

08/11/2004

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

RIGHT NUMBER: 27-37N

NAME AND ADDRESS: MERLIN YANCEY
707 W 300 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 03/20/1886

POINT OF DIVERSION:

T03S R35E S8 NWSENE Lot 8 Within BINGHAM County
T03S R35E S18 NWSWNE Lot 6 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R34E S23	NENE	35.0	T03S R34E S23	SENE	18.0
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53 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: **Decreed**

BLACKFOOT IRRIGATION WATER IS ALSO USED AND POU WATER IS
CONVEYED THROUGH CENTRAL DITCH AND RIVERTON DITCH.



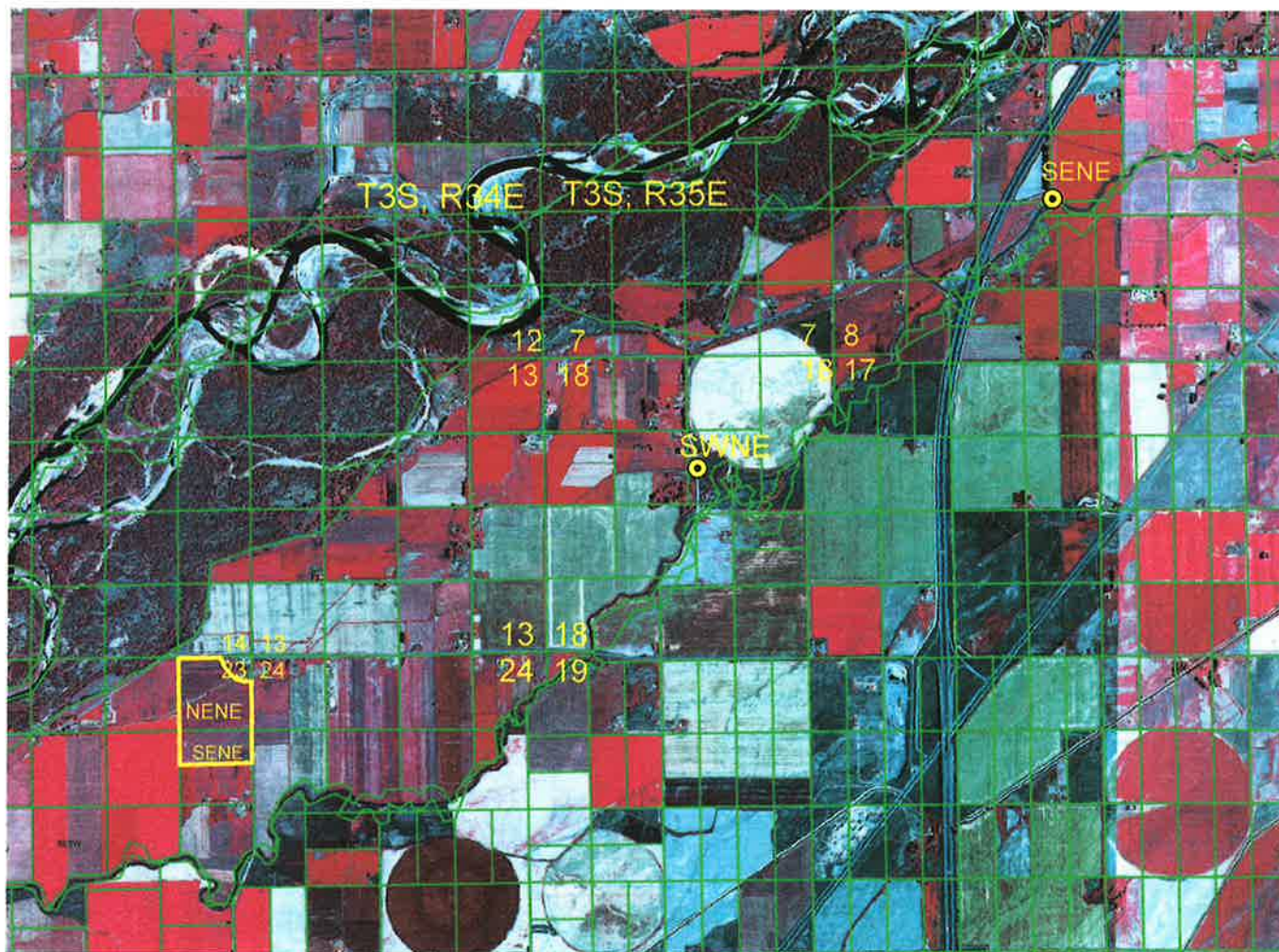
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-37N



4000 0 4000 8000 Feet

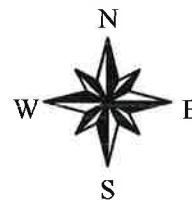
IRRIGATED ACRES 53.0

LEGEND

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

Place of Use: T3S, R34E:
(part of) Sec. 23, NENE, SENE.

Point(s) of Diversion: T3S, R35E:
Sec. 8, SWNE.
Sec. 18, SWNE, Lot 6.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: July 2004

SCANNED
JAN 10 2006

PROFILES

08/24/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-37N

MERLIN YANCEY

707 W 300 S

BLACKFOOT ID 83221

Telephone Number: (208)785-0908

add Dorothy H. YANCEY

*Per Cindy Bird,
add Dorothy H.
Completed 11/15/05
KMT*

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

June 3, 2005

SIGNATURE:

Merlin Yancey

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

JAN 10 2006

*KMT
6/19*

Notes

2/27/04 Merlin also referred to some deeds the acquired 50" of water then sold off 25"

3/8/04 1:30 pm apt with Merlin in F.F. CB.

6/23/04 Evidence supports claim to Welch water. Recommend as noted see Welch analysis for break down.

7/30/04 recommend as noted. CB

Notes

CB 11-18-03 1:00 pm. Merlin Yancey called on the behalf of Joyce Nossad in reference to the attorney General's office. He has spent 3 days at the courthouse finding info.

I explained to Merlin that he will also need verification on his right, 27-37N.

12/5/03. We can't recommend this claim under 27-37 decree because it was decreed for mining not irrigation. Claims will need to file a B.U. claim and provide evidence to support the claim. This claim will be disallowed and recommended as a 10000 series B.U. claim.

12-8-03 Letter from Claimant - re evidence. BP

12-9-03 Envelope of priority letter to claimant BP

2-26-04 Received letter from AG's office. CB

2/27/04 Merlin called to find out if he needs to provide documentation supporting his claim. I told him he does, because all of the originals were sent to I.F. and the scanned and sent to Boise. CB. He will email me copies for his file. CB. Merlin will also send me a copy of the members on the central ditch. CB.

Basin No.	Sequence Number	Split Suffix	Name	R	D	Basis of a Claim	yyyy-mm-dd Priority Date	Remarks	Y N/A Layout	Other Water Rights Used	S = Stevens	ens Decree #	Total CFS	Claimed Diversion (Inches)	Recommended diversion (inches)	Difference in Inches		
27	37	L	Anderson, Donald			Decreed	1886-03-20	Welch Irrigation Co. T.52		27-2125	s	37	0.64	32.00	30.00	(2.00)		
27	37	C	Bean, Audrey H.			Decreed	1886-03-20			27.4F	s	37	1.17	58.50	58.50	0.00		
27	37	P	Bergeman, E. V.				1886-03-20				s	37	0.28	14.00	14.00	0.00		
27	10267		Clements, Casey A. Novasat & Hoskin			Decreed	1885-06-01				s	37	0.60	30.00	30.00	0.00		
27	11997		Coffman, Harvey			Decreed	1886-03-20				s	37	0.10	5.00	5.00	0.00		
27	10550		Ganske, Robert L.			Decreed	1886-03-20	Claim based on Miner's shares & F&W 27-23B. AMENDED			s	37	0.08	3.00	3.00	0.00		
27	10844		Gay, Walter A.			Decreed	1886-03-20				s	37	0.43	21.65	4.50	(17.15)		
27	37	M	Hamilton, Wesley			Decreed	1886-03-20			27-4G	s	37	2.10	105.00	62.00	(43.00)		
27	37	F	Hill, Stanley			Decreed	1886-03-20				s	37	0.26	13.00	6.00	(7.00)		
			LDS Church			Decreed	1886-03-20				s	37		0.00	2.00	NOT CLAIMED IN SRBA		
27	10358		Leiseth, Jason			Decreed	1886-03-20	probably 27			s	37	0.06	3.00	0.00	(3.00)		
27	37	A	McDaniel, Brett			Decreed	1886-03-20	T#52, Welch Irrigation			s	37	1.78	88.00	88.00	0.00		
27	11994		Nation, Howard S.			Decreed	1886-03-20	Parent right 27-11120			s	37	0.03	1.50	0.75	(0.75)		
27	11995		Romrell, Don			BU	1886-03-20	Parent Right 27-11120	Y		s	37	0.03	1.50	0.75	(0.75)		
27	37	E	Rowbury, Rex C.			Decreed	1886-03-20	T#52			s	37	0.60	30.00	30.00	0.00		
27	37	B	Stecklein, LaVerelle			Decreed	1886-03-20				s	37	0.40	20.00	17.00	(3.00)		
27	37	G	Stecklein, LaVerelle			Decreed	1886-03-20			27-27B, 7065, 2126, 10552, 10555, 26B	s	37	0.80	40.00	21.50	(18.50)		
27	37	J	Winter, Norman			Decreed	1886-03-20				s	37	0.05	2.50	0.00	(2.50)		
27	37	H	Worthington, Dallen			Decreed	1886-03-20				s	37	0.04	2.00	2.00	0.00		
27	37	K	Wright, Franklin D.			Decreed	1886-03-20			27-27C, 23F	s	37	0.10	5.00	0.00	(5.00)		
27	37	N	Yancey, Merlin			Decreed	1886-03-20				s	37	0.50	25.00	25.00	0.00		
										TOTALS			10.01	500.65	400.00	(102.65)		

Owner Type	Full Name	Address	City	State	Zip	Phone
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Current Owner See Claim

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Reviewer: CB

Date: 6/23/04

Claim Number: A27-37N

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis _____

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

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

three

Reviewer:

Date:

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. *decree*
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Claim Number: A27-37N

Source: _____ Tributary: _____

Use Claimed POD and Source as Recommended POD and Source

Other rights from this POD? yes

Document how the POD and Source were verified and/or Pump and Motor data:

Document how the POD and Source were verified and/or Pump and Motor data:

Link POD'S for Central & Ruerton Ditch

Reviewer: PAB

Date: 6/23/04

Point of Diversion

Claim No. 27-37N

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☐) No (☒)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☐) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☒)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☒) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

SourceClaim No. -

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8

If No, go to 10

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

Yes (☐) No (☐)

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (☐) No (☐)

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Yes (☐) No (☒)

Place Of Use Data Entry Form

Claim Number: A27-37N☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

1987/88 Napp photography.link shape for POU.Transfers Changing POU noReviewer: CBDate: 6/23/04

Place of UseClaim No.

1. Is the basis of claim a Decree or License?

Yes ☒ No ☐

If Yes, go to 2a

If No, go to 2b

2a. Is a POU required?

Yes ☒ No ☐

If Yes, go to 5

If No, go to 14

2b. Is a POU required?

Yes ☐ No ☐

If Yes, go to 3

If No, go to 14

3. Is the basis of claim a Permit or Application?

Yes ☐ No ☐

If Yes, go to 4

If No, go to 7

4. Has the License been issued?

Yes ☐ No ☐

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

5. Does the parent right have a POU?

Yes ☐ No ☒

If Yes, go to 6

If No, go to 7

6. Can the claimed POU be verified using the water right file?

Yes ☐ No ☐

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

7. Is there evidence that there has been a change in the POU?

Yes ☐ No ☒

If Yes, go to 8

If No, go to 13

8. Can the change be verified as an accomplished transfer?

Yes ☐ No ☐

If Yes, add condition C05, go to 13

If No, go to 9

9. Does the change include an enlargement of the POU?

Yes ☐ No ☐

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

10. Was an enlargement claim filed?

Yes ☐ No ☐

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

11. Did the claimant file an enlargement claim?

Yes ☐ No ☐

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

12. Was a transfer filed?

Yes ☐ No ☐

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

13. Does the file contain all of the necessary information to verify the POU?

Yes ☒ No ☐

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

14. Is a POU remark and/or condition required?

Yes ☐ No ☒

If Yes, enter the appropriate remark and/or condition. POU review is complete.

If No, POU review is complete.

Purpose of Use Data Entry Form

Claim Number: 427-37N☒ 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	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

1987/88 Napp photography.

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 6/23/04

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License? Yes (☒) No (☐
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes (☐) No (☐
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes (☐) No (☐
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
4. Does the parent right have a Purpose of Use? Yes (☒) No (☐
If Yes, go to 5
If No, go to 6
5. Can the claimed Purpose of Use be verified using the water right file? Yes (☒) No (☐
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
6. Is there evidence that there has been a change in the Purpose of Use? Yes (☐) No (☐
If Yes, go to 7
If No, go to 11
7. Can the change be verified as an accomplished transfer? Yes (☐) No (☐
If Yes, add condition C04, go to 11
If No, go to 8
8. Does the change include an enlargement of the Purpose of Use? Yes (☐) No (☐
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
9. Was an enlargement claim filed? Yes (☐) No (☐
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes (☐) No (☐
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
11. Does the file contain all of the necessary information to verify the Water Use? Yes (☐) No (☐
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
12. Did the claimant file a transfer? Yes (☐) No (☐
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
13. Is a Purpose of Use remark and/or condition required? Yes (☐) No (☒
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Period of Use and Quantity Data Entry FormClaim Number: A27-37N☒ 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

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

Review

Water analysis

IDWR STD 504

Reviewer: CBDate: 6/23/04

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License? Yes (☒) No (☐)
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes (☐) No (☐)
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes (☐) No (☐)
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
4. Does the parent right have a Period of Use? Yes (☒) No (☒)
If Yes, go to 5
If No, go to 6
5. Can the claimed Period of Use be verified using the water right file? Yes (☐) No (☐)
If Yes, go to 14
If No, go to 6
6. Is there evidence that there has been a change in the Period of Use? Yes (☐) No (☒)
If Yes, go to 7
If No, go to 12
7. Does the change include an enlargement in the Period of Use? Yes (☐) No (☐)
If Yes, go to 9
If No, go to 8
8. Can the change be recommended as an accomplished transfer? Yes (☐) No (☐)
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
9. Was an enlargement claim filed? Yes (☐) No (☐)
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes (☐) No (☐)
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
11. Was a transfer filed? Yes (☐) No (☐)
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
12. Does the file contain all of the necessary information to verify the Period of Use? Yes (☒) No (☐)
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
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 (☐) No (☒)
If Yes, go to 14
If No, go to 15
14. Is irrigation claimed as a purpose of use? Yes (☐) No (☐)
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
15. Is irrigation claimed as a purpose of use? Yes (☒) No (☐)
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? Yes (☐) No (☐)
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use? Yes (☐) No (☐)
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
18. Is a Period of Use remark and/or condition required? Yes (☐) No (☒)
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Quantity

Claim No. 27-37N

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

Yes (☐) No (☐)

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10

If No, go to 9

Yes (☐) No (☒)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10

If No, go to 11

Yes (☐) No (☒)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes (☐) No (☐)

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

Yes (☐) No (☒)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Yes (☐) No (☒)

Summary

Claim No. _____

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

Yes (☒) No (☐)

If Yes, go to 2

If No, go to 3

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

Yes (☐) No (☒)

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

3. Is the water being used for all of the purposes claimed and to the extent claimed?

Yes (☐) No (☐)

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

4. Is any portion of the claim being recommended?

Yes (☐) No (☐)

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

5. Is an additional remark and/or condition required?

Yes (☒) No (☐)

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

6. Would you like to view the recommended right?

Yes (☒) No (☐)

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

7. Is this a "split" or "combined" right?

Yes (☒) No (☐)

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

8. Do you have documents you would like to attach or link to the file?

Yes (☐) No (☒)

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

9. Would you like to set the verification date?

Yes (☒) No (☐)

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

Blackfoot Irrigation water is also used in POK
water is conveyed through Central Ditch
& Riverton Ditch

Fol.

Split or Combined Right Analysis:

yes

Attached Field Notes or Other Documents:

Claim No.:

27-374

Reviewer

CB

Date

6/23/04

Basin No.	Sequence Number	Split Suffix	Name	Basis of a Claim	yyyy-mm-dd Priority Date	Remarks	Useage	Other Water Rights Used	S=Stevens	ven s Decree	Total CFS	Recommended diversion (inches)
27	37	L	Anderson, Donald	Decreed	1886-03-20	Welch Irrigation Co. T.52	irrigation	27-2125	s	37	1.08	54.00
27	37	C	Bean, Audrey H.	Decreed	1886-03-20		irrigation	27.4F	s	37	0.97	48.50
27	37	P	Bergeman, E. V.		1886-03-20		irrigation		s	37	0.28	14.00
27	12017		Clements, Casey A.	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.38	19.00
27	11997		Coffman, Harvey	Decreed	1886-03-20		irrigation		s	37	0.10	5.00
27	10550		Ganske, Robert L.	Decreed	1886-03-20	Claim based on Miner's shares & F&W 27-23B. AMENDED	irrigation		s	37	0.06	3.00
27	10844		Gay, Walter A.	Decreed	1886-03-20		irrigation		s	37	0.17	8.67
27	37	M	Hamilton, Wesley	Decreed	1886-03-20		irrigation	27-4G	s	37	1.30	65.00
27	12015		Hansen, Helen	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.03	1.50
27	37	F	Hill, Stanley	Decreed	1886-03-20		irrigation		s	37	0.12	6.00
27	12016		Hospkins, Robert	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.03	1.50
			LDS Church	Decreed	1886-03-20		irrigation		s	37		0.00
27	10358		Leiseth, Jason	Decreed	1886-03-20	probably 27	irrigation		s	37	0.00	0.00
27	37	A	McDaniel, Brett	Decreed	1886-03-20	T#52. Welch Irrigation	irrigation		s	37	1.76	88.00
27	11994		Nation, Howard S.	Decreed	1886-03-20	Parent right 27-11120	irrigation		s	37	0.015	0.75
27	12014		Novosad, Joyce	Decreed	1886-03-20	Parent is 27-12067	irrigation		s	37	0.16	8.00
27	11995		Romrell, Don	Decreed	1886-03-20	Parent Right 27-11120	irrigation		s	37	0.015	0.75
27	37	E	Rowbury, Rex C.	Decreed	1886-03-20	T#52	irrigation		s	37	0.12	6.00
27	37	B	Stecklein, LaVerelle	Decreed	1886-03-20		irrigation		s	37	0.00	0.00
27	37	G	Stecklein, LaVerelle	Decreed	1886-03-20		irrigation	27-27B, 7065, 2126, 10552, 10555, 26B	s	37	0.69	34.33
27	37	J	Winter, Norman	Decreed	1886-03-20		irrigation		s	37	0.10	5.00
27	37	H	Worthington, Dallen	Decreed	1886-03-20		irrigation		s	37	0.04	2.00
27	37	K	Wright, Franklin D.	Decreed	1886-03-20		irrigation	27-27C, 23F	s	37	0.04	2.00
27	37	N	Yancey, Merlin	Decreed	1886-03-20		irrigation		s	37	0.50	25.00
								TOTALS			7.96	398.00



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 24, 2004

COPY

MERLIN YANCEY
707 W 300 S
BLACKFOOT ID 83221

RE: SRBA Claim based on decreed water right No. 27-37 N

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources (IDWR or the "Department") in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp. 106-117 (Bingham County, Idaho August 1, 1891), to James Welch. This water right was decreed for 400 inches (8.0 cfs) with a March 20, 1886, priority date. This water right was numbered sometime after the decree by IDWR as water right no. 27-37.

The Department has received multiple claims to this water right totaling more than 8.0 cfs. In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original James Welch water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right.

Please provide this information by March 26, 2004, to Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources. You can contact her at 208-547-3993. If you have any further questions regarding this matter, you can contact Cindy or you can contact me directly at 208-327-5404.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Candice M. McHugh".

Candice M. McHugh
Deputy Attorney General
Idaho Dept. of Water Resources

c: electronically Cindy Bird, IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

9 December 2003

Merlin Yancey
707 West 300 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-37N

COPY

Subject: EVIDENCE OF PRIORITY DATE

Response Date: 8 January 2004

Dear Claimant(s):

The Idaho Department of Water Resources has begun its SRBA claims review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the SRBA.

The referenced claim is not a decreed right based on Welch Irrigation. In the Stevens' 1891 decree the Welch water was decreed as mining, not irrigation and cannot be converted to irrigation. The mining purpose is non-consumptive while, irrigation is consumptive. Therefore, it can only be recommended to the Court as a beneficial use claim. However, before we can prepare the recommendation, we need evidence to support when the water was put to beneficial use for irrigation.

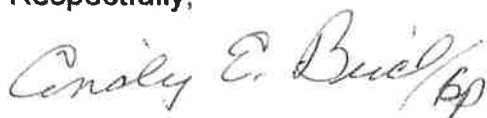
It is important that each element of the Notice be substantiated. For claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place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

For your reference, I have enclosed 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**".

If we do not hear from you by the above referenced response date we will recommend to the Court that this claim be disallowed.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

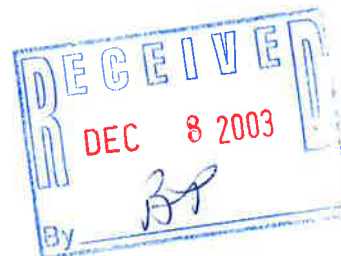
A handwritten signature in cursive script that reads "Cindy E. Bird" followed by a small "bp" monogram.

Cindy E. Bird
Adjudication Bureau

CEB/bjp
Enclosure: Evidence of Priority Brochure

707 West 300 South
Blackfoot, ID 83221
December 5, 2003

Cindy Bird
Idaho Department of Water Resources
15 West Center
Soda Springs, ID 83276



Dear Cindy Bird:

Subject: Supporting Claim Information for Claim # A27-37A

Attached please find supporting information for the 25 inches of the James Welch, March 20, 1886, water decree which I filed on in Claim A27-00037N.

The Welch water in this claim came via James Welch to Sarah Welch (George W. Jones) - November 27, 1917 to Artie Wright - May 3, 1926 to Merlin F. Wright - October 30, 1931 to Richard E Yancey - August 23, 1945 and then to Merlin E Yancey as outlined in the supporting information.

I hope this information will be helpful to you in verifying my claim. If you have any additional questions please let me know.

I will also have the other current owners of this water right complete the "Notice of Change in Water Right Ownership" forms and submit these to you shortly. I have several of these forms on hand.

Very truly yours,

Merlin E Yancey



Information on Merlin E Yancey Claim A27-00037N
Pedigree of the James G. Welch Water Decree

256
No. 1200
WARRANTY DEED

THIS INDENTURE, Made the 5th day of December, in the year of our Lord one thousand nine hundred and eighteen, between James W. Welch, unmarried, of the County of Bingham, and State of Idaho, the part of the first part, and of the County of Bingham, and State of Idaho, the part of the second part, WITNESSETH, That the said part of the first part, for and in consideration of the sum of TWO THOUSAND DOLLARS, lawful money of the United States of America, to him in hand paid by the said part of the second part, the receipt whereof is hereby acknowledged, does by these presents grant, sell, bargain and convey and confirm unto the said part of the second part, and to his heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

All of his right, title, and interest in and to the lot numbered five (5) in Section Twelve (12) and the lot numbered one (1) in Section Thirteen (13), all in Township Three (3) south of Range Thirty-four (34) east of the Boise Meridian in Idaho. Together with the ditches, ditch rights of way and water rights thereto appertaining and particularly one hundred fifty inches of water in Blackfoot River as decreed to James G. Welch.

This deed is executed and delivered expressly subject to that certain agreement for the sale of said described real property made and entered into the 27th day of November, 1917, between the parties herein named, as parties of the first part, and George W. Jones, as party of the second part, by the terms of which the said first parties agreed to convey said described premises to the said George W. Jones upon payment by him of the sum of Four Thousand Dollars, in the manner therein specified.

\$2,000 I. E. S. attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to her heirs, and assigns forever, and the said party of the first part, and her heirs, and assigns, against the said party of the first part and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

John W. Jones. James W. Welch, [SEAL]
[SEAL] [SEAL] [SEAL]

STATE OF IDAHO, }
COUNTY OF Bingham, } ss.
I DO HEREBY CERTIFY, That on this 5th day of December, in the year 1918, before me, John W. Jones, a Notary public, in and for said County and State, personally appeared James W. Welch

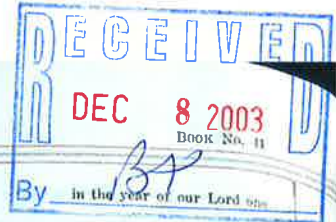
Book 41 Page 386 (27 Nov. 1917) James Welch to Sarah Welch, Property conveyed to George W. Jones (see paragraph 2) with 150 inches of James G. Welch decree.

Book 41 page 468, (May 20, 1921) Sarah Welch conveys to Lorenzo Thomas & William Stephens property from page 1 with only 100 inches of James G. Welch decree. Note: 150 inches (page 1) minus 100 inches (this page) leaves a net of 50 inches of the Welch decree to be accounted for (See page 3).

468

No. 8677

WARRANTY DEED



THIS INDENTURE, Made the 20th day of May
thousand nine hundred and Twenty-one, between
Sarah A. Welch, a widow,--
of the County of Bingham and State of Idaho, the party of the first part, and
Lorenzo R. Thomas and William W. Stephens,
of the County of Bingham and State of Idaho, the parties of the second part,
WITNESSETH, That the said party of the first part, for and in consideration of the sum of
Four Thousand and NO/100 ---- DOLLARS,
lawful money of the United States of America, to me In hand paid by the said parties of the second part, the receipt
whereof is hereby acknowledged
do th by these presents grant, sell, bargain and convey and confirm unto the said parties of the second part, and to their
heirs and assigns forever, all the certain lot, piece s or parcel s of land situate, lying and being in the
County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The Lot numbered five (5) in Section twelve (12), and
the Lot numbered one (1) in Section thirteen (13), all in
Township three (3) South of Range thirty-four (34) East of the
Boise Meridian, in Idaho; together with the ditches, ditch
rights of way, water and water rights thereunto belonging, and
particularly one hundred inches of the waters of Blackfoot
River as decreed to James G. Welch.

\$4.00 I. R. S. attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise apper-
taining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto
incident, unto the said parties of the second part, and to their heirs and assigns forever, and the said party of the
first part, and her heirs, and the said premises in a quiet and peaceable possession of the said parties of the
second part, their heirs and assigns, against the said party of the first part and her heirs, and against all
and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents
forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal
the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

John W. Jones

Sarah A. Welch

[SEAL]

[SEAL]

[SEAL]

[SEAL]

STATE OF IDAHO,

COUNTY OF Bingham

ss.

I DO HEREBY CERTIFY, That on this 20th

day of May

in the year 1921, before me,

John W. Jones, a Notary Public

in and for said County and State, personally appeared

Sarah A. Welch, a widow,

of Idaho

known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged
to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, Bingham County,
Idaho the day and year first above written.

Seal.

My commission expires
July 16, 1921.

John W. Jones,

Notary Public.

Recorded at the request of

Lorenzo R. Thomas, June 7, 1921 at 11:00 A.M.

WARRANTY DEED

RECEIVED
DEC 8 2003
BOOK No. 21

Book 21 page 237, George Wright to Artie Wright (May 4, 1909) (1 share - 50 inches Blackfoot Irrigation, 1/2 interest in any and all waters of the Blackfoot River owned by George Johnson ?) Artie obtains 50 inches of the James G. Welch decree May 3, 1926 as owner of this property from George W. Jones who obtained it from James Welch (via Sarah Welch)

This Indenture, Made the 4th day of November 1909, between George Wright and Ella Wright his wife of the County of Bingham and State of Idaho Artie Wright and State of Idaho

Witnesseth: That the said part 1/2 of the first part, for and in consideration of the sum of twenty eight hundred and (\$2870.00) Seventy 00/100 Dollars, lawful money of the United States of America, to them in hand paid by the said part 1/2 of the second part, the receipt whereof is hereby acknowledged, do hereby these presents grant, sell, bargain and convey and confirm unto the said part 1/2 of the second part, and to his heirs and assigns forever, all the certain lot piece or parcel of land situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

The North 15 acres of the Southeast quarter of the Northeast quarter and the Northeast quarter of the North east quarter of Section 25 in township 3 South of range 34 east of Range Meridian in Idaho, Together with one share water in the Blackfoot Irrigation Co. and one share water in the East Branch of the Blackfoot Irrigation Co. Also half interest in any and all waters of the Blackfoot River owned by George Johnson.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part 1/2 of the second part, and to his heirs and assigns forever, and the said part 1/2 of the first part and his heirs and assigns, against the said part 1/2 of the second part, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said part 1/2 of the first part has hereunto set their hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of
P. O. Parkinson
George Wright
Ella Wright

STATE OF IDAHO, ss.
County of Bingham

I DO HEREBY CERTIFY THAT, On this 4th day of November, in the year of 1909, before me, P. O. Parkinson, a Notary Public, in and for said County and State, personally appeared

George Wright and Ella Wright his wife
known to me to be the person whose name are subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at
[Seal] Idaho the day and year first above written.

My commission expires Sept 16th, 1911
P. O. Parkinson Notary Public

Recorded at the request of Artie Wright, Jan 28, 1911 at 2:30 P.M.

Recorder's fees, \$ J. T. Carruth Recorder
By Deputy Recorder



STATE OF OHIO ss.
COUNTY OF HAMILTON

On this 8th day of November in the year 1935 before me, Wm. H. Bardes, a Notary Public within and for the aforesaid County, personally appeared Chas. Hommeyer, and W. C. Dunkhorst, known to me to be the Vice-President and Assistant Treasurer, respectively, of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

Wm. H. Bardes
Notary Public in and for Hamilton County,
Ohio, Residing at 1462 Aster Pl.
Cincinnati, Ohio

SEAL

My commission expires: January 22, 1937.

Recorded at the request of The Bingham Title & Trust Co., Feb. 1, 1936 at 11:54 A. M.
Deputy Jno. H. Falk, Recorder

By *N. J. Denny* GEORGE W. JONES ET AL TO ARTIE WRIGHT
No. 5167

THIS INDENTURE, made the 3rd day of May, 1926, between GEORGE W. JONES and NANCY E. JONES, husband and wife, of the county of Churchill, state of Nevada, the parties of the first part, and ARTIE WRIGHT, of the county of Bingham, state of Idaho, the party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of ten (\$10.00) dollars, lawful money of the United States, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever quitclaim unto the said party of the second part, and to his heirs and assigns, all of the right, title and interest of the said parties of the first part, of, in and to the following waters, described as follows, to wit: Fifty (50) inches of the waters of Blackfoot River out of the decree in the action in the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Bingham wherein Fred S. Stevens et al., were plaintiffs and Eastern Idaho Water Company et al., were defendants, to James Welch of four hundred (400) inches of the waters of Blackfoot River with date of priority March 20, 1886.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

ON WITNESS WHEREOF, the said parties of the first part have hereunto set their hands, the day and year first above written.

STATE OF NEVADA, ss.
COUNTY OF CHURCHILL.

George W. Jones
Nancy E. Jones.

On this 5 day of May, 1926, personally appeared before me, a notary public in and for the said county of Churchill, George W. Jones and Nancy E. Jones, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the said county of Churchill, the day and year in this certificate first above written.
My commission expires May 9, 1927.

SEAL G. J. Denny, Notary Public
Recorded at the request of Artie Wright Feb. 4, 1936 at 2:30 P. M.
By *N. J. Denny* Deputy Jno. H. Falk, Recorder
No. 5167 BINGHAM CO. TO BESSIE FRANCES BADGER
DEED OF COUNTY PROPERTY

THIS INDENTURE, Made and entered into
between the County of Bingham, Idaho

Water purchased by Artie Wright from George W. Jones

Book 58 Page 454: (May 3, 1926) George W. Jones (see page 1 - owner of 150 inches) conveys to Artie Wright 50 inches of the James Welch decree of 400 inches that was not conveyed to Thomas and Stephens - page 2). NOTE: 150 inches (27 Nov. 1917) minus the 100 inches (May 20, 1921) equal 50 inches (May 3, 1926) which George W. Jones transfers to Artie Wright.

RECEIVED

DEC 8 2003

WARRANTY DEED

BOOK No. 56

89

THIS INDENTURE, Made the 20th day of October 1931, between Artie Wright and Lillian Wright, husband and wife, of the County of Blaine, State of Idaho, and State of California, the parties of the first part, and M. F. Wright, the party of the second part, of the County of Los Angeles, State of California, the party of the third part, do hereby certify, That the said parties of the first part, for and in consideration of the sum of five thousand and no/100 DOLLARS, WITNESSETH, That the said parties of the first part, for and in consideration of the sum of five thousand and no/100 DOLLARS, in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do hereby grant, sell, bargain and convey unto the said party of the second part, and to his heirs and assigns forever, all the certain lot, piece or parcel of land situate, lying and being in the County of Blaine and State of Idaho, and bounded and described as follows, to-wit:

The North 18 acres of the S22 of the NE1/4 of the NE1/4 all in Section 23, Township 3 South, Range 34, E. B. M. In Idaho, excepting from the least named tract the following described property heretofore deeded to School District No. 15; Beginning at a point 2 rods West of the Northeast corner of Section 23, Township 3 South, Range 34, E. B. M. thence North 18 rods 11 feet to the point of beginning, said last named tract containing 1 acre, more or less. Also excepting said right-of-way deeded to Blingham County.

Together with the water rights represented by one share of the capital stock of the Blackfoot Irrigation Company, a corporation, and as well the carrying capacity therefor in the Riverton Ditch Company.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever, and the said party of the third part, his heirs and assigns, against the said party of the first part and every person and persons whosoever, lawfully claiming or to claim the same, shall and will warrant by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

BEFORE, SEALED AND DELIVERED IN THE PRESENCE OF

J. B. Anderson

STATE OF IDAHO, } ss.
County of Blaine

I DO HEREBY CERTIFY, That on this 20th day of October 1931, before me, J. B. Anderson, a Notary Public in and for the State of Idaho, personally appeared Artie Wright and Lillian Wright, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, in Blaine County, Idaho, the day and year first above written.

My commission expires February 1st, 1934

J. B. Anderson, Notary Public for the State of Idaho

Recorded at the request of Artie M. Wright, April 18, 1932 at 12:30 P. M.

Residing at Blackfoot, Idaho

Artie Wright

Lillian Wright

[SEAL]

[SEAL]

[SEAL]

[SEAL]

Book 56 page 89, Artie Wright conveys property to M.F. Wright (20 Oct 1931) One Share of Blackfoot Irrigation Co. Water. No mention of Central Ditch Co. or the Welch Water in this transfer, however both Artie Wright and Merlin F. Wright owned shares of Central Ditch Stock. George Wright and Artie Wright owned stock in the earlier Welch Irrigation Co. (Incorporated 23 Mar 1914).

RECEIVED
DEC 8 2003
BP

WARRANTY DEED

Book No. 70

No. 48394

THIS INDENTURE, Made the 23d day of August in the year of our Lord one thousand nine hundred and forty-five, between Merlin Foster Wright, the same person as Merlin F. Wright and Winnie O. Wright, husband and wife,

of the County of Los Angeles State of California, the parties of the first part, and

Richard E. Yancey of the County of Bingham State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of (\$5,800.00) FIVE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS,

lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged

do by these presents grant, sell, bargain and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the certain lots, pieces or parcels of land situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit: The North 18 acres of the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 23 Township 3 South, Range 34 E.B.M., containing 68 acres, more or less, except a square tract of ground 12 rods 11 feet by 12 rods 11 feet in the Northeast corner of last described tract, used for school purposes; and \$125.00 Federal Land Bank Stock. Together with 1 share of the capital stock of the Blackfoot Irrigation Company and 1 share of the capital stock of the East Branch of Blackfoot Irrigation Company and 25 inches of the waters of Blackfoot river, being part of the waters awarded to James Welch by decree of the Fifth Judicial District Court of Bingham County, Idaho.

And, Commencing at a point 144 feet South of the Northeast Corner of Section 23, Township 3 South, Range 34 East, Boise Meridian, running thence West 254 feet, thence South 66 feet, thence East 254 feet, thence North 66 feet to the point of beginning.

\$6.60 I.R.S. Attached and cancelled.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES ss.

I DO HEREBY CERTIFY THAT on this 31st day of August, 1945, before me the undersigned, unto the said party of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their heirs, and the said premises in a quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal, the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF...
Notary Public, commissioned in and for said County and State, personally appeared Winnie O. Wright, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Los Angeles California the day and year in this certificate first above written.
STATE OF IDAHO, ss. SEAL
COUNTY OF Bingham
R. L. Blackstone, Notary Public
My commission expires May 4, 1949.

I DO HEREBY CERTIFY, That on this 23rd day of August in the year 1945, before me, E. P. Monson, a Notary Public commissioned in and for the State of Idaho, personally appeared Merlin Foster Wright, the same person as Merlin F. Wright, whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot in Bingham County Idaho the day and year first above written.

My commission expires July 10, 1947. SEAL
E. P. Monson
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

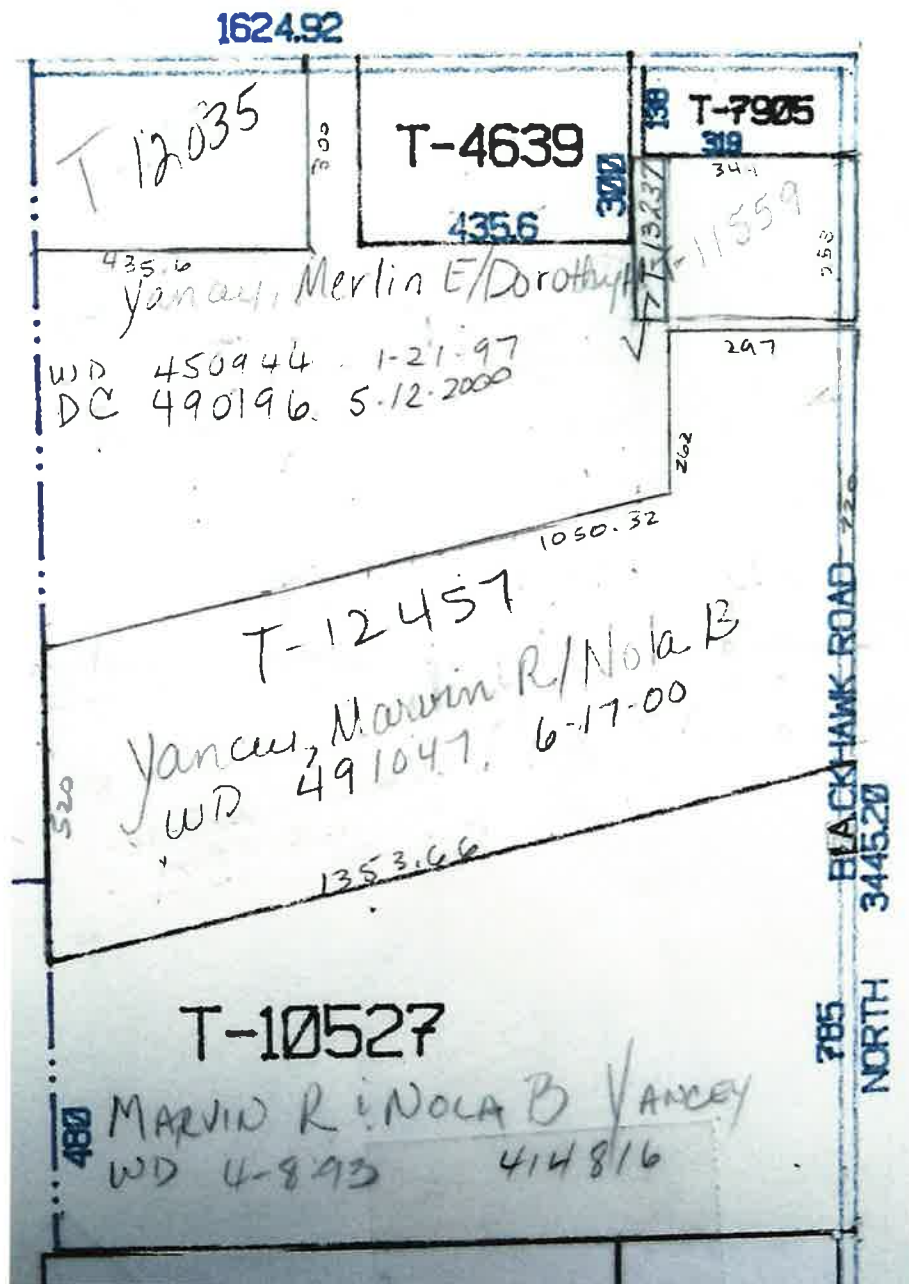
Recorded at the request of Mrs. Richard Yancey on Sept. 25, 1945 at 3:50 p.m.

Recorder's Fee, \$1.40

Jno. H. Falk
Recorder.
Deputy Recorder.

Book 70 Page 83 Merlin F. Wright conveys to Richard E Yancey with 1 share (50 inches) Blackfoot Irrigation Company water & 25 inches of James G. Welch decree. (Artie Wright originally had 50 inches of the Welch Decree - See page 3)

The property conveyed to Richard E Yancey is currently owned by Merlin E Yancey, Marvin R Yancey, Bryan & Carrie Hopkins and Troy & Lucille Hall. Merlin Yancey filed claim, March 14, 1997, on the 25 inches of Welch Water conveyed by the above deed to Richard E Yancey since Richard Yancey (now deceased) had not filed a claim on this water.



List of Current Property Owners

Parcel T-7905 The Church of Jesus Christ of Latter-day Saints. Not part of the property owned by Artie Wright. Joseph Gordon sold this property to School District 56 September 20, 1893 and the Church later purchased it.

Parcel T-11559 Troy and Lucille Hall

Parcel 12035 Bryan and Carrie Hopkins

Parcels T-12457 & T-10527 Marvin R Yancey

Remainder Merlin Yancey T-4639, T-13237 & (WD 450944 & 490196)

I am unable to identify what if any Blackfoot River water may have been owned by George Johnson as mention when George Wright sold the property to Artie Wright, i.e, "1/2 interest in any and all the Blackfoot River water owned by George Johnson". (Nov 4, 1909) – See Page 4.

Best regards,
Merlin E Yancey



SCANNED

JUL 13 2001

Log for claim 27-00037N

Spatial Dynamics LTD

12/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	23	NENE	35	34	
03s34e	23	SENE	18	16	
Totals:			53	50	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERLIN YANCEY 707 W 300 S BLACKFOOT ID 83221 (208) 785-0908	03/20/1886	IRRIGATION	04-01 10-31	0.500 CFS	
					TOTAL DIVERSION:	0.500 CFS
					CONSUMPTIVE USE:	145.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03S R35E S08 SWNE
S18 Lot06(SWNE)

BINGHAM County
BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03s	34E	23	:	35		18	:											:	53.0
																		TOTAL ACRES	53.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: BLACKFOOT IRRIGATION SHARES

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

27-10343	27-10508	27-10866	27-11513	27-11720	35-11707	A27-00004AA	A27-00004AB	A27-00004R	A27-00022D
A27-00023F	A27-00025B	A27-00026A	A27-00026C	A27-00026D	A27-00026E	A27-00027B	A27-00027C	A27-00029D	A27-00035D
A27-00037B	A27-00037G	A27-00037K	A27-00037M	A27-10116	A27-10343	A27-10357	A27-10358	A27-10362	A27-10370
A27-10452	A27-10508	A27-10539	A27-10552	A27-10555	A27-10557	A27-10844	A27-10847	A27-10866	A27-11513
A27-11720									

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00001J A01-00298

Remarks: GEN 14 INCHES(0.28 CFS) COMES FROM CENTRAL DITCH IN SECT 8 AND
11 INCHES(0.22 CFS) COMES FROM RIVERTON CANAL IN SECT 18.

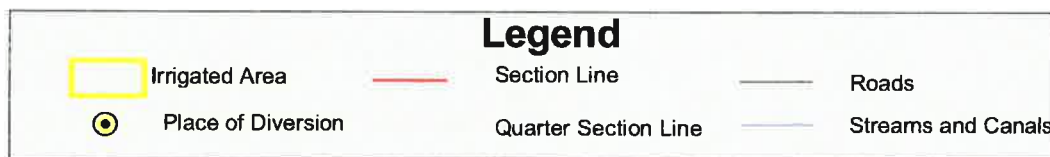
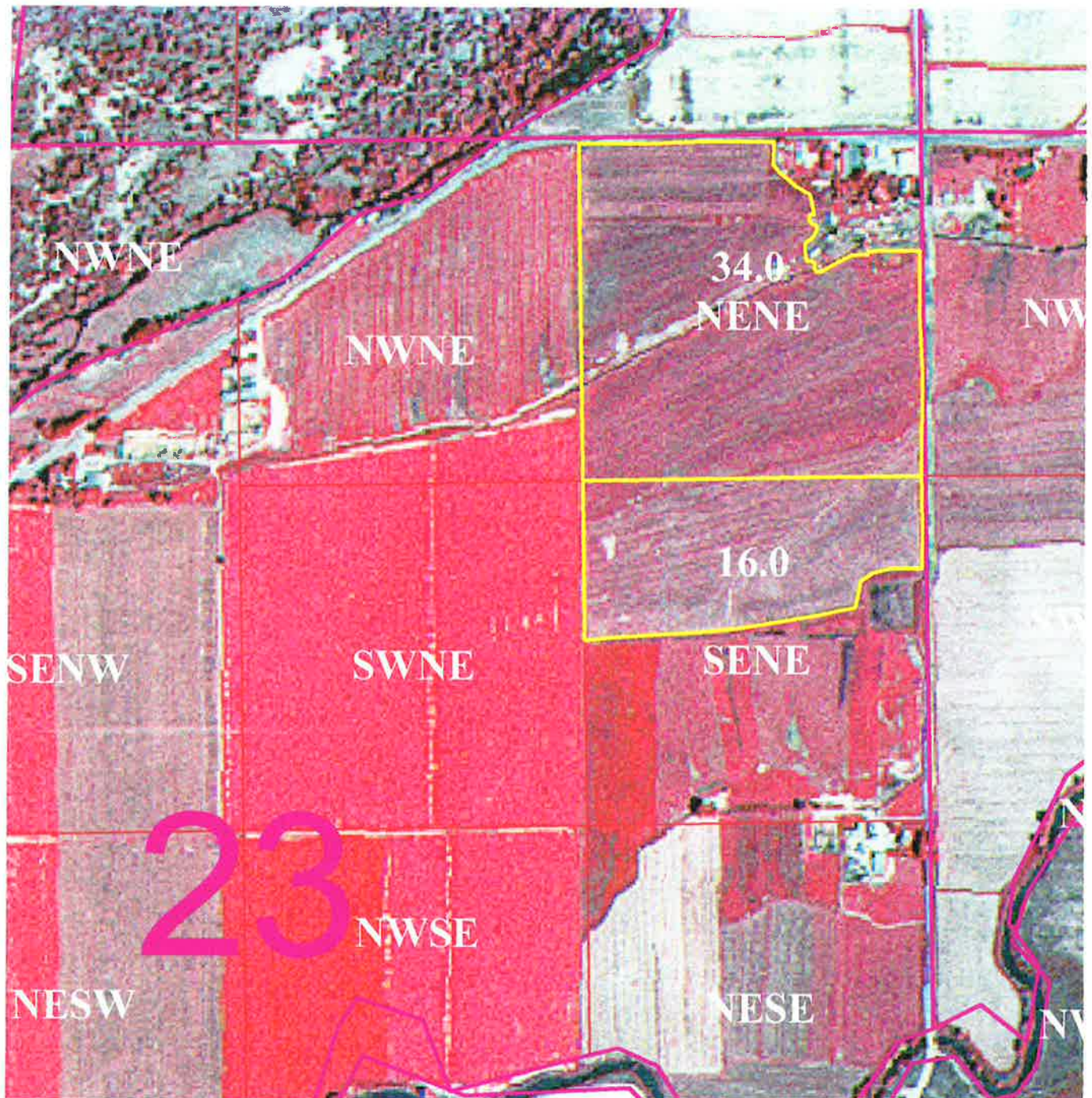
Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/14/97 HJONES

12/21/2000

Water Right Claim Number 27-00037N
Township , 3S34E



 SPATIAL
DYNAMICS

SCANNED

JUL 13 2001

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: A27-00037N
Date Received: 3/14/1997
Receipt No: E023018
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLIN YANCEY 208-785-0908
Address: 707 W 300 S
BLACKFOOT ID 83221

2. Date of Priority: MAR 20, 1886

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	8		SW	NE		BINGHAM
		18		SW	NE	6	BINGHAM

5. Description of diverting works:
CENTRAL DITCH AND RIVERTON CANAL TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.500		

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

8. Total consumptive use is 145.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	34E	23	NE	NE		IRR	35.0
			SE	NE		IRR	18.0



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	53.0
					Total Acres	53.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
BLACKFOOT IRRIGATION SHARES

14. Remarks:
14 INCHES(0.28 CFS) COMES FROM CENTRAL DITCH IN SECT 8 AND
11 INCHES(0.22 CFS) COMES FROM RIVERTON CANAL IN SECT 18.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/ 1/1891

FRED STEVENS

Decree Plaintiff

EASTERN IDAHO WATER CO

vs Decree 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 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): Merton E. Farney Date: 3/14/97

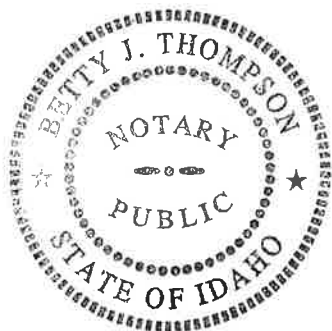
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of March 19 97

Betty J. Thompson
Notary Public

Seal



BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 7-05-2000

