

12/05/2006

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: December 13, 2006

Water right number: 67-4286

DONNA YANTIS
2562 HWY 95
COUNCIL ID 83612
Telephone Number: (208)253-4776

JACK YANTIS
2562 HWY 95
COUNCIL ID 83612
Telephone Number: (208)253-4776

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: 12-13-06 SIGNATURE: Jack Yantis
Please print your name: Jack Yantis Donna Yantis

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 15 2006

12/14/2006

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

RIGHT NUMBER: 67-4286

NAME AND ADDRESS: DONNA YANTIS
2562 HWY 95
COUNCIL ID 83612

JACK YANTIS
2562 HWY 95
COUNCIL ID 83612

SOURCE: SPRINGS

TRIBUTARY: UNNAMED STREAMS

QUANTITY: 0.140 CFS
20.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1910

POINT OF DIVERSION:

T17N R01E S18 SWNW Lot 2 Within ADAMS County

T17N R01E S18 NWSW Lot 3 Within ADAMS County

T17N R01E S18 SESW Within ADAMS County

T17N R01W S24 NWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

STOCKWATER

01/01 12/31

0.040 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S24 NENE 1.50 T17N R01W S24 NWNE 3.50

STOCKWATER in ADAMS County

T17N R01W S13 NENE T17N R01W S13 NWNE

T17N R01W S13 SWNE T17N R01W S13 SENE

T17N R01W S13 NENW T17N R01W S13 SENW

T17N R01W S13 SWSW T17N R01W S13 SESW

T17N R01W S13 NESE T17N R01W S13 SESE

T17N R01W S24 NENE T17N R01W S24 NWNE

T17N R01W S24 NENW

5 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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 150 range cattle.



Idaho Department of Water Resources

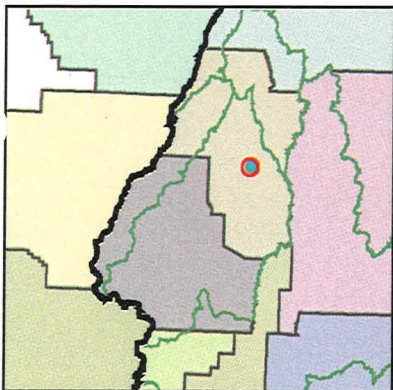
SRBA Recommendation:

67-4286

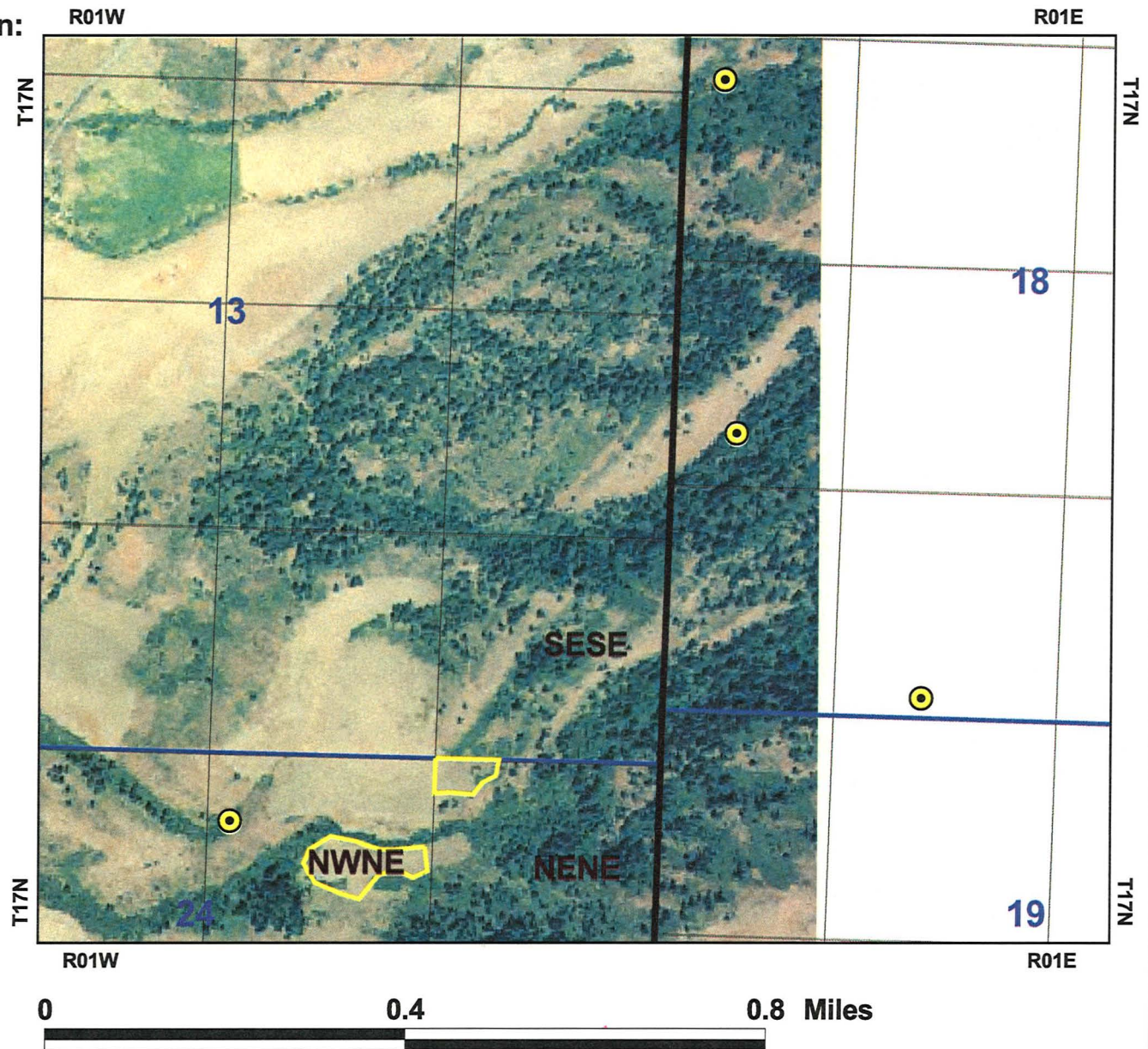
(Irrigation)

Legend

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

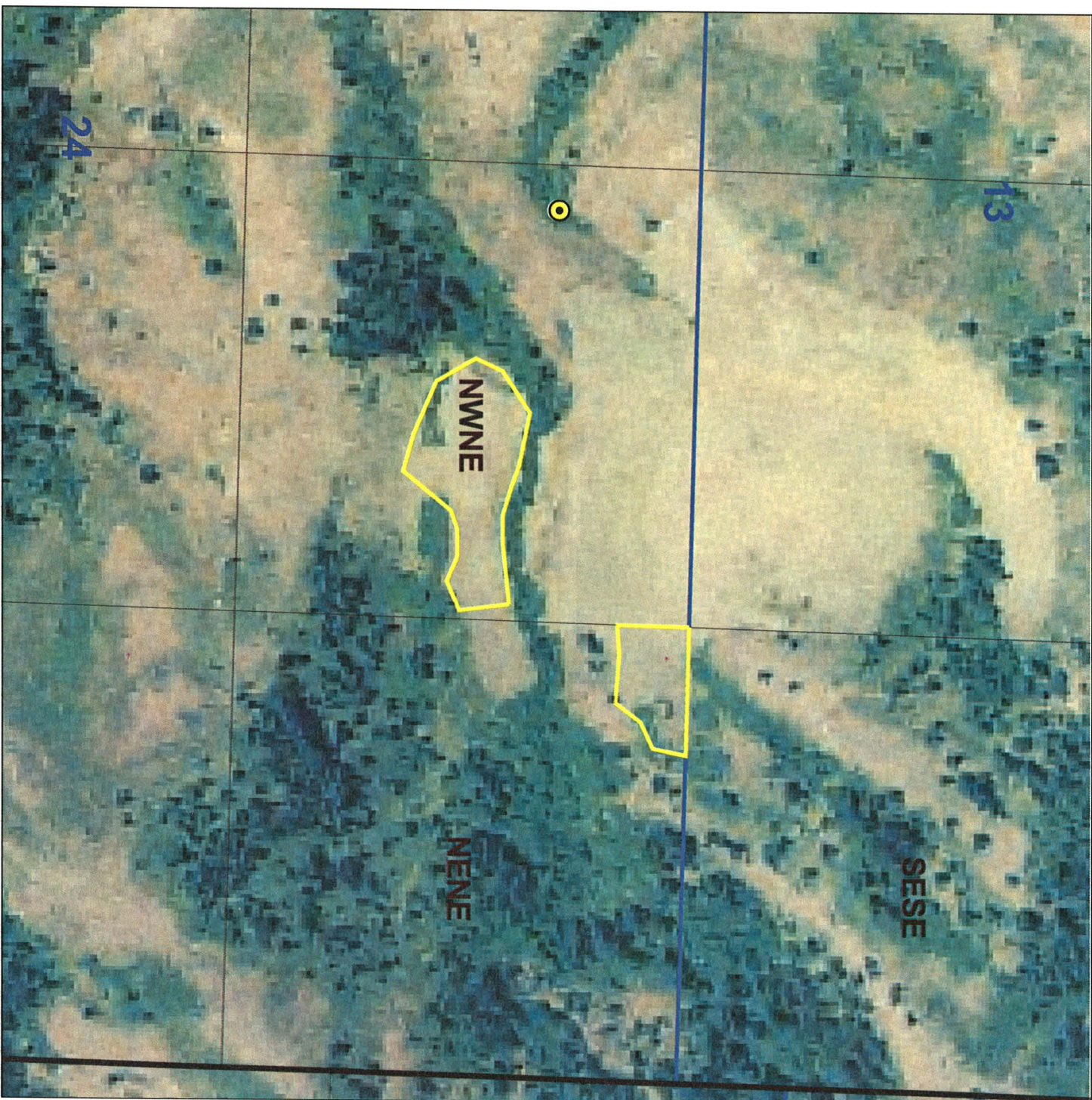
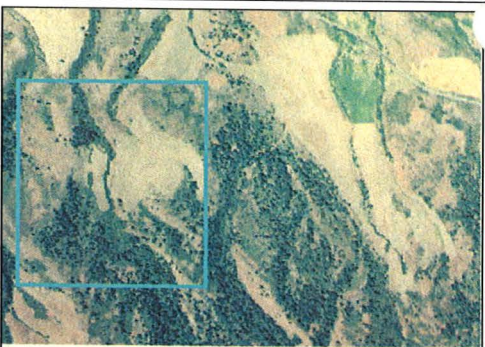


Adams County
IDWR Basin 67



Prepared by IDWR State Office
On Friday, December 15, 2006
1987/88 Aerial Photography

67-4286



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4286 V1

WATER RIGHT NUMBER: 67-4286 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776
Original Owner	RAY E YANTIS TAMARACK STAR RTE COUNCIL, ID 83612
Original Owner	FAYE M YANTIS TAMARACK STAR RTE COUNCIL, ID 83612
Current Owner	JACK YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776

Priority Date: 01/01/1910

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	UNNAMED STREAMS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.140 CFS	20.00 AF

Location of Point(s) of Diversion

SPRINGS	L3 (NW1/4SW1/4)	Sec. 18, Twp 17N, Rge 01E, B.M.
ADAMS County		
SPRINGS	SE1/4SW1/4	Sec. 18, Twp 17N, Rge 01E, B.M.
ADAMS County		
SPRINGS	NW1/4NE1/4	Sec. 24, Twp 17N, Rge 01W, B.M.
ADAMS County		
SPRINGS	L2 (SW1/4NW1/4)	Sec. 18, Twp 17N, Rge 01E, 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	
17N	01W	24	1.5	3.5															5.0

Total Acres: 5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4286 V1

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13	X	X	X	X	X			X			X	X	X			X	
17N	01W	24	X	X			X												

Conditions of Approval:

1. X02 Stockwater use is for 150 range cattle.
2. 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.
3. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. csaxton 12/5/2006 Priority
Comment: EOP not sufficient to support irrigation using the spring back to 1910.
2. csaxton 12/5/2006 Source
Comment: Changed source trib to unnamed stream. Might locally be known as Ft Hall Creek.
3. csaxton 12/5/2006 From Claim
Comment: ACRES COVERED UNDER 78-2035 AND 67-4285.
OTHER RIGHTS: 67-104, 67-105, 67-106, 67-107, 67-2012 (NOW COMBINED TO A67-11449) 67-4285, 78-2035, AND 67-2065A AND B WHICH HAVE BEEN COMBINED TO A67-11448.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4286 V1

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>
Summary			12/05/2006	csaxton	Active
Summary			12/14/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	12/14/2006 6:54:40 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? (No) 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?
POD	12/5/2006 10:33:03 AM	csaxton	Updated shape from PLS
POD	12/5/2006 10:33:18 AM	csaxton	Updated shape from PLS
POD	12/5/2006 10:33:30 AM	csaxton	Updated shape from PLS
POU	12/5/2006 10:34:38 AM	csaxton	Updated shape from PLS
POU	12/5/2006 10:34:52 AM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4286 V1

Summary	12/5/2006 10:38:38 AM	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? (No) 5. Does this right have any combined use limits with other rights? (No) 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?
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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4286

WATER RIGHT NUMBER: 67-4286

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776
Original Owner	RAY E YANTIS TAMARACK STAR RTE COUNCIL, ID 83612
Original Owner	FAYE M YANTIS TAMARACK STAR RTE COUNCIL, ID 83612
Current Owner	JACK YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776

> OK

> OK

Priority Date: 01/01/1910

Basis: Statutory Claim

Status: Active

Source

SPRINGS

Tributary

FORT HALL CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/30 to 10/31	0.100 CFS	
STOCKWATER	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

(4 springs)

Location of Point(s) of Diversion

SPRINGS	NW1/4NW1/4	Sec. 19, Twp 17N, Rge 01E, B.M.
ADAMS County		
SPRINGS	NW1/4NW1/4	Sec. 18, Twp 17N, Rge 01E, B.M.
ADAMS County		
SPRINGS	NE1/4NE1/4	Sec. 24, Twp 17N, 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	
17N	01W	24	2.0	3.0															5.0

Total Acres: 5

STOCKWATER

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-4286

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	13	X	X	X	X	X			X	X				X				

Conditions of Approval:

1.
- ACRES COVERED UNDER 78-2035 AND 67-4285.
OTHER RIGHTS: 67-104, 67-105, 67-106, 67-107, 67-2012 (NOW COMBINED TO A67-11449)
67-4285, 78-2035, AND 67-2065A AND B WHICH HAVE BEEN COMBINED TO A67-11448.

Remarks:

Comments:

Water Supply Bank:

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 67-04286Owner: Spck or Donna Yantis Phone No. (208) 253-4776Current Address: 2562 Hwy 95, Council, Id 83612

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER

- ☒ No change Address
- ☐ NEW ADDRESS

- ☒ How long owned property? owned since 1980, but was owned by family for past 100 years

Accompanied by: Spck Yantis**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1/1/1910

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

Property homesteaded 1910Source: Springs (1, 3, 4 + #5) Tributary to Fort Hall Creek

- ☐ No Change – SAME SOURCE

- ☒ Source found is different than claimed: indicated that these springs have always been used & are in the original location

POINT OF DIVERSION

- ☐ No change

- ☒ POD found is different than claimed: has always been at these locations
- ☒ If different, when did POD change? has always been at these locations

* = ing # 3+4 could not get GPS reading, so had to get coord. off map. They are 50-100' apart from each other + then merge.

DIVERSION AND DELIVERY SYSTEM

4 springs:

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
spring # 1					18	17N	1E	Adams	2310916/2310916
spring # 3+4					18	17N	1E	Adams	2311274/1514203
spring # 5					24	17N	1W	Adams	2310040/1513983

Description of diverting works

* See attachment

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☐ No change

☐ Different Uses

Use Stockwater From 1/1 To 12/31 Amount 0.05 CFS AFA
Use Irrigation From 4/1 To 11/1 Amount 0.13 CFS AFA
Use From To Amount CFS AFA

TOTAL VOLUME - Groundwater only

N/A

- ☐ Incomplete on claim, the total is, Amount CFS AFA
- ☐ Changes found, the new total is, Amount CFS AFA
- ☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes Stock # 150 head cattle

Types Additional comments: rotated throughout the property

PLACE OF USE:

☐ No Change

☒ Changes shown below:

* said they've always had this #, + there had been no change

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	1W	24	1.77	4.58															6.35
17N	1W	13	S	S	S	S	S			S					S				Spring #1
17N	1W	13											S	S					Spring #5
17N	1W	24	S	S			S												Spring #5
17N	1W	18											S	S					Spring 3+4
17N	1W	13																S	Spring 3+4

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: * see attachment

~~| Well or Diversion Identification No
GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|---|------------|----|------------------|-----------|-----------------------------------|
| | | | | | |
| | | | | | |~~

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Supplemental water : None

Directions to physical address of POU: I84, Hwy 95
Thru Weiser, Cambridge + Council, ~ 7 miles north
of Council at mile post # 142 1/2, red barn on right
side, 2562 Hwy 95 Council. POU for WR's; property
across highway from 2562 Hwy 95, at the residence +

AFTER EXAM THE FILE SHOULD CONTAIN: surrounding yard + garden, +

- ☒ Completed claim checklist
 - ☒ Photographs of POD's and POU
 - ☒ GPS readings
 - ☒ Completed map and or GIS layout showing POD's and POU
- pastures east, northeast, south,
southwest + southeast of
residence. POD: see attachment
attachment w/ description of diverting works

DATE EXAM CONDUCTED:

12/5/06

FIELD EXAMINER:

Judy Hemmaway

67-04286 Yantis

Date of Inspection: 11/6/2006

Inspector: Sandy Hemenway

Description of Diverting Works:

Spring #1 open discharges to dirt ditches (gravity flow)

Spring #3 & #4 are about 50-100' apart. They open direct discharge to dirt ditches (gravity flow).

Spring #5 has a buried spring box/collection box (24" X 30" X 1") with a 1 3/4" discharge

Delivery System Narrative:

Spring #1: dirt ditches running on the southern border of the field, and one crossing over to the northern boarder at the top NE corner. Gravity flow down the hill through numerous ditches traversing back and forth across the hillside. The main ditch ends at the SW end towards Hwy. 95.

Spring #3 & #4: dirt ditches running from NE gradually SW after merging and becoming one ditch. They are utilized for stockwater, and then for irrigation entering the NE corner of the 1.77 acre parcel with a dirt ditch running on the north and south boarder (gravity flow basically north to southwest), then running further southwest to the next POU for irrigation (4.58 acres) with a ditch running on the north boarder, gravity flow north to south.

Spring #5: from the 1 3/4" discharge, 3/4 mile of 1 3/4" pipe (ABS pipe) that follows the drain ditch, is piped under Hwy 95 to Sec. 13 SWSW for stockwater there. The overflow from spring #5 runs down the drain, allowing for stockwater for that 3/4 mile stretch, where it then goes into a culvert and is piped to Sec. 13 SWSW.

67-04286 Lyntus

Date of Inspection: 11/6/2006

Inspector: Sandy Hemenway

Irrigation + Stockwater:

Measurements (at low flow) - orange peel method

Spring #3

$$Q = VA = 2 \text{ ft/sec} \times 0.19 \text{ ft}^2 = \boxed{0.38 \text{ cfs}}$$

$$V = 4' / 2 \text{ sec} = 2 \text{ ft/sec}$$

$$A = H \times W = 2" \times 14" = 0.166' \times 1.166' = 0.19 \text{ ft}^2$$

Spring #4

$$Q = VA = 1.66 \text{ ft/sec} \times 1.32 \text{ ft}^2 = \boxed{2.19 \text{ cfs}}$$

$$V = 5' / 3 \text{ sec} = 1.66 \text{ ft/sec}$$

$$A = 4" \times 48" = 0.33' \times 4' = 1.32 \text{ ft}^2$$

* continued →

Note: These 2 springs are within 100' of each other, then merge further to the west, running to POU.

Stockwater: 150 head cattle rotated throughout

$$\text{property} = 101 - 200 \text{ head} = \boxed{0.05 \text{ cfs}}$$

* continued on other side

Stockwater:

Spring #5 (collection box 24" x 30" x 1')

1 3/4" buried pipe running for 3/4 mile, piped under Hwy 95 to POU. Overflow supplies water for stockwater in the drain ditch at that POU.

Pipe Capacity

$$1 \frac{3}{4}" \text{ pipe} = 1.75"$$

$$Q = 5\pi R^2 (r \text{ in ft}) = \boxed{0.08 \text{ cfs max. capacity}}$$

$$R = (\text{diameter}/12)/2 = (1.75/12)/2 = 0.07$$

$$\pi = 3.1416$$

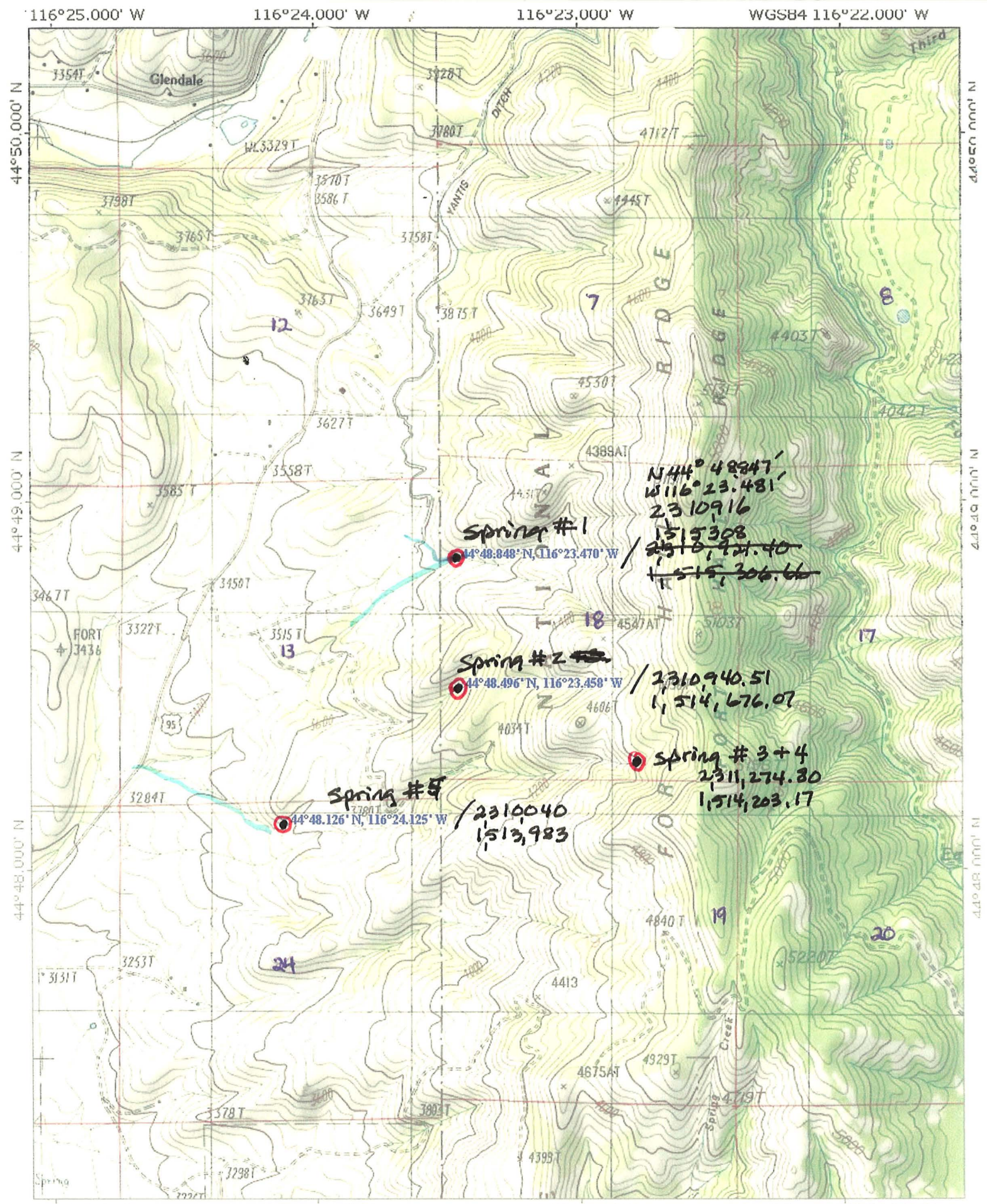
Spring #1 - gravity flow SE to NW, dirt ditches

$$Q = VA = 1.66 \text{ ft/sec} \times 0.33 \text{ ft}^2 = \boxed{0.55 \text{ cfs}}$$

$$V = 5' / 3 \text{ sec} = 1.66 \text{ ft/sec}$$

$$A = H \times W = 2" \times 2' = 0.166' \times 2' = 0.33 \text{ ft}^2$$

Note: measurement at low flow



67-4286

11/16/2006 SH

RE: Evidence of Priority
67-4286

NWSW

NESE

Hwy 95

13

SESE

*#344
springs*

*open
ditch*

dirt ditch

*spring
#5*

1.77

*buried 13 1/4" pipe
3/4 mile
under
Hwy 95*

4.58

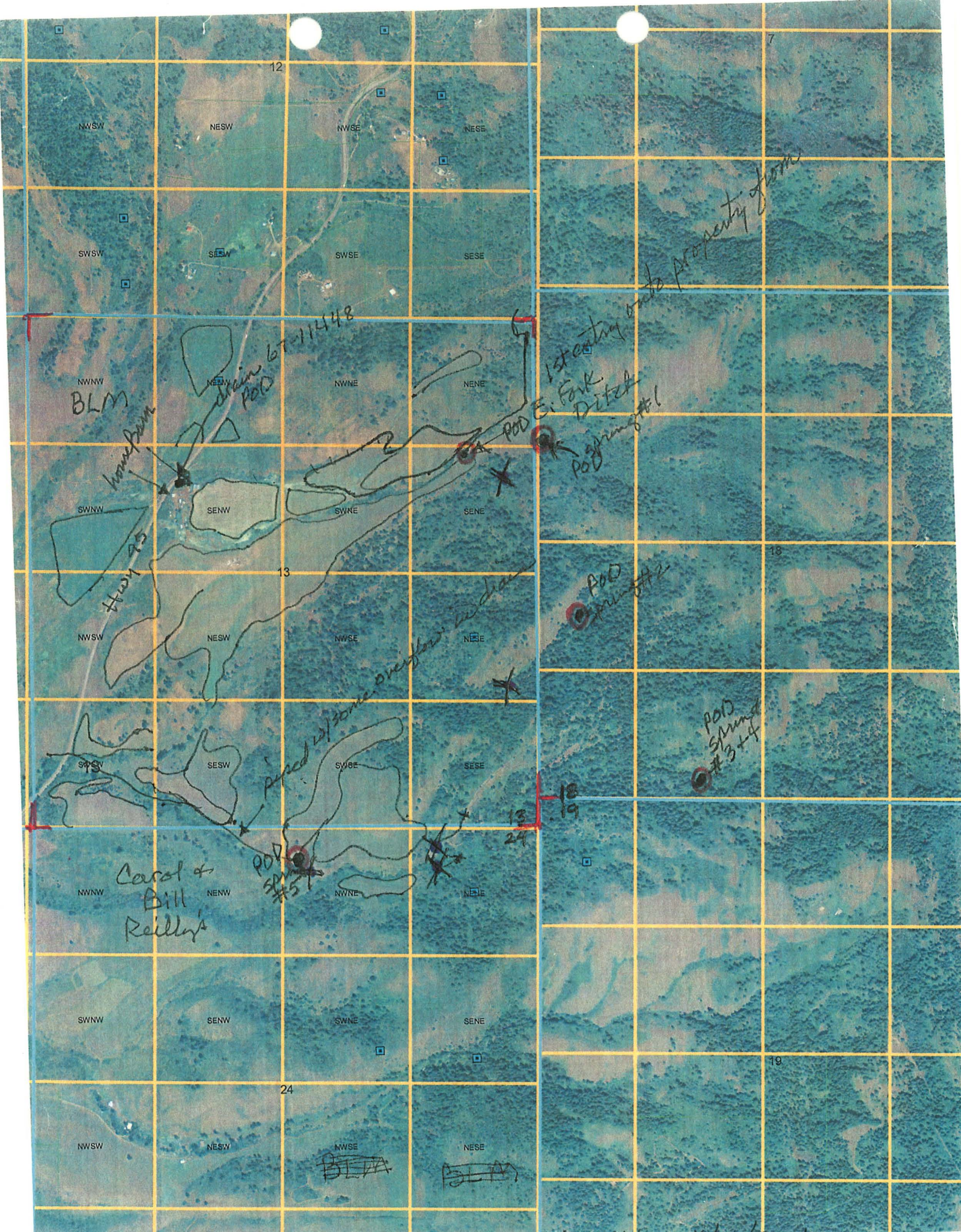
NENE

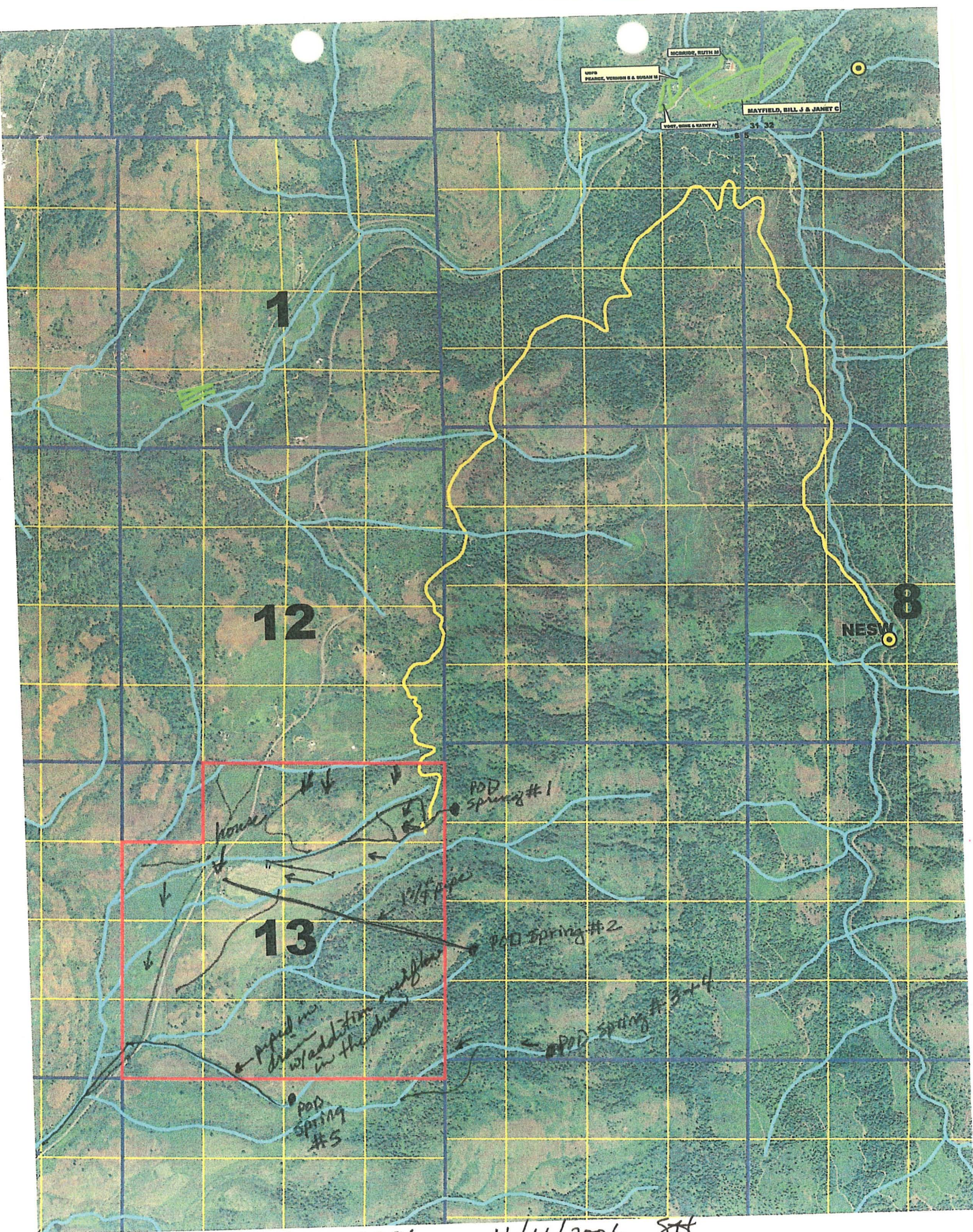
NWNW

24

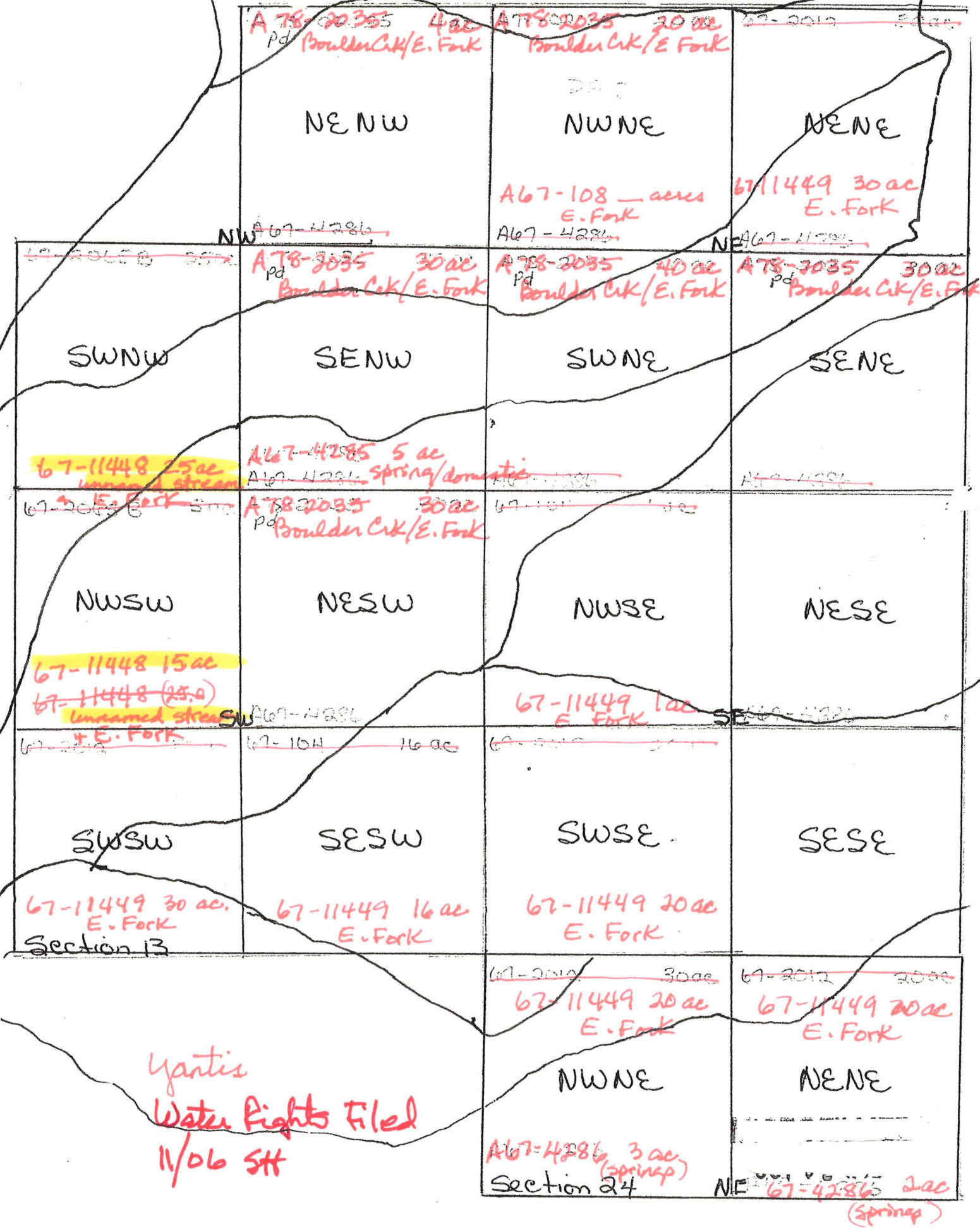
SWNE

SENE





67-4286 11/16/2006 SH



Yantis
Water Rights Filed
11/06 SH



POD:
spring
#1

11/06/2006

N 44° 48.847'
W 116° 23.481'
2310,916
1,515,308



POU
Pastures

dirt ditches
gravity
flow

stockwater

Sec. 13
NENE

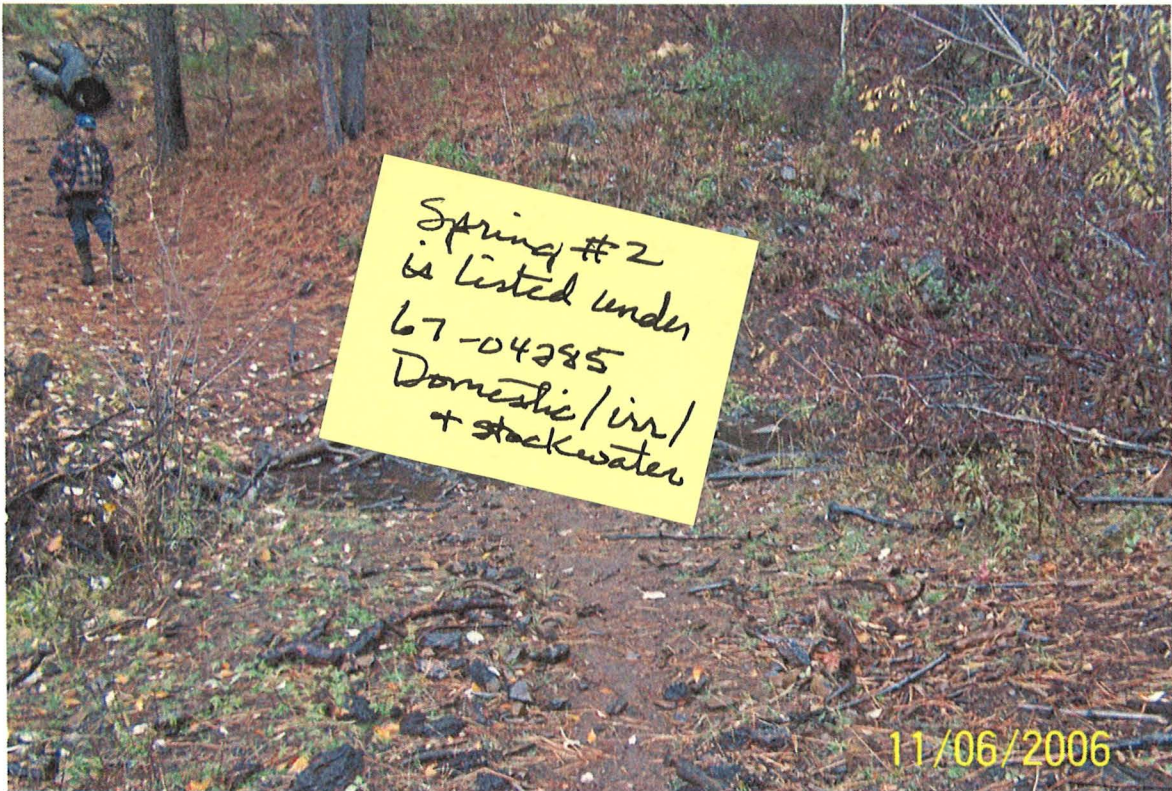
11/06/2006

67-04286 Lyantis

SKA



POU
dirt ditch
gravity flow
SE to NW



Spring #2
is listed under
67-04285
Domestic/irr/
+ stockwater

11/06/2006

POD

Spring
#3

2,311,274.30
1,514,203.17



11/06/2006

POD.
Spring
#3

Yantia
67-04286 - Springs to Ft. Hall Creek
11/6/2006 Sth



POD
Spring
#4

2, 311, 274.30
1, 514, 203.17



POD
Spring
#4

Yantis
67-04286-Springs to Pt Hall Ck.
11/6/2006 STH



POD
spring #3

POD
spring #4

where
they
merge

both springs
are only
about 100'
apart

67-04286 Yantis
Springs to Ft. Hall Crk.
11/6/2006 SH



POU

irrigation
+ stockwater

dirt ditches
gravity flow



POU

11/06/2006



2314040
1513,983

POD
Spring
#5
1 3/4"
buried
pipe, from
24" x 30" x 1'
spring box,
running
3/4 mile,
then under
Hwy 95 to
property
(POU)



from
Spring,
Drain
ditch
used
for
stockwater
(from
overflow)

Yantis 67-04286 Springs to Ft. Hall Creek
11/6/2006 SH



POU



POU

property
west of
Hwy 95

67-04286 Yantis
11/6/2006 SH



Pou
dirt
ditch
along
east
border
for
stockwater



Pou

150 head
cattle
rotated
throughout
property

11/06/2006

67-04286 Yantis
11/6/2006 SH

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

67-4286)
)
)

AFFIDAVIT

State of Idaho)
County of Adams)

Donna Yantis

being first duly sworn,

deposes and says: The priority date of 1910 for claim
67-4286 is based on the time the lands were
Homesteaded and the water first being used and
proved upon by the Yantis family. The lands
have been in the Yantis family for 3 generations.
The springs have been in use since the original
claim was made.

Donna Yantis
(Signature)

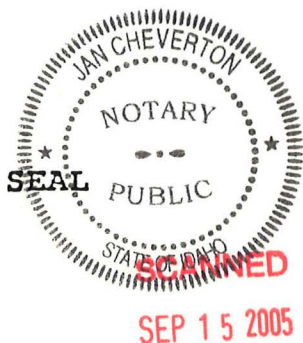
Subscribed and sworn to before me this

day 14 of Sept, 192005

Jan Cheverton
(Notary Public)

Residing at Trinidad

My Commission Expires 11-4-05



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4286

RECEIVED
SEP 15 2005
Department of Water Resources

WATER RIGHT NUMBER: 67-4286

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONNA YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776
Current Owner	JACK YANTIS 2562 HWY 95 COUNCIL, ID 83612 (208)253-4776

Priority Date: 01/01/1910

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	FORT HALL CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/30 to 10/31	0.100 CFS	
STOCKWATER	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

SPRINGS	NW1/4NW1/4	Sec. 19, Twp 17N, Rge 01E, B.M.
ADAMS County		
SPRINGS	NW1/4NW1/4	Sec. 18, Twp 17N, Rge 01E, B.M.
ADAMS County		
SPRINGS	NE1/4NE1/4	Sec. 24, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of UseIRRIGATION Within ADAMS County

T17N R01W S24 NENE 2.0 T17N R01W S24 NWNE 3.0

Total Acres: 5

STOCKWATER Within ADAMS County

T17N R01W S13	NENE	T17N R01W S13	NWNE
T17N R01W S13	SWNE	T17N R01W S13	SENE
T17N R01W S13	NENW	T17N R01W S13	SENE
T17N R01W S13	NESW	T17N R01W S13	NESE

Conditions of Approval:

1. ACRES COVERED UNDER 78-2035 AND 67-4285.
OTHER RIGHTS: 67-104, 67-105, 67-106, 67-107, 67-2012 (NOW COMBINED TO A67-11449)
67-4285, 78-2035, AND 67-2065A AND B WHICH HAVE BEEN COMBINED TO A67-11448.

SCANNED

SEP 15 2005



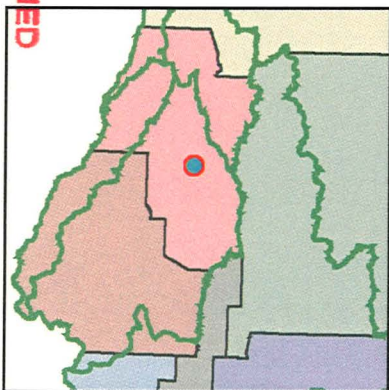
Idaho Department of Water Resources

Adjudication Claim Number: **67-4286**

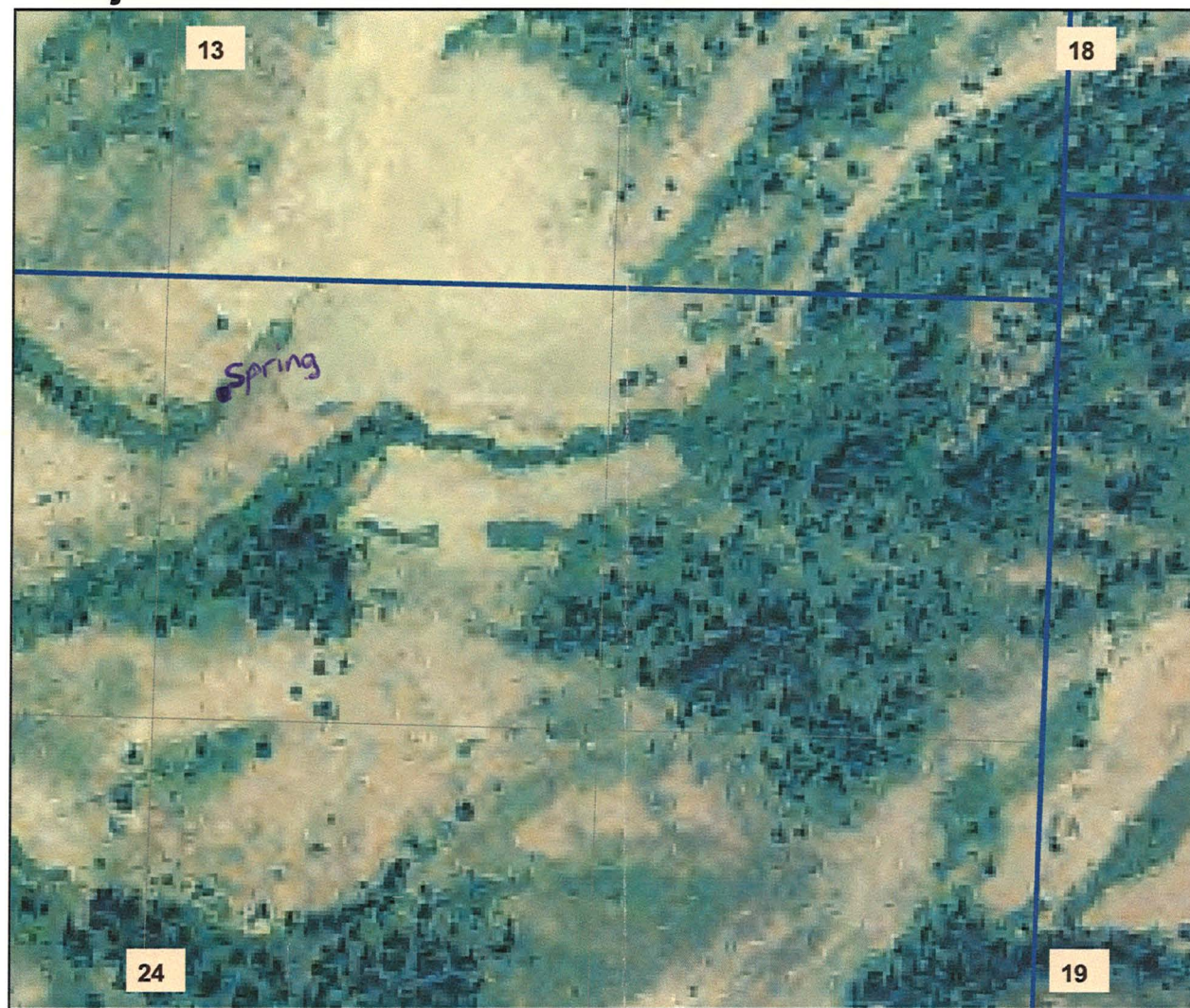
T17N R01W

Legend

- PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by D. Narsavage
On Thursday, September 1, 2005
1987 Aerial Photography

SEP 15 2005

SCANNED

Spring
Spring

67-4286

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,** has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant **Edward W. Tomlinson** according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands" and the acts supplemental thereto, for the **northeast quarter of the northeast quarter of Section thirteen in Township seventeen north of Range one west of the Boise Meridian, Idaho, containing forty acres,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I

Woodrow Wilson

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **ELEVENTH**

day of **JANUARY** in the year of our Lord one thousand

nine hundred and **SIXTEEN** and of the Independence of the

United States the one hundred and **FORTIETH.**

By the President:

By

Woodrow Wilson
M. A. Le Roy Secretary,
L. L. Lamar

Recorder of the General Land Office.

(SEAL)

CERTIFIED

to be a true copy of a document on file in the Idaho State Office

AUG 24 1995

Diane Hartman
BUREAU OF LAND MANAGEMENT

507230

SCANNED

SEP 15 2005

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Blackfoot, Idaho,**
has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant
Sarah M. Yantis

according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of certain lands in certain States and Territories," as amended by the Act of March 3, 1891, for the northeast quarter of the northwest quarter of Section thirteen in Township seventeen north of Range one west of the Boise Meridian, Idaho, containing forty acres,

according to the Official Plat of the Survey of the said Land on file in the GENERAL LAND OFFICE.

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, **Franklin D. Roosevelt,**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

(SEAL)

GIVEN under my hand, at the City of Washington, the **THIRD**

day of **JANUARY**, in the year of our Lord one thousand nine hundred and **THIRTY-EIGHT**, and of the Independence of the United States the one hundred and **SIXTY-SECOND**.

By the President:

Franklin D. Roosevelt

By

Jeannette Cavanagh, Secretary,
Charles S. Adams

Recorder of the General Land Office.

CERTIFIED
to be a true copy of a document on
file in the Idaho State Office
AUG 24 1995

Diane Hartman
BUREAU OF LAND MANAGEMENT

1094868

SCANNED

SEP 15 2005

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,** has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant **Ralph Yantis** according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891, for the north-west quarter of the northeast quarter of Section thirteen in Township seventeen north of Range one west of the Boise Meridian, Idaho, containing forty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Warren G. Harding,**

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the, **EIGHTH**

(SEAL)

day of **AUGUST** In the year of our Lord one thousand nine hundred and **TWENTY-TWO** and of the Independence of the

United States the one hundred and **FORTY-SEVENTH.**

By the President

Warren G. Harding

By

Ada Braddock Assistant Secretary

Secretary.

John O'Connell

SCANNED

Acting

Recorder of the General Land Office.

CERTIFIED
to be a true copy of a document on
file in the Idaho State Office.

AUG 24 1995

Diane Hartman
BUREAU OF LAND MANAGEMENT

The United States of America,

To all in whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **BOISE, IDAHO**, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **EDWARD W. TOMLINSON** has been established and duly consummated, in conformity to law, for the **EAST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTEEN AND THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION TWENTY-FOUR IN TOWNSHIP SEVENTEEN NORTH OF RANGE ONE WEST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED SIXTY ACRES,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **WILLIAM H. TAFT**

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **FIRST**

day of **SEPTEMBER** In the year of our Lord one thousand
nine hundred and **TEN** and of the Independence of the
United States the one hundred and **THIRTY-FIFTH.**

By the President:

By

Wm. H. Taft
M. P. Le Roy Secretary,
H. W. Stanford
Recorder of the General Land Office.

(SEAL)

CERTIFIED

to be a true copy of a document on
file in the Idaho State Office

AUG 24 1995

Diane Hartman
BUREAU OF LAND MANAGEMENT

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at BOISE, IDAHO, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of SARAH M. YANTIS, FORMERLY SARAH M. TOMLINSON, has been established and duly consummated, in conformity to law, for the SOUTH HALF OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION THIRTEEN IN TOWNSHIP SEVENTEEN NORTH OF RANGE ONE WEST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED SIXTY ACRES,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, WILLIAM M. TAFT

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the FIRST day of FEBRUARY in the year of our Lord one thousand nine hundred and TWELVE and of the Independence of the United States the one hundred and THIRTY-SIXTH.

By the President:

By

Secretary.

Recorder of the General Land Office.

(SEAL)

CERTIFIED

to be a true copy of a document on file in the Idaho State Office

AUG 24 1995

Diane Hartman
BUREAU OF LAND MANAGEMENT

78-2035 Boulder Creek July 31, 1924 3.0 (16075) Ralph ✓

67-2012 East Fork June 13, 1905 4.0 (1453) Sarah ✓

67-2065A Forthall Creek Nov. 3, 1911 $\frac{1}{2}$.2 Sproat ✓

67-2065B Forthall Creek Nov. 3, 1911 .8 Sproat ✓

67-104 EastFork June 13, 1905 1. Mary ✓

67-105 EastFork June 13, 1905 1.1 Ed ✓

67-106 East Fork June 13, 1905 .80 Sarah ✓

67-107 East Fork June 13, 1905 .20 Spara ✓

67-108 EastFork Dec 8, 1908 .16 Ralph ✓

~~67-2012 EAST FORK June 13, 1905 4.0~~

67-4285 Spring(house) July 1, 1909 Ray ✓

67-4286 Springs(3) Jan. 1, 1910 Ray ✓

MICROFILMED

OCT 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ray E & Faye M. Yantis
(Name of Claimant)

Tamarack Star Rte Council Ida 83612 Telephone No. 253-4893
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1910

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Springs (1) tributary to Fort Hall on Trib. Weiser River

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	0.04	Livestock	Period of Use From 1/1	To 12/31
Quantity	0.10	Irrigation	Period of Use From 3/30	To 10/31
Quantity			Period of Use From	To
Quantity			Period of Use From	To
Quantity			Period of Use From	To

- (4) 0.14 TOTAL QUANTITY USED.
(cfs. apd. AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 17N Rge. 1W B.M., County of Adams

Additional points of diversion: NW 1/4 NW 1/4 Sec 19 T17N R1E

MMWAV SEC 18, T. 17N, R. 1E

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. Describe any changes in the system and give the date of the change. (Live stock) dugout (pit). To be developed further by spring box P. Pipe Line and Tanks (Irrigation). Natural water way & ditches.

- (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]

5AC (irrigated)
No. of acres 520

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Live stock
Water in Pastures

NOTE: Include here the type and number of stock watered: Peak Use 150 Cow-Calf Pairs

- (7) If you are claiming water as a member of an organization, list name of organization:

11-20-68

[illegible]

Scale: 2 inches equal 1 mile.

State of Idaho)
County of Adams) ss.

Ray E. Yantis
Faye M. Yantis
(Claimant)

Sworn to before me this 8 day of August, 19 79.

Notary Public
Residing at Indian Va

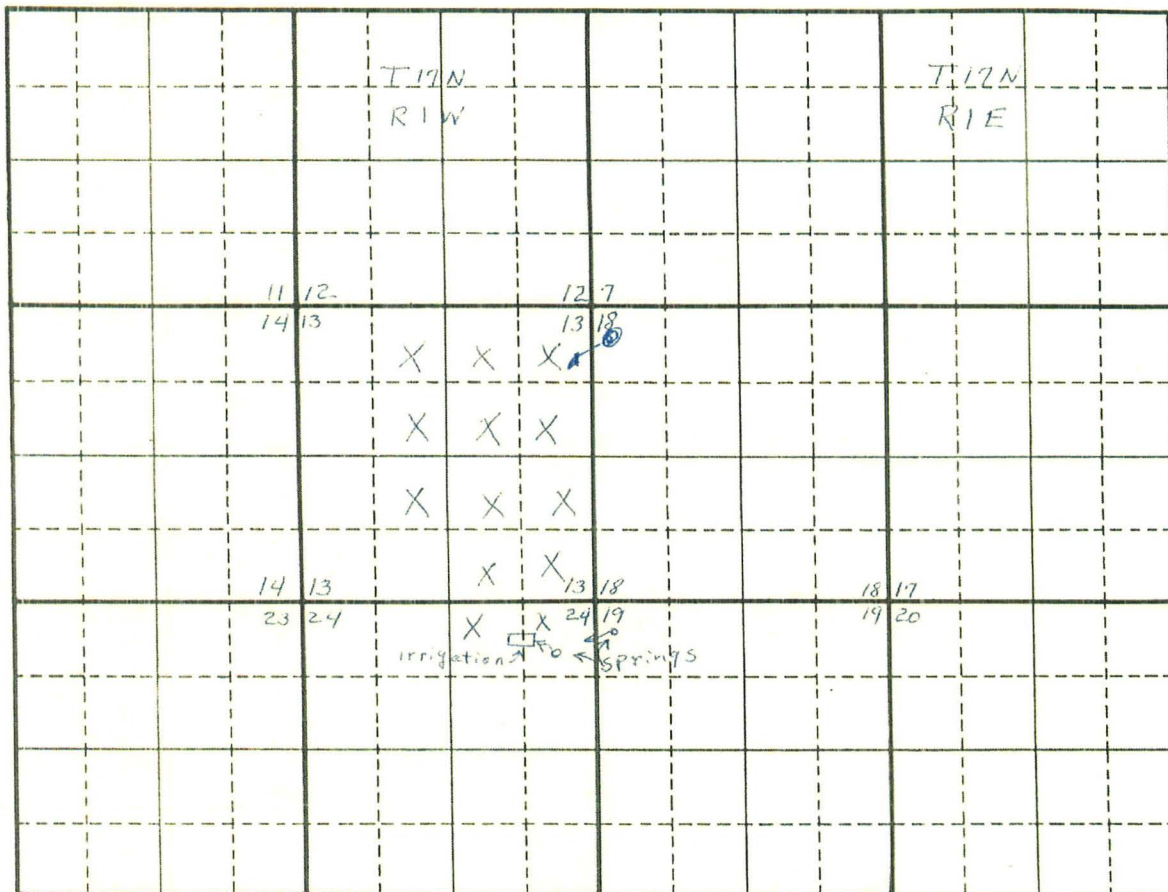
My commission expires 6-3-83

FOR DEPARTMENT USE ONLY

Received by KW JKN Date 8/9/79 Exception filed by: _____
Prelim. check by CWB Date _____
\$20.00 fee received by KW Date 8/23/79 # 14526
Published in Adams County Leader
Dates 9/6 & 9/13/79

Forwarded to _____ Date _____
claimant by: *AK* *9/25/79*

(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)
County of Adams) ss.

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 affiant's knowledge.

Ray E. Yantis
Faye McYantis
(Claimant)

Sworn to before me this 8 day of August, 1979.

Denise Jooney
Notary Public
Residing at Indian Valley, ID

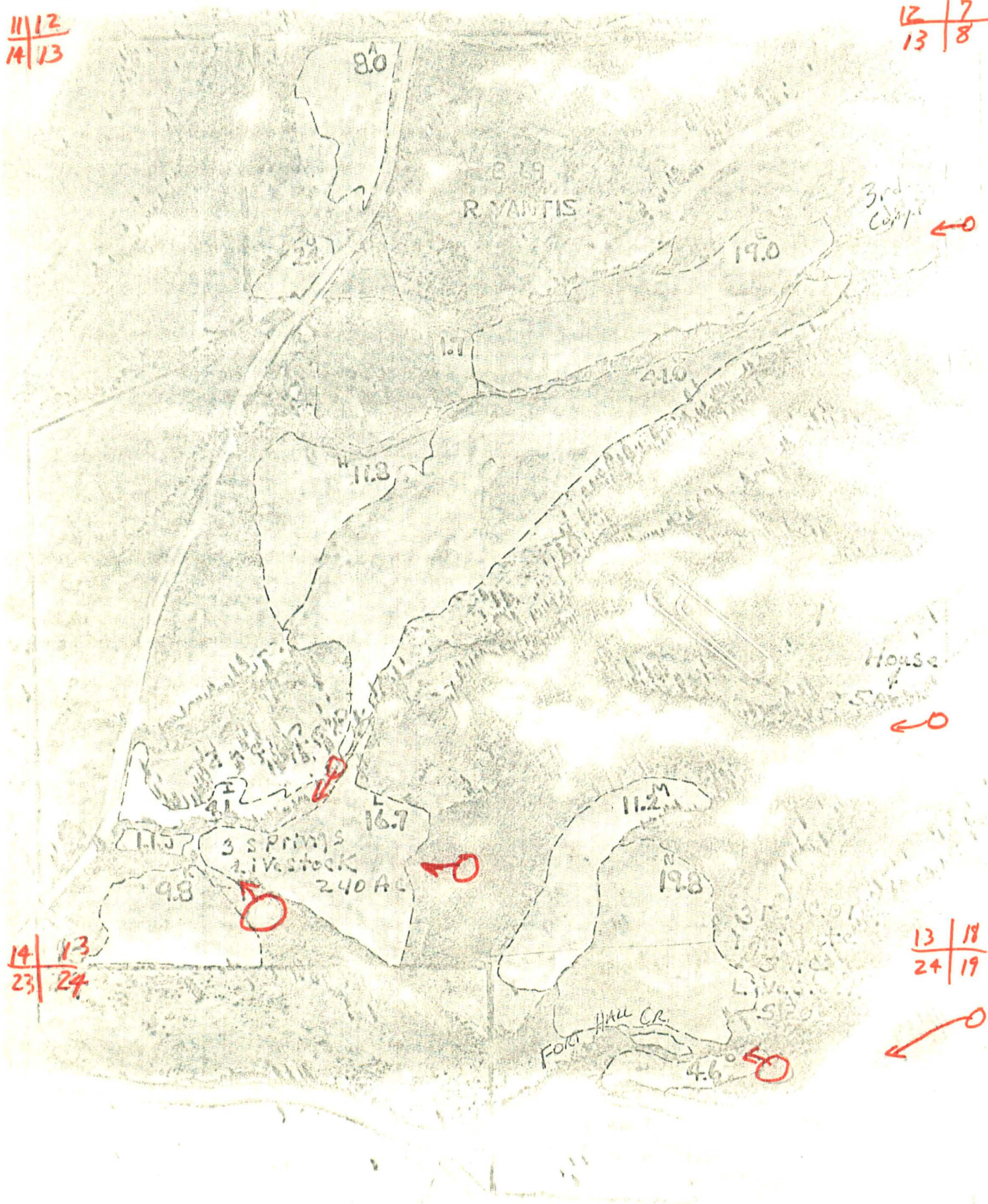
My commission expires 6-3-83

FOR DEPARTMENT USE ONLY

Received by kw JKN Date 8/9/79
Prelim. check by CWR Date 8/23/79 #14526
\$20.00 fee received by kw
Published in Adams County Leader
Dates 9/6 & 9/13/79

Exception filed by: Forwarded to claimant by: Date 9/25/79

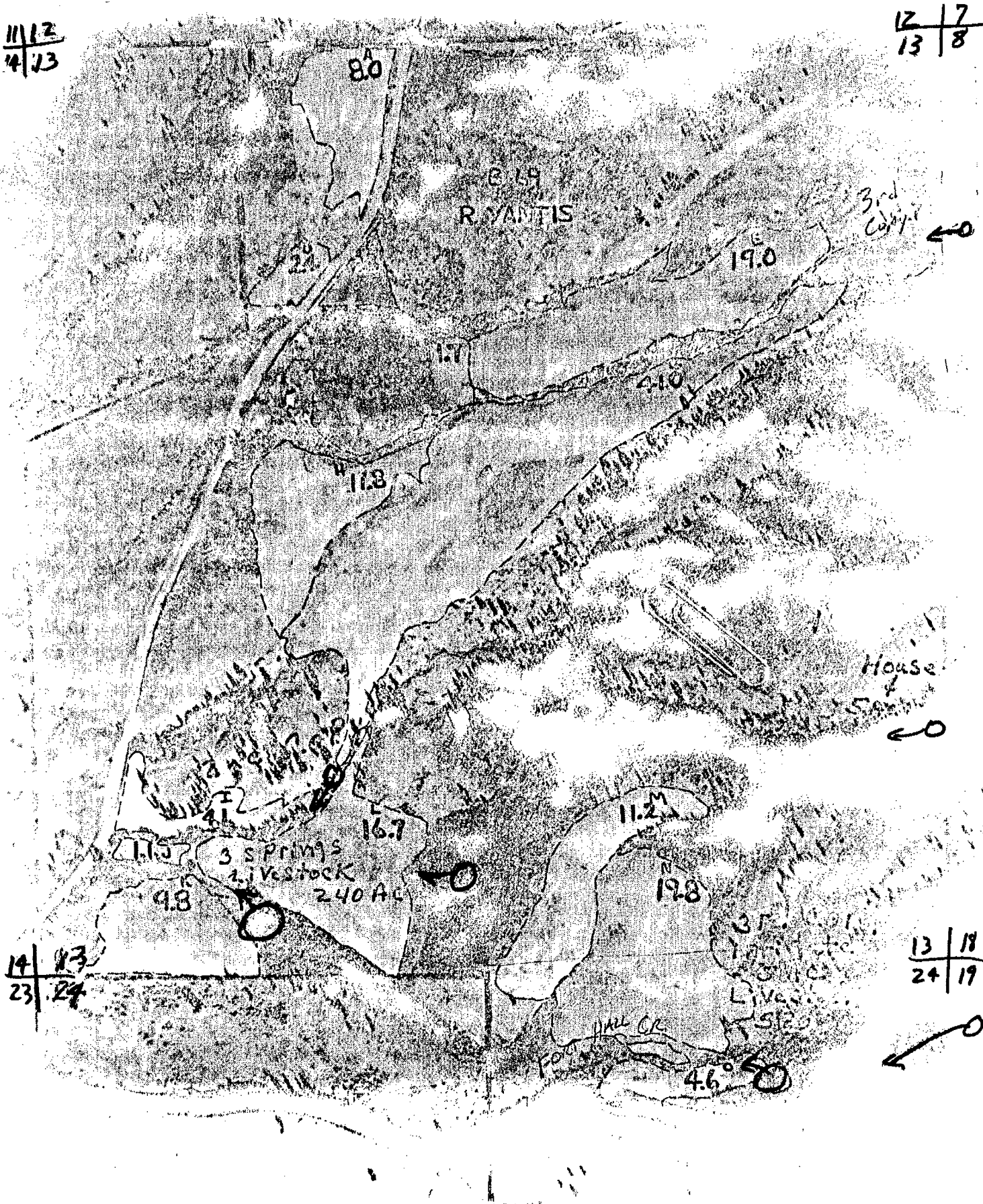
11	12
14	13

$$\frac{12}{13} \mid \frac{7}{8}$$


14	13
23	24

12	7
13	8

13	18
24	19



DEC 185 42:

12, 85
ED
A

-		T	S-	-	-	D	E	F	G
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4	PRI	DU			66	PL	CEI)	LE.	REY CT
4	PRI	MA			67	ELC	XAM IDE	LAI	
5	APF	VE/	IIEI		68	CRE		LAI	
5	PRI	STE			69	ART	ORK	LAI	
5	HET	NG			60	DEF	HGW AUS		
5	VER	IED			61	TE_			
5	LAS	UPD	:	13-	62	TE_			
				P-1					

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: A67-04286

Date Received: 9/28/1989

Receipt No: W006656

Received By: RN

RECEIVED
NOV 09 1989

Department of Water Resources
Western Regional Office

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

1. Name: RAY E. YANTIS (Jack Yantis)
Address: TAMARACK STAR RTE. HC 64 Box 3595 Forthall)
COUNCIL, ID 83612
- Name: FAYE M. YANTIS (Donna Yantis)
Address: TAMARACK STAR RTE. HC 64 Box 3595 Forthall Hill)
COUNCIL, ID 83612

2. Date of Priority: JAN 01, 1910

3. Source: SPRINGS Trib. to: FORT HALL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01E	18		NW	NW		ADAMS
		19		NW	NW		ADAMS
	01W	24		NE	NE		ADAMS

5. Description of diverting works:
SPRINGBOX, PIPELINE, TANK AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		
IRRIGATION	03/30	10/31	0.100		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
150 HEAD CATTLE

A67-04286

Page 1

Date: 09/28/89

SCANNED
APR 08 2004

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	13	NE		NE		STOCK	
			NW		NE		STOCK	
			SW		NE		STOCK	
			SE		NE		STOCK	
			NE		NW		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
		24	NE		SE		STOCK	
			NE		NE		IRR	2.0
			NW		NE		IRR	3.0
			Section Acres					5.0
			Total Acres					5.0

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: 67-4285, 67-104, 67-105, 67-106, 67-107, 67-108, 67-2012
67-2065A, 67-2065B, 78-2035

14. Remarks:
acres covered under 78-2035 and 67-4285

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not 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): Jack F. Gantes Date: 11-20-89
Donna Gantes Date: 11-20-89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11^{20th} day
of Nov 19 89 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

	A78-02035 4ac Pd NE NW	A78-02035 20ac PAID NW NE	67-2012 30ac NE NE
67-2065 B 25ac SW NW	NW A67-4286 A78-2035 30ac Pd SE NW	A67-4286 A78-2035 40ac Pd SW NE	NE A67-4286 A78-2035 30ac Pd SE NE
67-2065 B 15ac NW SW	A67-4285 A67-4286 A78-2035 30ac Pd NE SW	A67-4286 67-104 1ac NW SE	A67-4286 NE SE
67-2012 30ac SW SW	SW A67-4286 67-104 16ac SE SW	SE A67-4286 67-2012 20ac SW SE	67-2012 20ac SE SE
Section 13		67-2012 30ac NW NE	67-2012 20ac NE NE MICROFILMED OCT 02 1992 NE A67-4286
		A67-4286 Section 24	