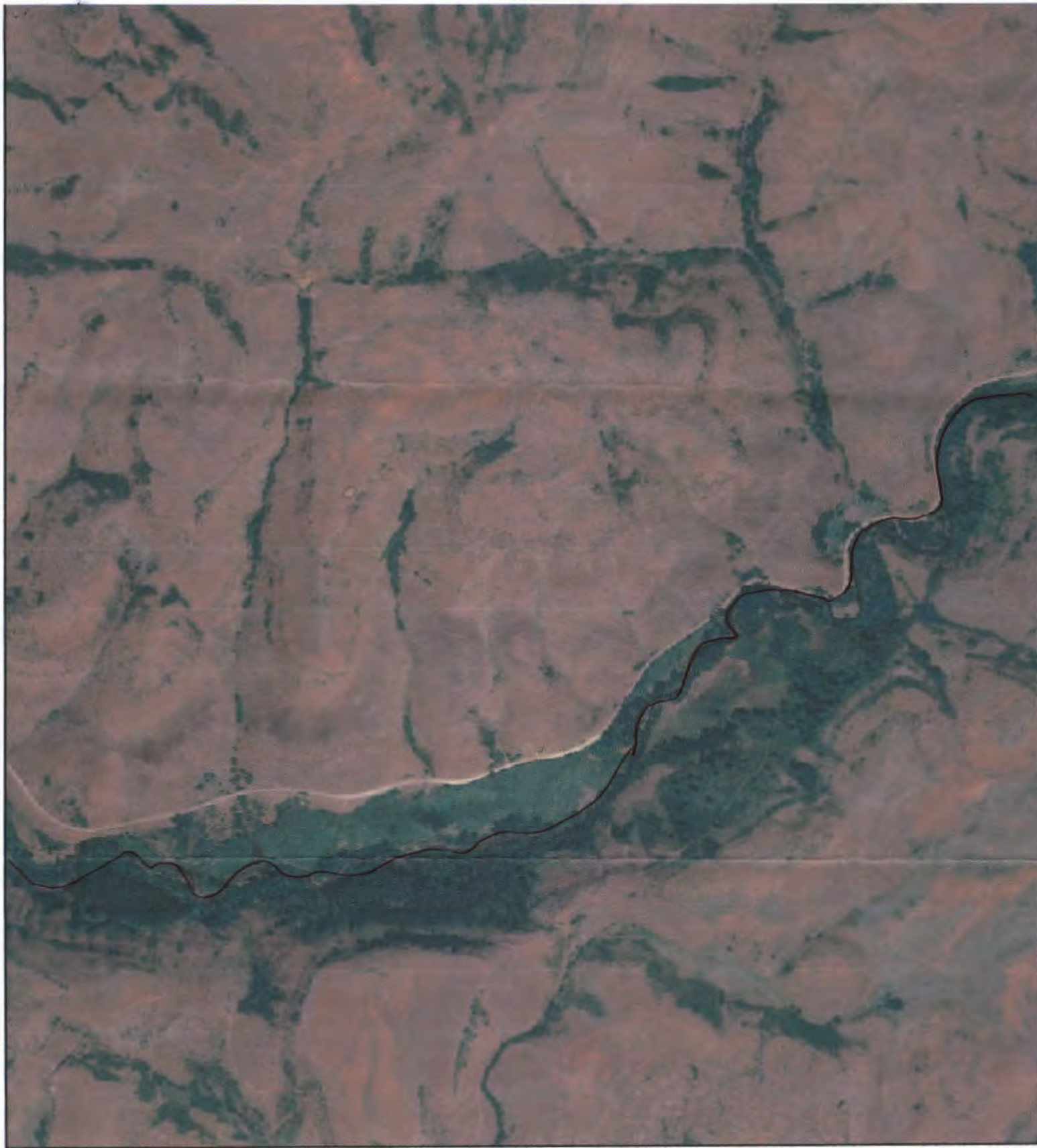
SCANNED

OCT 12 2006



OBSERVATIONS

Generally, soils are rocky and well-drained.
Some areas (cattails) are less drained, these are located farthest East.
Runoff is easily observed along river.
(percolation through rocky soil into river)
Plenty of runoff during/after irrigation
(Generally, land is sloped up towards road)
(from river average 4-5% slope)
Soils are (typically) not water retentive
(require frequent irrigation to sustain crop growth/development)



USDA United States Department of Agriculture
Farm Service Agency

Farm 32

Adams



1:12,000



USDA United States Department of Agriculture
Farm Service Agency

Farm 549

Adams



SCANNED 1:12,000

OCT 12 2006

[Fog # 4000000 - 2nd adgate up the river]

Alvin Yantis

width = 4' 9" top →
4' even at bottom →

depth = 7.5 (10th)

rained last evening - water is
up abt a 10th

61 AC - Dryfus >
40 - Yantis

claiming 2 (2.5") per acre

weir - installed in 1928ish -

- complaint - Bosco shuts down headgate but says
(3/15 - 11/15) - season of use (standard)

he needs & uses more than he is ~~is~~ allotted

- wants more than 1" to the acre - needs + has
claimed 2 - 2.5"

says he has 1900 water right

- re-fixed for the extra water from
Aresa in 1978.

crops - hay / pasture

head - 200 approx.

claim 67-1069
67-10892

Letter 1-17-06

Delta Hutchison

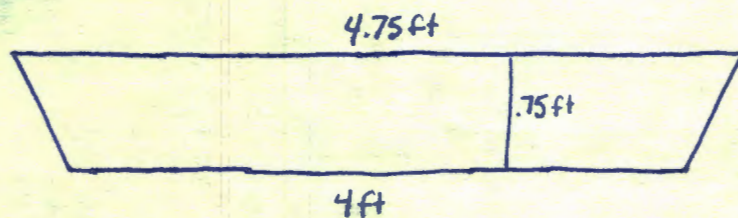
Sold 5" water to

/ neighbor

Russ Chastain - 5" water

parcel # RP15N01W103000 (Delpha Hutchison)

Has a 2 abt Cottonwood CP.



$$H = .75 \text{ ft}$$

$$L = 4 \text{ ft}$$

Using Table 10, BOR Water Measurement Manual, p 263-269

$$Q = 8.75 \text{ cfs}$$

Using Table 4, UI Water Measurement, p 25-27

$$Q = 8.62 \text{ cfs}$$



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 28, 2006

ALVIN YANTIS
2235 MIDDLE FK RD
COUNCIL ID 83612

RE: Hubble Analysis Worksheet

Dear Mr. Yantis,

On August 24, 2006, Misty Mount and Jennifer Dean met with you to measure your diversion. You have stated that your ground requires greater than 0.02 cfs (1 inch) per acre to be irrigated effectively and that should be reflected in the recommendation of Snake River Basin Adjudication (SRBA) claim 67-4069.

In order to recommend more than 0.02 cfs, you need to provide documentation that the soil type you are irrigating requires the greater diversion rate. Ms. Mount and Ms. Dean gave you an "Irrigation Flow Rate Questionnaire" to fill out.

IDWR has not received a completed copy of this questionnaire. For your convenience I am enclosing another form.

Should you choose to pursue the additional diversion rate, please complete and submit the form ASAP so it can be forwarded to our engineering department for review.

Meanwhile, for your convenience, I am enclosing copies of the preliminary recommendations made for SRBA claims 67-89B, 67-4069, and 67-7403. I was able to recommend some additional diversion rate for 67-4069, above 0.02 cfs per acre by taking into account water that might be lost through ditch loss.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure

09/28/2006

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

RIGHT NUMBER: 67-4069

NAME AND ADDRESS: ALVIN YANTIS
2235 MIDDLE FORK RD
COUNCIL ID 83612

SOURCE: MIDDLE FORK WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.710 CFS

PRIORITY DATE: 05/18/1918

POINT OF DIVERSION:

T15N R01W S14 NWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.710 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T15N R01W S10

NWNE

17.00

T15N R01W S10

NENW

24.00

T15N R01W S10

NWNW

2.90

43.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 43.9 acres in a single irrigation season. Combined Right Nos.: 67-89B, 67-4069, and 67-7403.

This right is limited to the irrigation of 33.6 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 - Beneficial Use



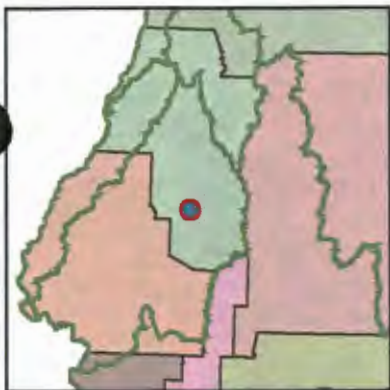
Idaho Department of Water Resources

Adjudication Claim Number(s): **67-89B, 67-4069, & 67-7403**

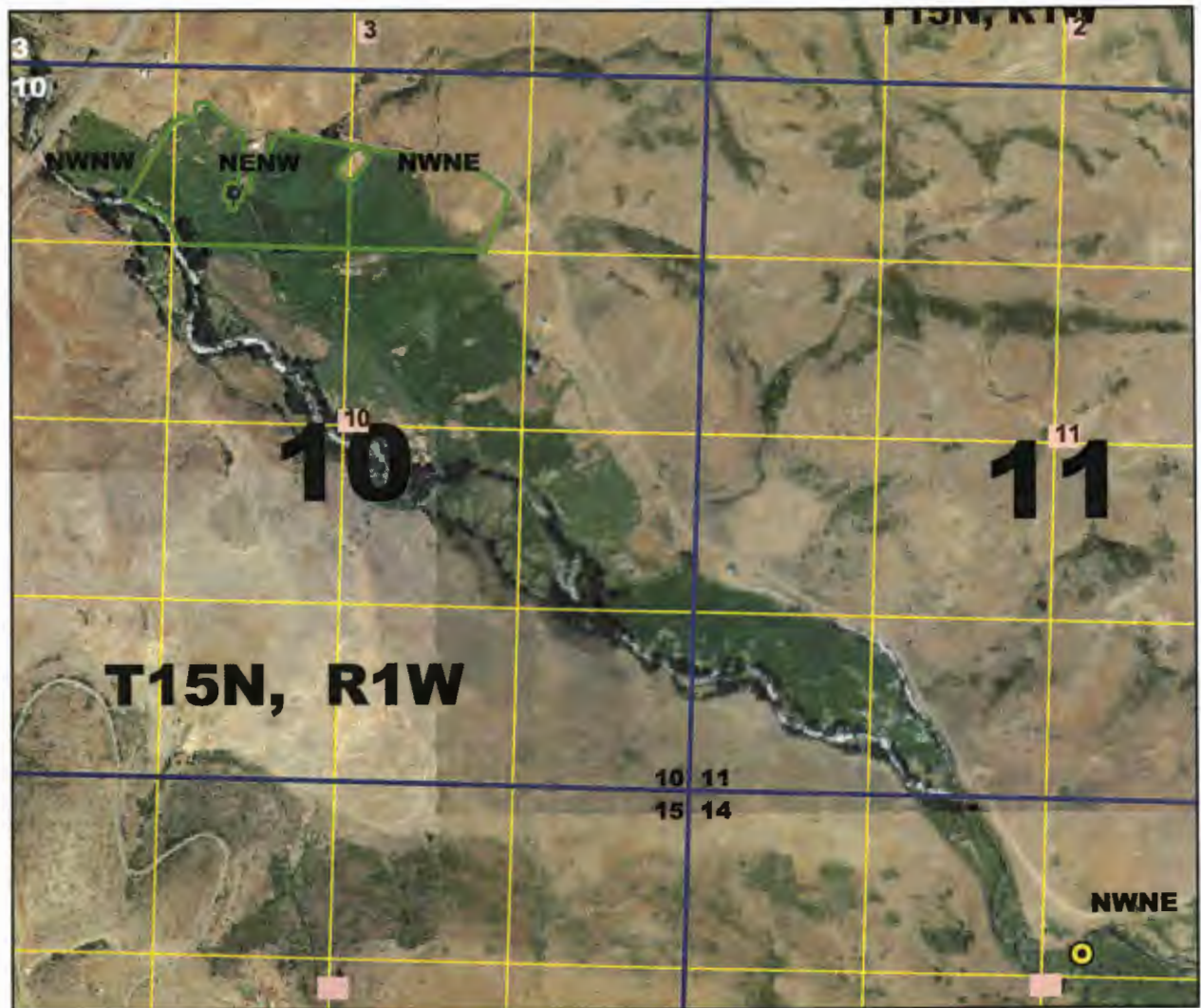
T15N R01W

Legend

-  Point of Diversion
-  Place of Use
-  B67 sections.shp
-  T15n01w.shp



Washington County
IDWR Basin 67



1000 0 1000 2000 3000 4000 Feet

Prepared by C. Saxton
On Wednesday, November 23, 2005
1987 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4069 V1

WATER RIGHT NUMBER: 67-4069 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALVIN YANTIS 2235 MIDDLE FORK RD COUNCIL, ID 83612 (208)253-4411

Priority Date: 05/18/1918

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.710 CFS	
	<u>Total Diversion:</u>	0.710 CFS	

Location of Point(s) of Diversion

MIDDLE FORK WEISER RIVER	NW1/4NE1/4	Sec. 14, Twp 15N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01W	10					24.0	2.9											43.9

Total Acres: 43.9

Conditions of Approval:

1. C18 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 43.9 acres in a single irrigation season. Combined Right Nos.: 67-89B, 67-4069, and 67-7403.
3. K06 This right is limited to the irrigation of 33.6 acres within the place of use described above in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4069 V1

Comments:

1. csaxton 11/23/2005 Diversion Rate

Comment: Recommended directly on top of 67-89B at 3/8 inches per acre to bring irrigation between the two rights to 1 full inch per acre.

2. csaxton 9/28/2006 Ditch Loss

Comment: 0.46 cfs was added to the total diversion rate for ditch loss. Calculation in file.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/23/2005 1:02:47 PM	csaxton			Active
Priority Date	11/23/2005 1:03:40 PM	csaxton			Active
POD	11/23/2005 1:04:01 PM	csaxton			Active
Source	11/23/2005 1:05:36 PM	csaxton			Active
POU	11/23/2005 1:06:22 PM	csaxton			Active
Use	11/23/2005 1:06:53 PM	csaxton			Active
Season	11/23/2005 1:07:08 PM	csaxton			Active
Quantity	11/23/2005 1:08:08 PM	csaxton			Active
Summary			11/23/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/23/2005 1:05:18 PM	csaxton	Updated PLS

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: Craig L. Saxton

FIELD EXAM DATE: 9/28/2006

FOR CLAIM(S) 67-4069

FORMULA: $S = (W)(i)(0.0667)$

i TABLE:

S = Loss in CFS per Mile

W = The top width of the high water mark in feet

i = The loss rate in feet per day (see table)

0.0667 is a factor used to convert to CFS per mile

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

W = 4 FT

i = 1 FT/DAY

S = 0.2668 CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (CFS/MILE)(MILE)

LENGTH OF DITCH IN MILES = FT / 5280 ft

Measured feet = 9010
Miles = 1.71

CONVEYANCE LOSS = 0.455278 CFS

TOP OF DITCH = W

Section 1 = 4
Section 2 =
Section 3 =

Total... = 4

/2or 3... = 4 =W feet

MAP MEASUREMENT
Length in Inches = _____ = A
Map Scale: _____ In. = 1 Mile = B
A/X: B/5,280 = Ft./5,280 = Mile

Notes: Width of weir used for ditch width which is 4 feet.
Length calculated using ArcView
i value was estimated to be "medium"

KEY
Data Entry Cells
Ditch Loss in CFS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4069 V1

Source	11/23/2005 1:05:46 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Desktop review.
POU	11/23/2005 1:06:32 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Licensing FE for 67-7403 which overlaps this right.
Use	11/23/2005 1:07:04 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Desktop Review.
Season	11/23/2005 1:07:18 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	11/23/2005 1:05:08 PM	csaxton	Updated shape
Contacts	11/23/2005 1:02:56 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4069 V1

General	11/23/2005 1:03:49 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommend for flood water at 1 day after Muir vs. Allison was signed.
POD	11/23/2005 1:04:11 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Quantity	11/23/2005 1:08:18 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - FE for 67-7403 verified that the ditch had the capacity to carry this water.
Summary	11/23/2005 1:09:55 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Saxton, Craig

From: Mount, Misty
Sent: Tuesday, September 26, 2006 2:35 PM
To: Saxton, Craig
Subject: RE: Hubble for Alvin Yantis

Yes thats correct - we gave him the hubble to fill out - have you heard from him lately?

-----Original Message-----

From: Saxton, Craig
Sent: Tuesday, September 26, 2006 2:34 PM
To: Dean, Jennifer; Mount, Misty
Subject: Hubble for Alvin Yantis

Hi,

I just wanted to confirm that when you both went out and met with Alvin Yantis about wanting more than one inch per acre, you gave him the Hubble information and told him that he needed to provide evidence that supported that his land required more than one inch per acre.

Do I understand that correctly?

Thanks,

Craig

MEMORANDUM

Date: November 23, 2005

To: File 67-89B, 67-4069, and 67-7403

From: Craig L. Saxton

Re: Recommendations for claims 67-89B, 67-4069, and 67-7403

43.9 acres total were found irrigated by Licensing FE for 67-7403. The end result of the recommendations made for the three mentioned claims will be in the irrigation of all 43.9 acres at 1 inch per acre.

67-89B was recommended in full to Alvin Yantis as the competing claim 67-89A was not in the decreed POU and the water master record shows delivery to Mr. Yantis in full. This right was decreed at 21 inches. At 5/8 inches per acre, the maximum acreage that can be recommended under this claim is 33.6 acres.

67-4069 is a statutory claim. This will be recommended for flood water on the same 33.6 decreed acres for the remaining 3/8 inches per acre. Since this is a direct overlap of Muir vs Allison decreed water, the priority date recommended is one day after the decree (May 10, 1918) without further evidence of priority provided.

67-7403 was licensed for the full 43.9 acres found at 1 inch per acre. However, there is no use in recommending this right in full as the majority of the POU overlaps 67-89B and 67-4069 which in combination irrigate 33.6 acres at 1 inch per acre and have far senior priority dates to license 67-7403. The result is to recommend this claim for the remaining portion of the 43.9 acres irrigated (10.3 acres) at one inch per acre. Recommending this license in full would have no benefit to the claimant as all rights are limited to 1 inch per acre and there does not appear to be any intent to claim ditch loss.

Note: See condition of approval on license 67-7403 which reads:

Some or all of the water use authorized by this right is claimed with an earlier priority date on Snake River Basin Adjudication Claim Nos. 67-4069 and 67-89B. If one or both of these claims are decreed as they are claimed, then this right shall be eliminated or reduced by the amount necessary to avoid redundancy of water rights.

Based on how the claims are filed, the three claims will be recommended as a permissible place of use.

Claim

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(af)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	89	B	Decreed	5/1/1900	0.42		120	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	Claim
67	4069		Beneficial Use	5/1/1900	0.9		45	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	Claim
67	7403		License	6/8/1978	0.88	175.6	43.9	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	Claim

2.2

Recommendation

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(af)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	89	B	Decreed	5/1/1900	0.42		120	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	Recommendation
67	4069			5/1/1916	0.25		33.6	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	Recommendation
				Ditch Loss =	0.46						
67	7403		License	6/8/1978	0.24	41.2	43.9	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	Recommendation
				Total =	1.34	41.2	43.9	or 1" per acre			

WR

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(af)	Source	Water Use(s)	Owner(s)	Source Table
67	4069		Statutory Claim	Active	5/1/1900	1.8		WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	wrWaterRight
67	7403		License	Active	6/8/1978	0.88	175.6	WEISER RIV	IRRIGATION	YANTIS, ALVIN (Current)	wrWaterRight

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ALVIN YANTIS	2235 MIDDLE FORK RD	COUNCIL	ID	83612	(208)253-4411

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Desktop Review

Reviewer: *C. Hunter*Date: 11-23-05

Priority Date Data Entry Form

Claim Number 67-4069

Claimed Priority Date: 5/1/1900

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/1/1900

Water Right Basis: Statutory Claim

Recommended Priority Date 5 10 1918Recommended Basis B-use

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Direct evidence w/decree water. Rec 1 day
after the decree was signed.

Reviewer: C. E. SmithDate: 11-23-05

RECEIVED
SEP 15 2005
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-4069

WATER RIGHT NUMBER: 67-4069

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALVIN YANTIS 2235 MIDDLE FORK RD COUNCIL, ID 83612 (208)253-4411

Priority Date: 05/01/1900 05/02/1900
Basis: Beneficial Use Flood water
Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/31	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion
MIDDLE FORK WEISER RIVER NW1/4NE1/4NE1/4 Sec. 14, Twp 15N, Rge 01W, B.M.
ADAMS County

Place of Use
IRRIGATION Within ADAMS County
T15N R01W S10 NWNE 20.0 T15N R01W S10 NENW 20.0
T15N R01W S10 NWNW 5.0
Total Acres: 45

Conditions of Approval:

Remarks:

This is a flood water Right with a Priority Date of 5/02/1900

SCANNED

SEP 15 2005

Point of Diversion and Source Data Entry Form

Claim Number 67-4069

Claimed Point of Diversion and Source

T15N R01W S14 NWNENE Within ADAMS County Source: WEISER RIVER WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T15N R01W S14 NWNE Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Middle Fk WeiserWeiser River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
15N	1W	14		NWNE	Adams	Middle Fk Weiser

Other rights from this POD? _____

Document how the POD and Source were verified:

GPS Tag # A0014005

Reviewer: C. SmithDate: 11-23-05

Place Of Use Data Entry Form

Claim Number 67-4069

Claimed Place Of Use

T15N R01W S10 NWNW 20.0 T15N R01W S10 NENW 20.0
 T15N R01W S10 NWNW 5.0

Total Acres 45

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T15N R01W S10 NWNW 20.0 T15N R01W S10 NENW 20.0
 T15N R01W S10 NWNW 5.0

Total Acres 45

Recommended Place of Use

☒ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
15N	1W	10	NWNE		Adams		17	Tr
			NENW		"		24	"
			NWNW		"		2.9	"

Total Acres 43.9

Document how the POU was verified:

Licensing FE for 67-7403Reviewer: *[Signature]*Date: 11-23-05

Purpose of Use Data Entry Form

Claim Number 67-4069

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

IRR			33.6	

Document how the Purpose of Use was verified:

Reviewer: C. EubankDate: 11-23-05

Period of Use and Quantity Data Entry Form

Claim Number 67-4069

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	10/31	0.9	

Overall Diversion Rate 0.9

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	10/31	1.8	

Overall Diversion Rate 1.8

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irr	3-15	10-31	0.25	

Overall Diversion Rate 0.25

Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

Recommended at 3/8" per acre on top of
67-898 which is decreed @ 5/8" per acre

Reviewer:

Date:

11-23-05

5-10-05: Need Evidence of Priority,

1 Verify Elements of the Water Right

5-11-05: Send letter, IP Received Recommended claim
based on 62c FE. IP Not Disallow
and Res 67. 07403

Claim 67-04069

RECEIVED

MAY 31 2005

Department of Water Resources

To Whom it may concern,

Please have your field
contractor help us verify
our water right.

Thanks

Alvin Yentes

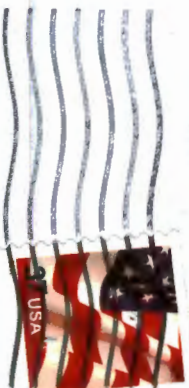
208-253-4411

SCANNED

MAY 31 2005



Alvin & Nancy Yantis
2235 Middle Fork Rd.
Council, Idaho 83612



Craig Sexton
Adjudication Bureau
Dept. Water Res.
P.O. Box 83720
Boise, ID 83720-0098

83720+0098





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 11, 2005

63-04069

ALVIN YANTIS

2235 MIDDLE FORK RD

COUNCIL ID 83612

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 67. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

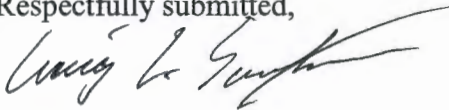
It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by May 27, 2005 referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4800.

In addition, a contractor employed by The Idaho Department of Water Resources may be contacting you to set up a field exam in order to verify the elements of your water right.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim 67-04069



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

3-13-95

[Alvin Yantis
HC 62 Box 1770
Council ID 83612]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

We have completed our initial review of the claim you submitted during the Snake River Basin Adjudication claims filing in your area. I have included a copy of this claim for your reference. Unfortunately, there is a problem with the claim that requires your attention.

Any water right developed for this type of use from surface water after May 20, 1971, is required to have an application for permit filed. Normally, any claim for a diversion from a surface water source with a priority date after May 20, 1971, is disallowed and no water right decreed for the use claimed. We can find no record of a previously filed permit for this property. This claim as you have submitted it, is in conflict with 42-201 Idaho Code.

I have enclosed an application for permit, with instructions for your possible use in this matter. We will be happy to proceed if you will return the completed forms to:

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

You may wish to pursue before the court the exact water right you have presented on this claim. If you do not wish to file your Notice of Claim, please complete the enclosed Request For Withdrawal of Claim and return it to the address shown. Your request for refund will be processed as quickly as possible. Please let us know if you wish to apply your filing fees towards the application fee. Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

Helen Thornton

Helen Thornton
Adjudication Staff
Western Region

HT:lh
Enclosures

Your claim listed a basis of claim of statutory claim 67-04069. That record shows a date of priority of 5/1/1900. If you would like to modify your priority date, please make the change, initial your change, have your signature notarized and return it to this office within 30 days.

*Rel: 3/23/95
He will probably
change the date to
1901. RSH*

MICROFILMED

OCT 22 1996
APR 08 2004

=====

WR-NUMBER: 67-04069	CURRENT OWNER: ALVIN YANTIS	PRIORITY DATE: 05/01/1900	STAGE: STATUTORY CLAIM
COUNTY: ADAMS		TRIBUTARY: WEISER RIVER	
SOURCE: WEISER RIVER, MIDDLE FORK		DIVERSION RATE: 1.800	DIVERSION VOLUME: 1.800
WATER USE: IRRIGATION		PERIOD FROM: 03/15	PERIOD TO: 10/31
TOTAL:			

POINT OF DIVERSION: Twp Rge Sec Tract Lot
 15N 01W 14 NW NE

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
15N	01W	10:				20		:	20	50			:					:						:	45.0	
																							TOTAL ACRES	45.0		

=====

END OF REPORT

MICROFILMED
OCT 22 1996

Licensing is SRBASL
11/8/93

Permit 67-07403

- Examined 6/25/93
- found 43.7 ac with full duty of water (.88 cfs).

Stat. claim 67-04069

- covers 45 ac. within same Q&A
- Found in exam of 67-07403.
- Claims 1.80 cfs with 1900 d.o.p.

Decreed right 67-00089

- covers same Q&A (partially) as permit plus different Q&A
- .42 cfs implies 33.6 acs ($c \frac{5}{8}$ "
per ac $.42 \div .0125 = 33.6$)

SRBA claims filed for all 3 rights. Not date entered yet - see Adams Co. nondata entry file.

If priority verified for -04069, then stat claim supercedes permit & permit would serve no purpose. Permit would be relinquished/cancelled.

→ Put licensing of 67-07403 on hold pending SRBA review of this property.

CC: S.O. Files 67-04069 & 67-07403
Region Files " "

MICROFILMED
OCT 22 1996

Water Right Number - 67-04069

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
YANTIS

ALVIN

1 -
2 -
3 -City- COUNCIL
Phone -

State- ID Zip- 83612

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1900 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WEISER RIVER, MIDDLE FORK WEISER RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
15N 01W 14 NW NE (3) ADAMS+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 10/31 1.800+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.800+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
15N 01W 10 NW NE 20.0 01 IRRIGATION (3) ADAMS
15N 01W 10 NE NW 20.0 01 IRRIGATION (3) ADAMS
15N 01W 10 NW NW 5.0 01 IRRIGATION (3) ADAMS

Total Acres: 45.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.MICROFILMED
OCT 22 1996

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	01/28/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-	
Presumption Flag	-							

MICROFILMED
OCT 22 1996

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Alvin Grantis (name of claimant)
of Council Bluffs, claims a right to the diversion and beneficial use of
(mailing address)

ground water or surface water tributary to _____

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) middle fork of the Weber river

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>1.8 cfs</u>	Use <u>irri</u>	Period of Use: From <u>March 15</u> To <u>Oct 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 1.8 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 6-1-1966
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
 NW 1/4 NE 1/4, Sec. 14 Twp. 15 N Rge. 16 W B. M. County of Adams
 Additional points of diversion:

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. diversion dam 2 miles long

- (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.

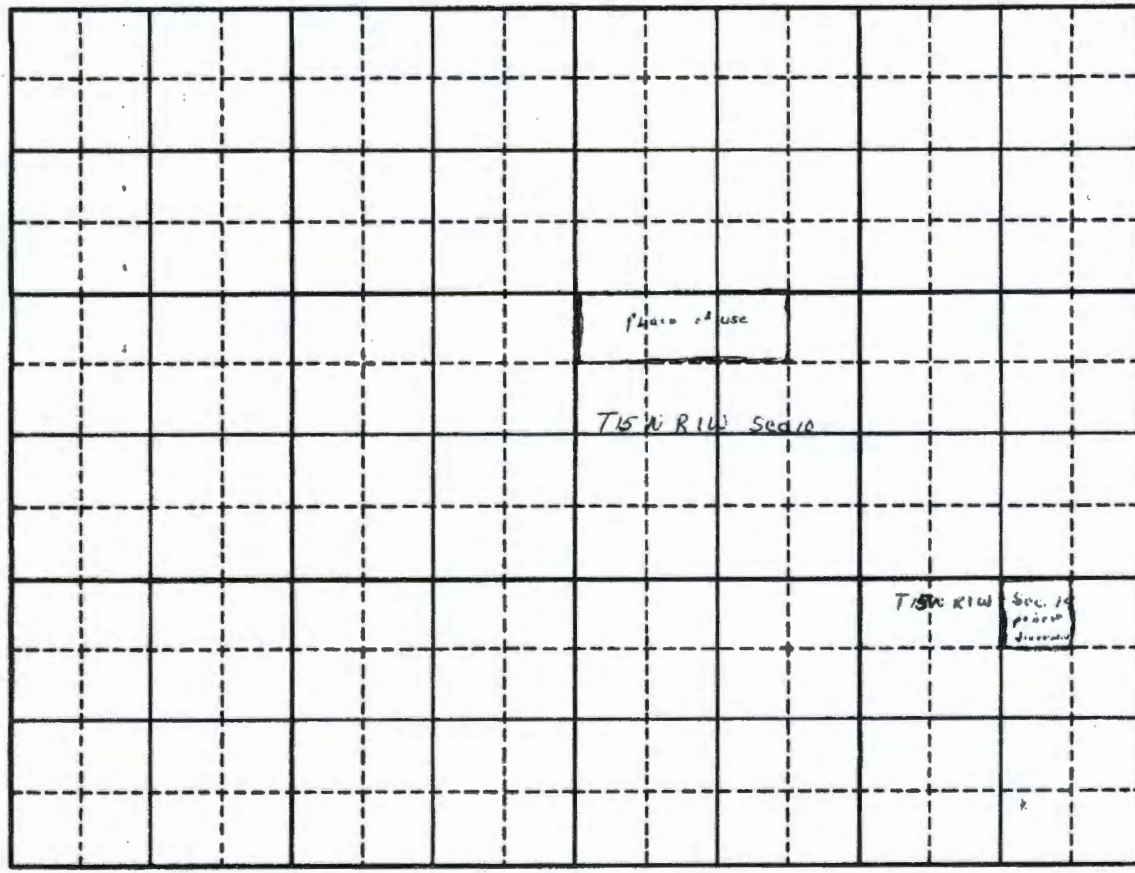
[illegible]

Total No. of acres 45

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____

57 1069

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho ss.
County of Adams

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 26th day of June, 19 74.
Alvin Yantis
(Claimant)
Russ Starnes
Notary Public
Residing at Council Bluffs

My commission expires 7-24-74

For Department Use Only			
Received by	Date	Exception filed by:	Forwarded to
Prelim. check by <u>228</u>	Date <u>27 June 74</u>		claimant by:
\$10.00 fee received by	Date		
Approved for publication by <u>W</u>	Date <u>7-24-74</u>		
Published in <u>Adams County Record</u>			
Dates <u>7-11-74 to 7-24-74</u>			