

07/06/2006

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

RIGHT NUMBER: 75-13964

NAME AND ADDRESS: YERDEN LIVING TRUST
PO BOX 98
NORTH FORK ID 83466-0098

SOURCE: FOURTH OF JULY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.320 CFS

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T24N R22E S20 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 08/01

0.320 CFS 0.240
CFS

08/02 11/01

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R22E S29 NWNE 8.00

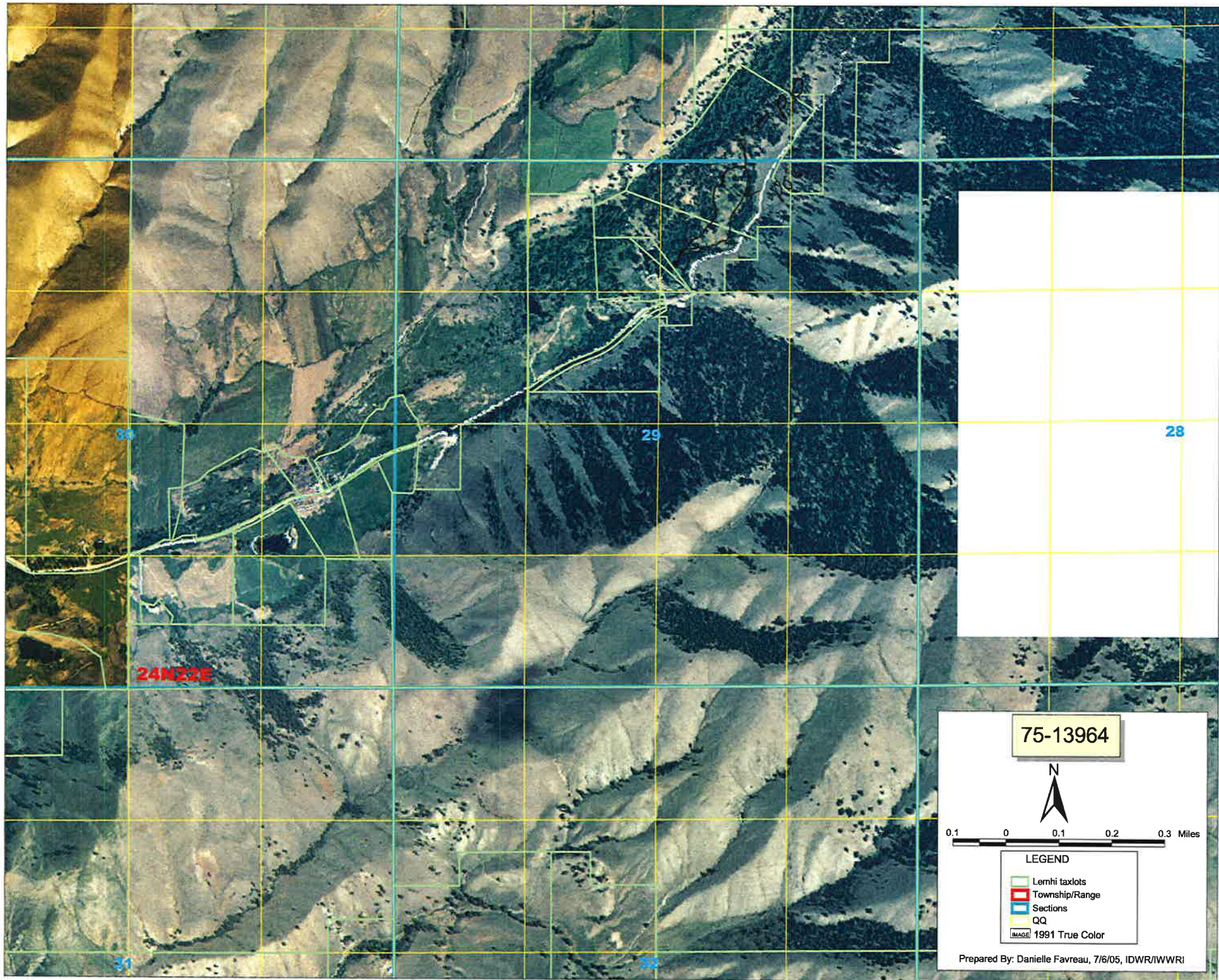
8 ACRES TOTAL

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.

This is a split of 75-10252 which is a combined right of 75-122 and 75-123.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



75-13964



0.1 0 0.1 0.2 0.3 Miles

LEGEND

- Lemhi taxlots
- Township/Range
- Sections
- QQ
- 1991 True Color

Prepared By: Danielle Favreau, 7/6/05, IDWR/IWWR

11/20/2006

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

RIGHT NUMBER: 75-13964
NAME AND ADDRESS: YERDEN LIVING TRUST
PO BOX 98
NORTH FORK ID 83466-0098
SOURCE: FOURTH OF JULY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.320 CFS
PRIORITY DATE: 04/01/1896
POINT OF DIVERSION: T24N R22E S20 SWSE Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 08/01	0.320 CFS
		08/02 11/01	0.240 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T24N R22E S29 NWNE	8.00	
	8 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.

This is a split of 75-10252 which is a combined right of 75-122 and 75-123.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

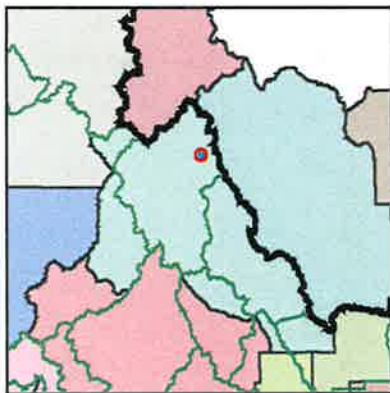
SRBA Recommendation:

75-13964

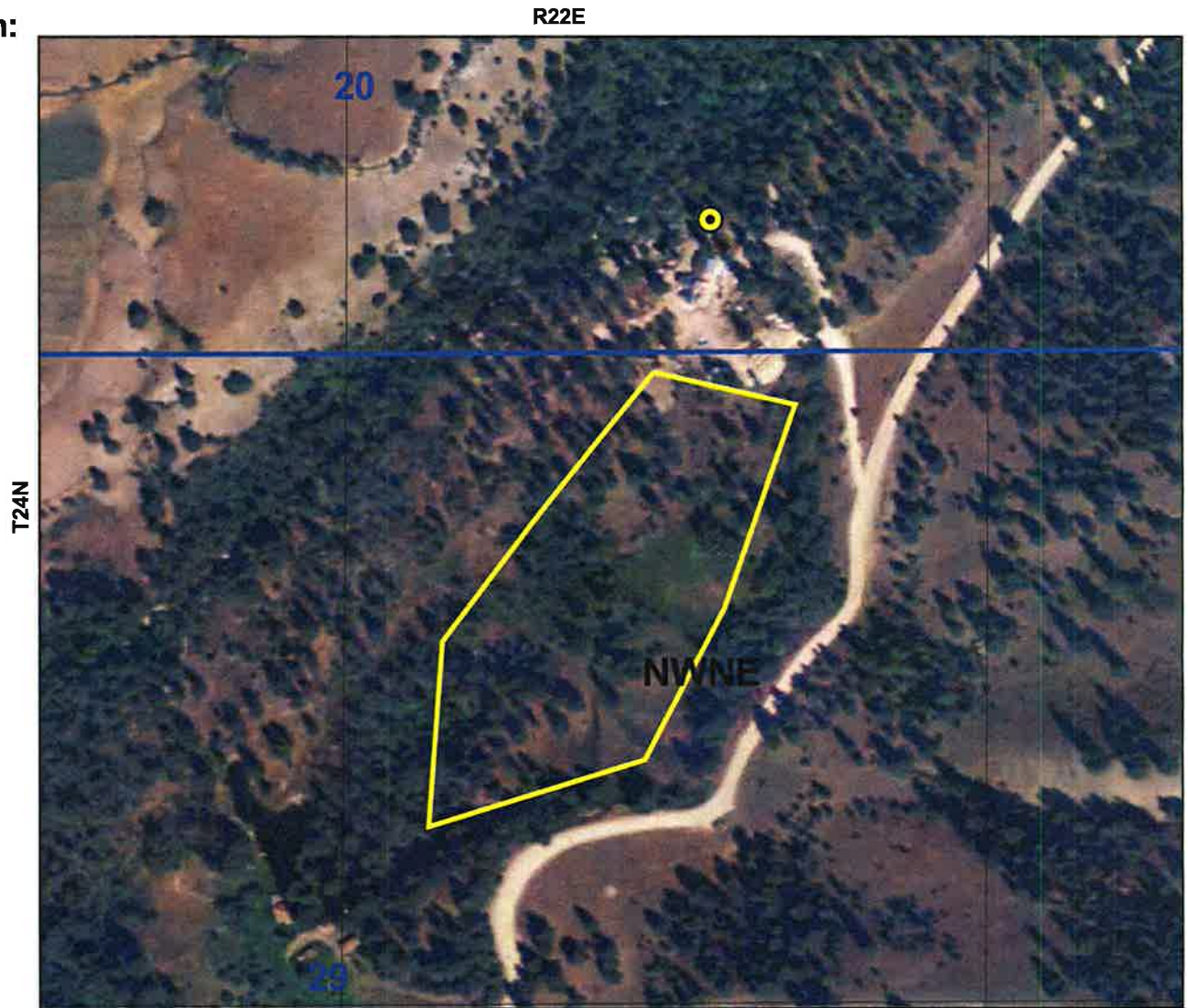
(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles



Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

11/20/2006

**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: 12/13/2006

Water right number: 75-13964

YERDEN LIVING TRUST
PO BOX 98
NORTH FORK ID 83466-0098

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: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 18, 2006

Yerden Living Trust
Box 98
North Fork, ID 83466

RE: 75-13964

Dear Mr. Yerden:

We have reviewed your objection to our preliminary recommendation. Enclosed are two pages of a decree, Brown vs. Nelson, signed December 16, 2006. Page two of that decree states that after August 1 the irrigation is 1 ½ miner's inches (0.03 cfs) pre acre. The claim was filed on 8 acres: $1 \frac{1}{2} (0.03) \times 8 = 0.24$ cfs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

11/20/2006

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: 12/13/2006

Water right number: 75-13964

YERDEN LIVING TRUST
PO BOX 98
NORTH FORK ID 83466-0098

RECEIVED
DEC 15 2006
IDWR/North

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

On form IDWR: "preliminary recommendation of Water Rights.", it states that the irrigation quantity for the period of use dated August 02 - November 01 is .240 cfs. As you will note on the attached "Notice of Claim of Water Right Acquired Under State Law," the quantity during this same time period should read ".32 cfs."

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

We wish to change the IDWR change recommendation to read: ".32 cfs during the period August 02 - November 01".

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

The basis for our disagreement is that the legal "Notice of Claim to a Water Right" we received at closing on the purchase of our land should match the IDWR recommendation.

Thank you for your assistance.

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

DATE:

12/11/06

SIGNATURE:

Thomas R. Yerden

Please print your name:

THOMAS R. YERDEN

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

ATTACHMENTS: "NOTICE OF CLAIM..."

"PRELIMINARY RECOMMENDATION"

11/20/2006

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

RIGHT NUMBER: 75-13964
NAME AND ADDRESS: YERDEN LIVING TRUST
PO BOX 98
NORTH FORK ID 83466-0098
SOURCE: FOURTH OF JULY CREEK
QUANTITY: 0.320 CFS
PRIORITY DATE: 04/01/1896
POINT OF DIVERSION: T24N R22E S20 SWSE Within LEMHI County
PURPOSE AND PERIOD OF USE: TRIBUTARY: SALMON RIVER

RECEIVED
DEC 15 2006
IDWR/North

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 08/01	0.320 CFS
		08/02 11/01	0.240 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T24N R22E S29	NWNE 8.00	
	8 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.

This is a split of 75-10252 which is a combined right of 75-122 and 75-123.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-13964

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015087 File J728054POD

Township 24N Range 22E Section 20
Township _____ Range _____ Section _____ 1/4 SE 1/4 SW 1/4 SE
1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

dam in creek ditch to place of use, no pd in
24N 22E 20 SESENE

Deeree 0.03 cfs/per from 8/2-11/1
Sooree x 0.03 = .24 cfs

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-28-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

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 75-13964
Date Received: 12/18/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

YERDEN LIVING TRUST Phone: (303) 772-1967

15345 N 95TH ST
LONGMONT CO USA 80504

RECEIVED
DEC 15 2006
IDWR/North

2. Date of Priority: 04/01/1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
24N	22E	20	SE SE NE	LEMHI
24N	22E	20	SE SW SE	LEMHI

5. Description of diverting works:

DAMS, DITCHES FLOOD IRRIGATION, DITCHES #3 & #13.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	08/01	0.32	
IRRIGATION	08/02	11/01	0.32	

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

8. Total consumptive use:





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

RECEIVED

SEP 21 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 12, 2005

YERDEN LIVING TRUST
PO BOX 98
NORTH FORK ID 83466-0098

No Colorado Address

SRE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-13964

record modified 9-28-05
- M

Dear Claimant:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by September 30, 2005. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Paul K. Yr
Water Right Holder's Signature

208-865-
Telephone No.

SCANNED

SEP 28 2005

SCANNED

SEP 28 2005

75-13964

FIRST CLASS



UNITED STATES POSTAGE
\$ 00.83⁰
02 1A
0004310839 SEP 01 2005
MAILED FROM ZIP CODE 83702

IDAHO DEPARTMENT OF WATER

RESOURCES
322 EAST FRONT ST
P.O. BOX 83720
BOISE, ID 83720-0098

TO

YERDEN LIVING TRUST
15345 N 95TH ST

YERD345 805042018 1804 15 09/06/05
FORWARD TIME EXP RTN TO SEND
YERDEN
PO BOX 98
NORTH FORK ID 83466-0098

RETURN TO SENDER



Department of Water Resources
RECEIVED
SEP 09 2005

SCANNED
SEP 28 2005



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

August 31, 2005

YERDEN LIVING TRUST
15345 N 95TH ST
LONGMONT CO 80504

SRE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-13964

Dear Claimant:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by September 15, 2005. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,


Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

SCANNED
SEP 7 8 2005

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
EFTREY BOWERS
02 1A \$ 00.60
0004389393 AUG 11 2005
MAILED FROM ZIP CODE 83702

75-13964

RECEIVED
AUG 30 2005
DEPARTMENT OF
WATER RESOURCES

YERD345 805042011 1804 13 08/26/05
FORWARD TIME EXP RTN TO SEND
YERDEN
PO BOX 98
NORTH FORK ID 83466-0098

RETURN TO SENDER
|||||

YERDEN LIVING TRUST
15345 N 45TH ST
LONGMONT CO 80504

MOVED

SCANNED
SEP 1 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 2000

THOMAS & CAROL YERDEN
YERDEN LIVING TRUST
15345 N 95TH ST
LONGMONT CO 80504

RE: CHANGE IN OWNERSHIP FOR 75-10252

Dear Mr. & Mrs. Yerden:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-13963, 0.88 cfs, 22 acres, Bellamy
75-13964, 0.32 cfs, 8 acres, Yerden

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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 75-13964
Date Received: 12/18/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

YERDEN LIVING TRUST Phone: (303) 772-1967

15345 N 95TH ST
LONGMONT CO USA 80504

2. Date of Priority: 04/01/1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
24N	22E	20	SE SE NE	LEMHI
24N	22E	20	SE SW SE	LEMHI

5. Description of diverting works:

DAMS, DITCHES FLOOD IRRIGATION, DITCHES #3 & #13.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	08/01	0.32	
IRRIGATION	08/02	11/01	0.32	

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

8. Total consumptive use:

A7513964



9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	22E	29	NW	NE	IRRIGATION	8
					Section Acres	8
					Total Acres	8

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED**NOV 22 2000**Department of Water Resources
Eastern Region

1. Water Right Number(s) A75-10252
Adjudication Claim Number(s) (same)
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Don R. Bellamy
PO Box 1031, Salmon, ID 83467
4. New Owner/Claimant(s) THOMAS R. YERDEN OR CAROL K. YERDEN, Trustees
or their successors in trust under the YERDEN LIVING
TRUST dated 2/22/1999 and any amendments thereto
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
New Mailing Address 15345 N. 95th St.,
City, State and ZIP Code Longmont CO 80504 TRY CKY
New Telephone Number (303) 772-1967
5. Date you acquired the property 10/13/2000
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 8.0 Number and type of stock _____
Diversion rate in CFS 16 cfs Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Thomas R. Yerden Date OCT 12, 00
Carol K. Yerden Date 10-12-00
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.