

12/15/2006

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

RIGHT NUMBER: 67-11449
NAME AND ADDRESS: JACK YANTIS
2562 HWY 95
COUNCIL ID 83612

DONNA YANTIS
2562 HWY 95
COUNCIL ID 83612

SOURCE: EAST FORK WEISER RIVER TRIBUTARY: WEISER RIVER
QUANTITY: 3.100 CFS
PRIORITY DATE: 06/13/1905
POINT OF DIVERSION:

T17N R01E S8 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.100 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S13	NENE	12.00	T17N R01W S13	NWNE	2.00
T17N R01W S13	SWNE	12.00	T17N R01W S13	SENE	7.00
T17N R01W S13	NENW	8.00	T17N R01W S13	SWNW	12.00
T17N R01W S13	SENW	12.00	T17N R01W S13	NESW	15.00
T17N R01W S13	NWSW	13.00	T17N R01W S13	SWSW	5.00
T17N R01W S13	SESW	10.00	T17N R01W S13	NWSE	3.00
T17N R01W S13	SWSE	12.00	T17N R01W S24	NENE	2.00
T17N R01W S24	NWNE	12.00			

137 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: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

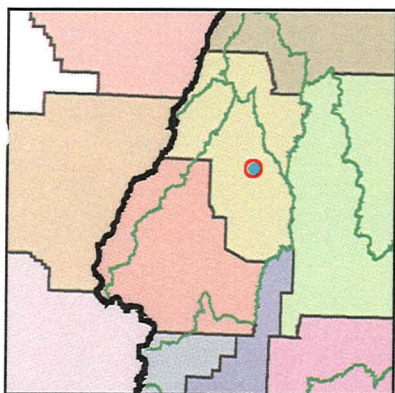
SRBA Recommendation:

67-11449

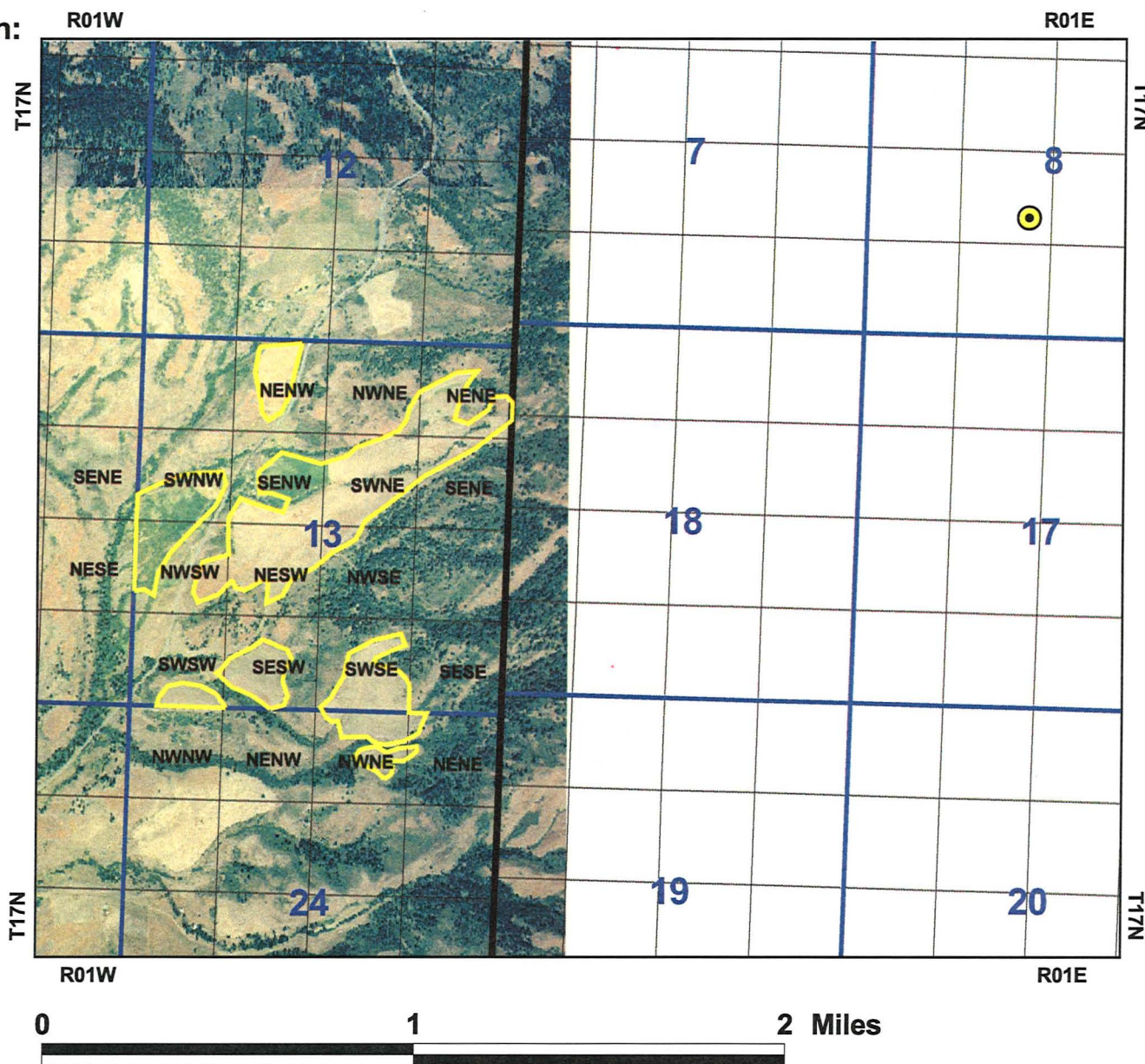
(Irrigation)

Legend

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

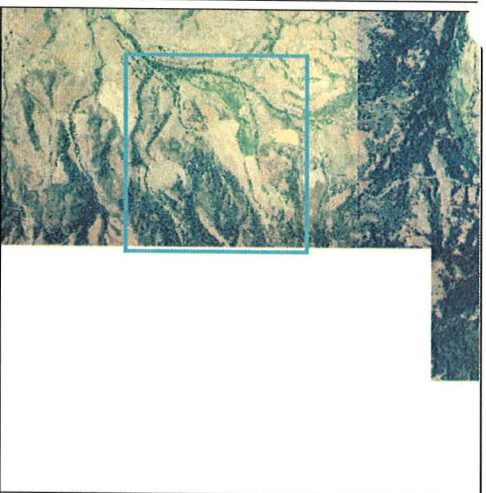
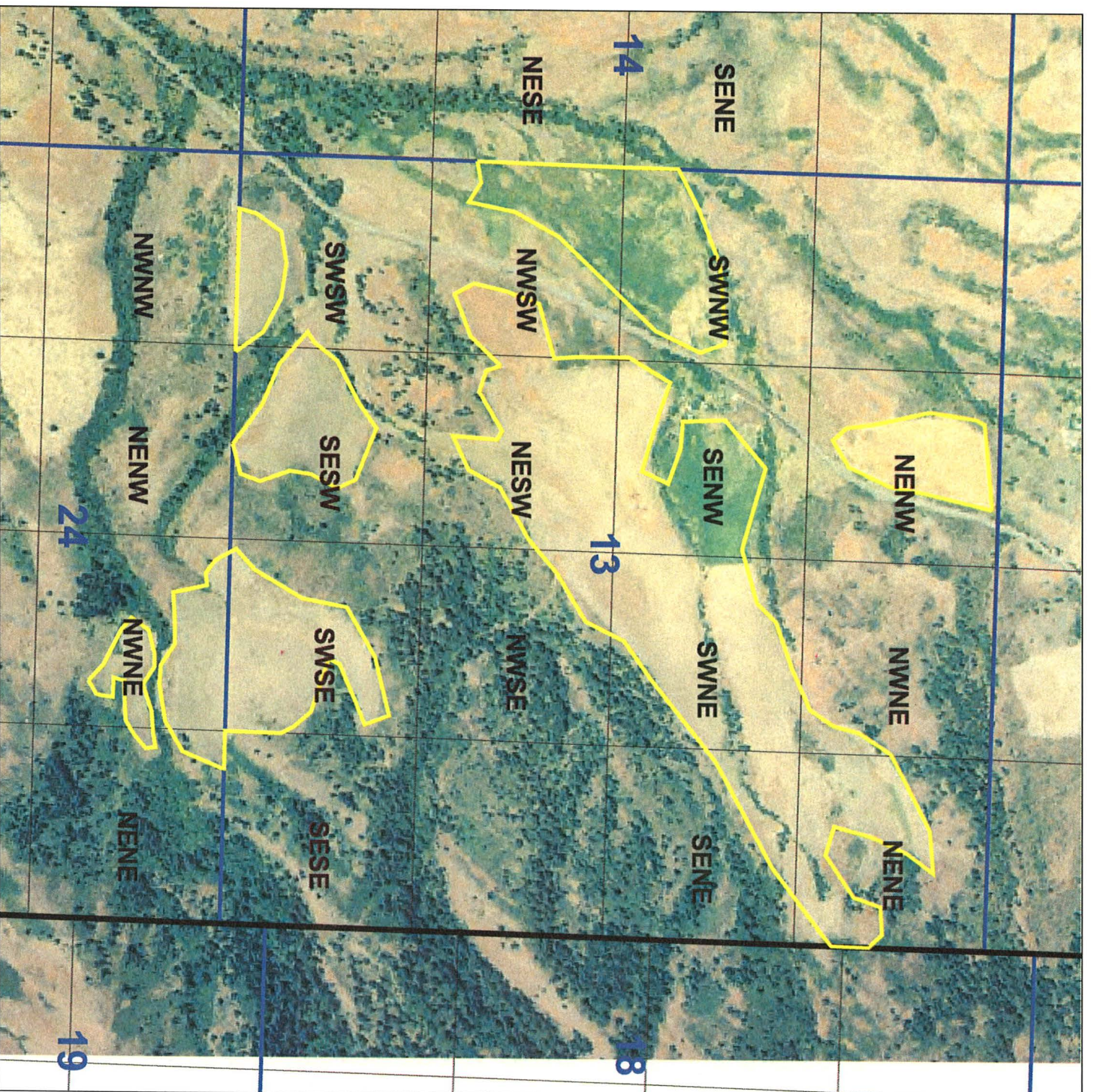


Adams County
IDWR Basin 67



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

67-11449



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11449 V1

WATER RIGHT NUMBER: 67-11449 V1

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

Priority Date: 06/13/1905

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.100 CFS	
	<u>Total Diversion:</u>	3.100 CFS	

Location of Point(s) of Diversion

EAST FORK WEISER RIVER	NE1/4SW1/4	Sec. 8, 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	13	12.0	2.0	12.0	7.0	8.0		12.0	12.0	15.0	13.0	5.0	10.0		3.0	12.0		123.0
17N	01W	24	2.0	12.0															14.0

Total Acres: 137

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11449 V1

Comments:

1. csaxton 12/5/2006 CFS

Comment: 0.36 cfs decreed that is over an inch to the acre was retained and recommended for ditch loss.

2. csaxton 12/5/2006 67-2012

Comment: 67-2012 was superceded by Muir v. Allison rights. 67-105 thru 67-107. 3.1 cfs of decreed water being delivered to the claimed POU. Recommend 3.1 cfs.

3. csaxton 12/5/2006 POD

Comment: POD located in 20N, 01W, Section 10 is from a source that was not decreed under this right.

4. csaxton 12/5/2006 From Claim

Comment: I AM COMBINING 67-00104, 67-00105, 67-00106, 67-00107 AND 67-02012 INTO ONE WATER RIGHT WITH SAME PRIORITY DATE.

67-02012 IS A LICENSED WATER RIGHT.

SEE ATTACHED MEMO

5. csaxton 12/15/2006 POU

Comment: According to Sandy Hemenways field exam, the acreage for this water right is largely underclaimed. I am restricted to recommending the number of acres claimed.

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

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/15/2006 12:50:25 PM	csaxton	Updated shape for Active POU
POU	12/15/2006 12:50:36 PM	csaxton	Updated PLS for Active POU
POU	12/15/2006 12:56:22 PM	csaxton	Updated PLS for Active POU
POU	12/15/2006 12:55:48 PM	csaxton	Updated shape for Active POU
POD	12/5/2006 9:41:05 AM	csaxton	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11449 V1

Summary	12/5/2006 10:06:36 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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? (Yes) 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?
POU	12/5/2006 9:11:27 AM	csaxton	Updated shape for Active POU
POU	12/5/2006 9:37:50 AM	csaxton	Edited Season Of Use
POD	12/5/2006 9:40:55 AM	csaxton	Updated shape
POU	12/5/2006 9:23:44 AM	csaxton	Updated shape for Active POU
POU	12/5/2006 9:26:11 AM	csaxton	Updated shape for Active POU
POU	12/5/2006 9:26:23 AM	csaxton	Updated PLS for Active POU

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-11449

WATER RIGHT NUMBER: 67-11449

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

Priority Date: 06/13/1905

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/15	7.100 CFS	
	<u>Total Diversion:</u>	7.100 CFS	

Location of Point(s) of Diversion

EAST FORK WEISER RIVER	NE1/4SW1/4	Sec. 10, Twp 20N, Rge 01W, B.M.
ADAMS County		
EAST FORK WEISER RIVER	NE1/4SW1/4	Sec. 8, 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	13	30.0										30.0	16.0		1.0	20.0		97.0
17N	01W	24	20.0	20.0															40.0

Total Acres: 137

Conditions of Approval:

1. I AM COMBINING 67-00104, 67-00105, 67-00106, 67-00107 AND 67-02012 INTO ONE WATER RIGHT WITH SAME PRIORITY DATE.
67-02012 IS A LICENSED WATER RIGHT.
SEE ATTACHED MEMO

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-11449

Remarks:Comments:Dates and Other Information:

Claim Received Date: 11/9/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

12/15/2006

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

RIGHT NUMBER: 67-11449
NAME AND ADDRESS: JACK YANTIS
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COUNCIL ID 83612
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QUANTITY: 3.100 CFS

PRIORITY DATE: 06/13/1905

POINT OF DIVERSION:

T17N R01E S8 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.100 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T17N R01W S13	NENE	26.00	T17N R01W S13	SWSW	33.00
T17N R01W S13	SESW	31.00	T17N R01W S13	NWSE	3.50
T17N R01W S13	SWSE	26.00	T17N R01W S24	NENE	2.50
T17N R01W S24	NWNE	15.00			

137 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: BASIS OF CLAIM - Decreed

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 complete

Claim No(s) 67-11449

Owner: Spck or Donna Yantis Phone No. (208) 253-4776

Current 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: _____

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

Property homesteaded 1910

Source: Weiser River, E. Fork Tributary to Weiser River

☒ No Change – SAME SOURCE

☐ Source found is different than claimed: _____

POINT OF DIVERSION

☒ No change

☐ POD found is different than claimed: _____

☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
Boulder Creek									2307398 / 1545304
E. Fork Weiser									2312935 / 1516156

Description of diverting works

* See attachment

Location where Tom/Yanti ditch first comes onto property is indicated on map

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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 Irrigation From 3/15 To 10/15 Amount _____ CFS
 Use _____ From _____ To _____ Amount _____ CFS
 Use _____ From _____ To _____ Amount _____ CFS

Acresage needs to be recalculated

TOTAL VOLUME – Groundwater only NA

- ☐ 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 # _____
 Types _____ Additional comments: some stockwater may be from fields during irrigation, since they have 150 head cattle that are rotated throughout the entire

PLACE OF USE:

- ☐ No Change
- ☐ Changes shown below:

Acresage needs to be recalculated

Place of Use			NE				NW				SW				
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE

Not quite sure how we give them credit for small segments making up part of the 39.1

Overlap with other water rights: _____

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

Delivery System Narrative: ** see attachment*

- if you have some suggestions, I would gladly take them (12 w/ shape files)

gravity flow system

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 to speak of. There might be seepage from the ditches utilized for stockwater that would assist in some irrigation, but it would not be measurable.

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, +

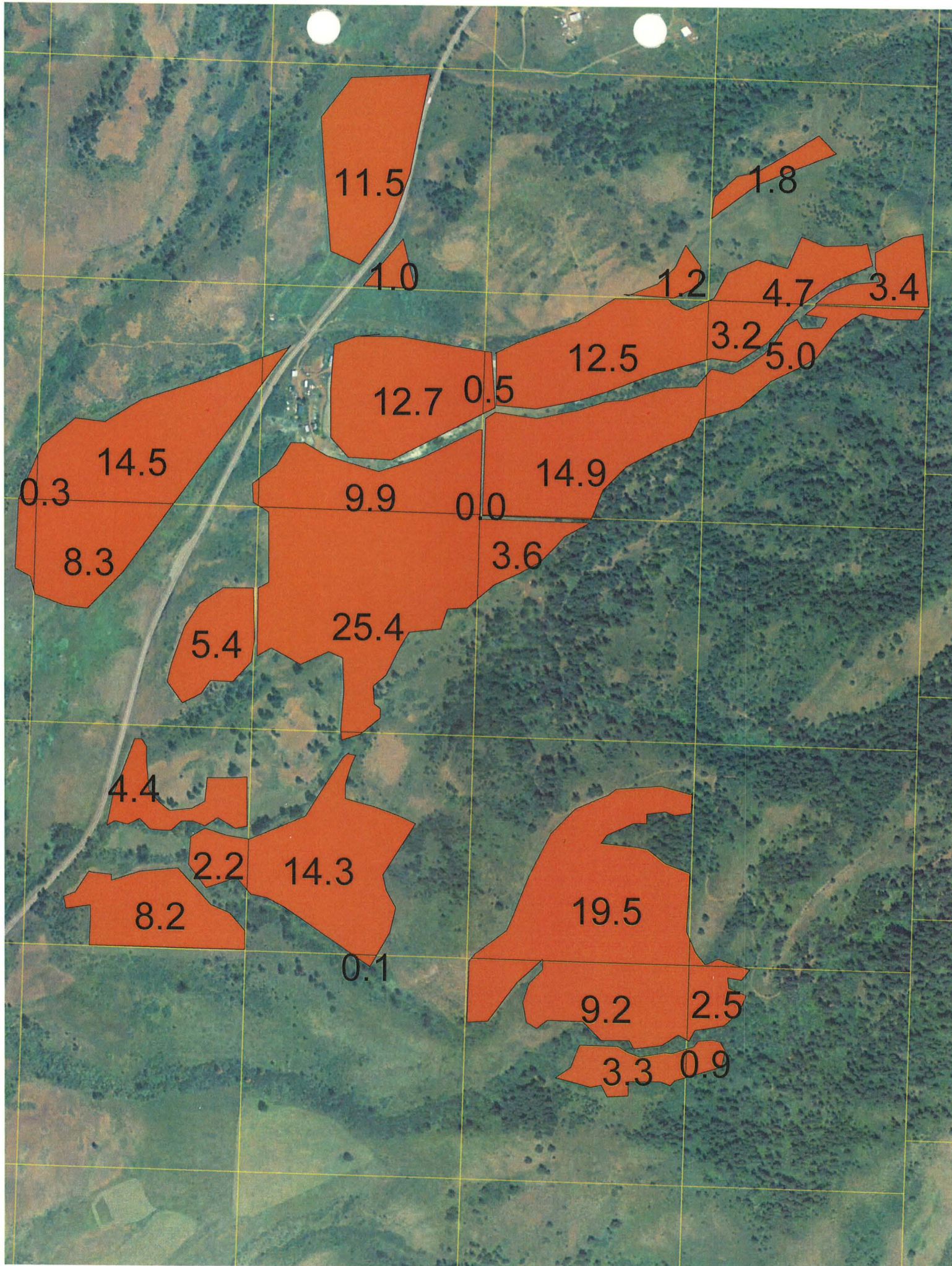
- ☒ Completed claim checklist
 - ☒ Photographs of POD's and POU
 - ☒ GPS readings
 - ☒ Completed map and or GIS layout showing POD's and POU
- pastures east, northeast, south,
southwest + southeast southeast of
residence. POD: see attachment
attachment w/ description of diverting works

DATE EXAM CONDUCTED:

12/5/2006

FIELD EXAMINER:

Judy Hemerway



Yantis

Date of Inspection: 11/6/06

Inspector: Sandy Hemenway

78-2035, 67-108, 67-11448, 67-11449 Description of Diverting Works:

POD Boulder Creek 24" Culvert/Head gate, 2000' dirt ditch, discharged to the Weiser River; then reclaimed at POD East Fork of the Weiser River 24" Culvert/Head gate, discharged to Tomlinson Yantis Ditch traveling approximately 3.2 miles to POU.

The initial **POD water source supply is Boulder Creek**, tributary to the Little Salmon River (N45.04.980 W116.26.835 or 2,307,398/1,545,304), located north of mile post #155 on Hwy 95, left on Price Valley Rd, go 5.1 miles, turn right at the split in the road, stay straight at the next split, 10.9 miles from originally turning off Hwy 95 there is a sign that says Yantis Ditch (27" culvert at N45.05.111 W116.26.926 or 2,307,813/1,545,535). Just before the Yantis Ditch turn left on road #128 and go 0.2 miles; on the right side there is a little dirt road, walk down the road 375', then turn right and go down the embankment to Boulder Creek; there is located the POD/24" Culvert/head gate.

The water is brought over the ridge from Boulder Creek through the 24" Culvert/head gate/POD, travels through a dirt ditch approximately 2000', then discharged into the Weiser River. They discharge the Boulder Creek water to the Weiser River, and then reclaim it from the East Fork of the Weiser River. The Boulder Creek water is used as replacement water, in lieu of the water diverted from the primary **POD at the East Fork of the Weiser River** (through a 24" culver/head gate at N44.49.333 W166.27.970 or 2,312,935/1,516,156), discharged into the Tomlinson Yantis Ditch, and to the **POU/alfalfa/bluegrass pastures, garden and a small orchard 3.2 miles away**). The Tomlinson Yantis Ditch was named after the last names of the family members whose property were irrigated from this ditch.

Originally Sarah Yantis received a Special Use Permit from the US Forest Service, since it is built and used on controlled land. The permit was amended, and is currently in Jack Yantis's name. Mr. Yantis stated that IDWR installed the 24" Culvert/headgates at Boulder Creek, and at East Fork of the Weiser River.

Location of the 24" Culvert/headgate at the East Fork of the Weiser River: go north on Hwy 95, about 10.2 mile north of Council. Jack Yantis residence is located at milepost #142 ½, at 2562 Hwy 95 with the large red barn on the right, and the East Fork of the Weiser Road is 3.2 miles north of Mr. Yantis residence. Turn right at "East Fork of the Weiser River Road," go 2.4 miles until you see a sign on the left side that says Fourth Gulch, park there and walk back the original direction 115', then down to the left embankment towards the river, there is the POD/24" Culvert/Head Gate on the opposite side of the river. NOTE: During the 1997 flood, the diversion dam washed out, but was later replaced when IDWR installed the 24" culvert/headgate. Jack stated that IDWR installed the culvert slightly higher than the original location, which has made the system work better.

Delivery System Narrative:

The Thomlinson/Yantis Ditch first comes onto the Yantis property in the NENE corner of Section 13. It branches out as it continues to move southwest with numerous branches that traverse back and forth across the hillside. Dirt ditches, gravity flow basically NE to southeast, and southwest.

67-11449 Yantis
Date of Inspection: 11/6/2006
Inspector: Sandy Hemmeway

System Capacity

Pipe flow 24" culvert to dirt ditch = 15.70 cfs

Irrigation:

Confirmed Acres =

Season: 3/15 - 10/15 = 215 days

~~Vdr = (acres irrigated) x (215 days)~~

~~Vdr = (cfs) x (215 days)~~

~~Vir = (acres)~~

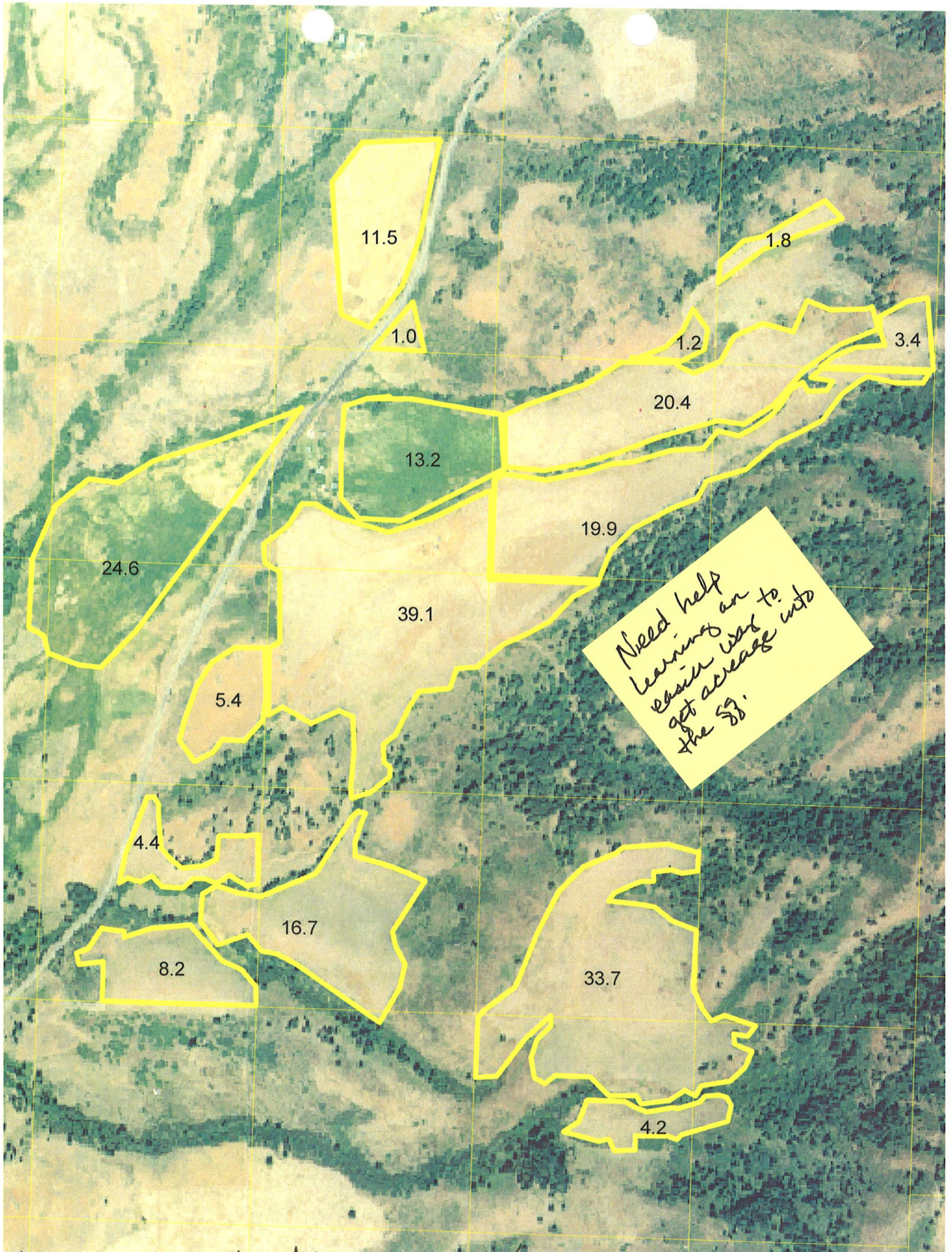
Vir = (acres irrigated) x (215 days)

Vdr = (cfs) x (215 days) x 1.9835 =

V =

Need to
calculate
total
acres
irrigated

1.9835 =



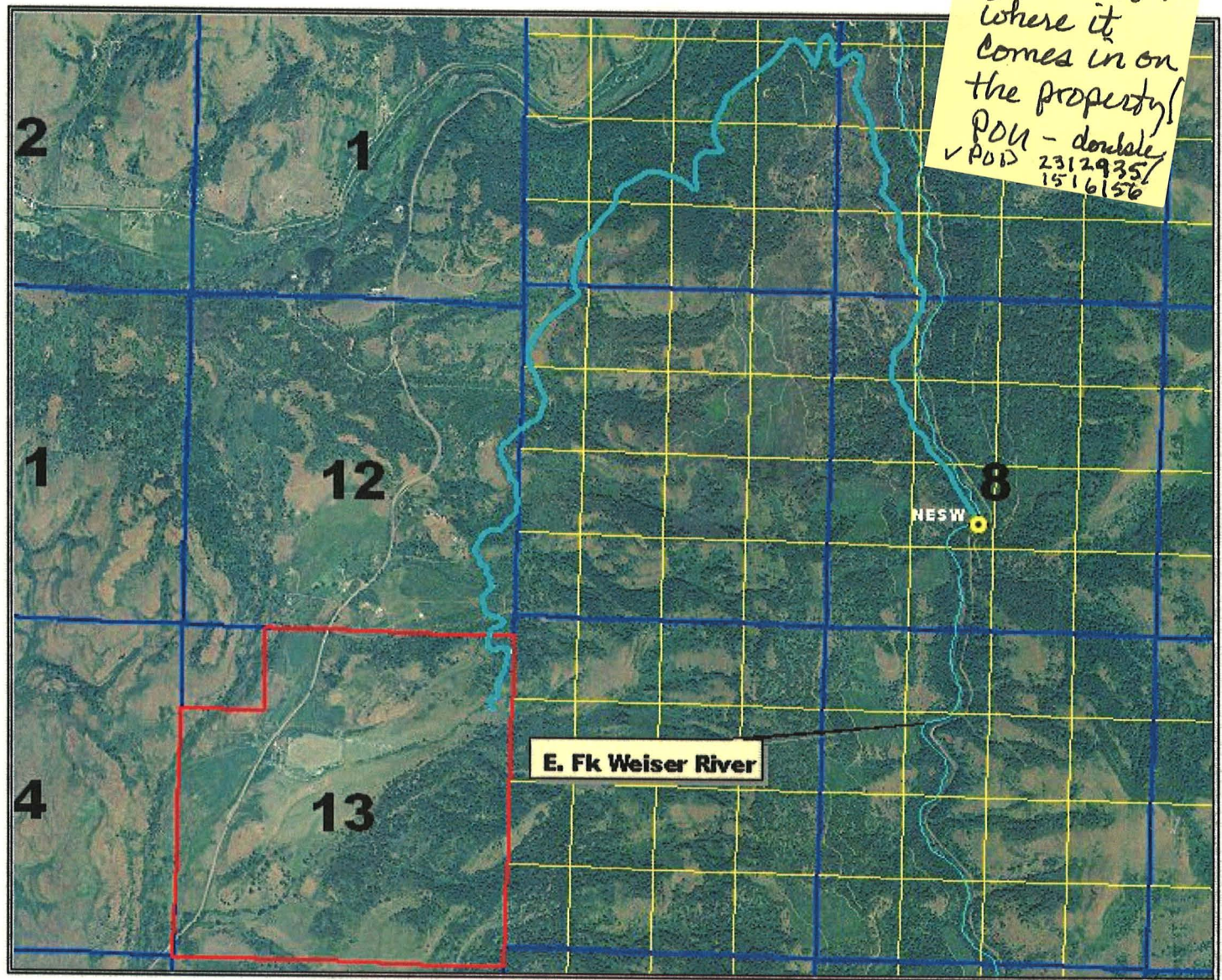
Need help
learning on to
what was
get acreage into
the 50.



State of Idaho

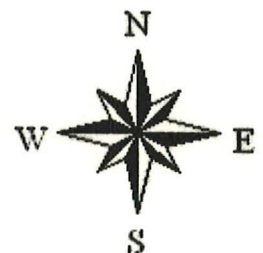
Thomlinson/Yantis Ditch

this is the correct location for ditch + where it comes in on the property!
POU - double
✓ POU 2312935/
1516156

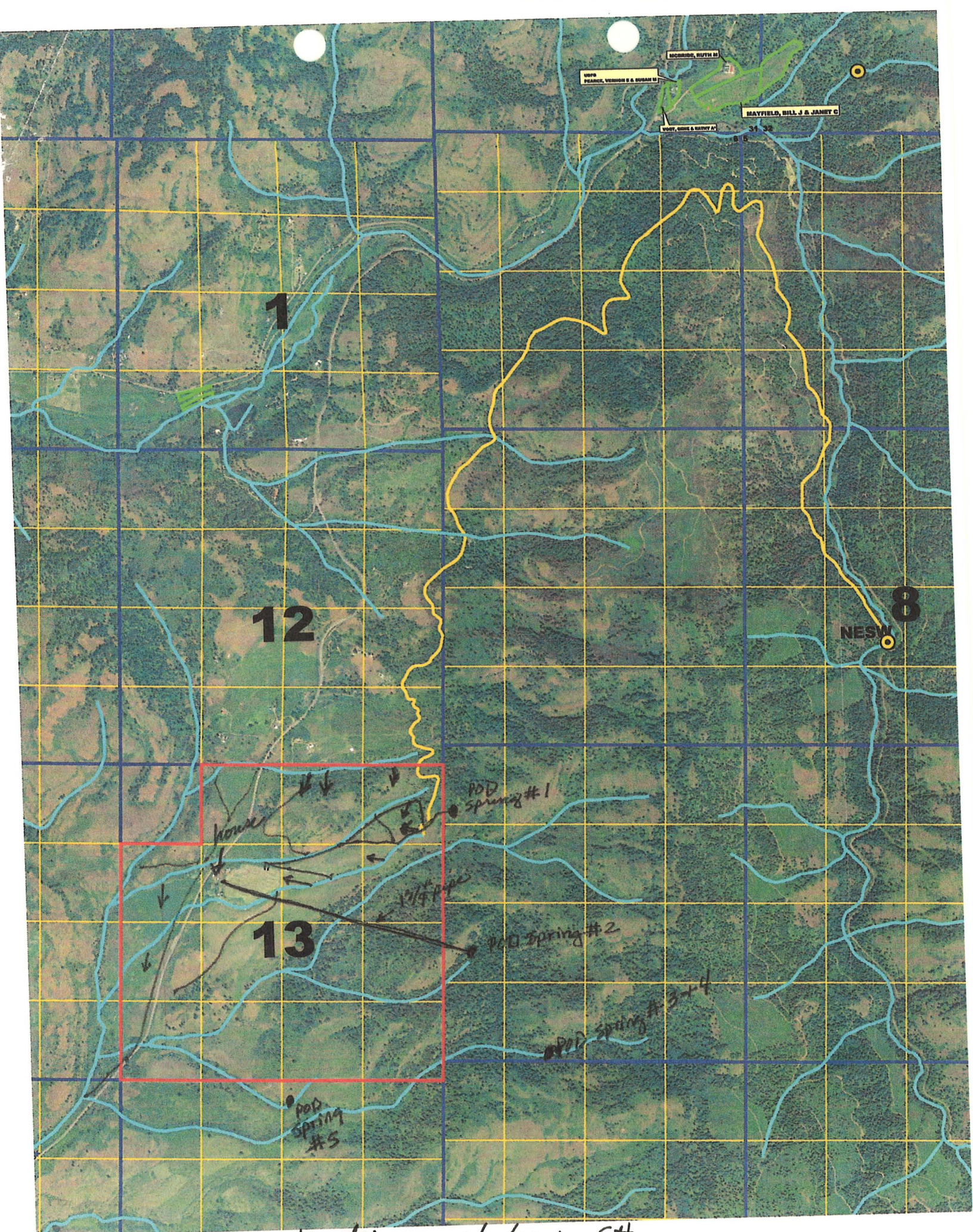


1320 0 1320 Feet

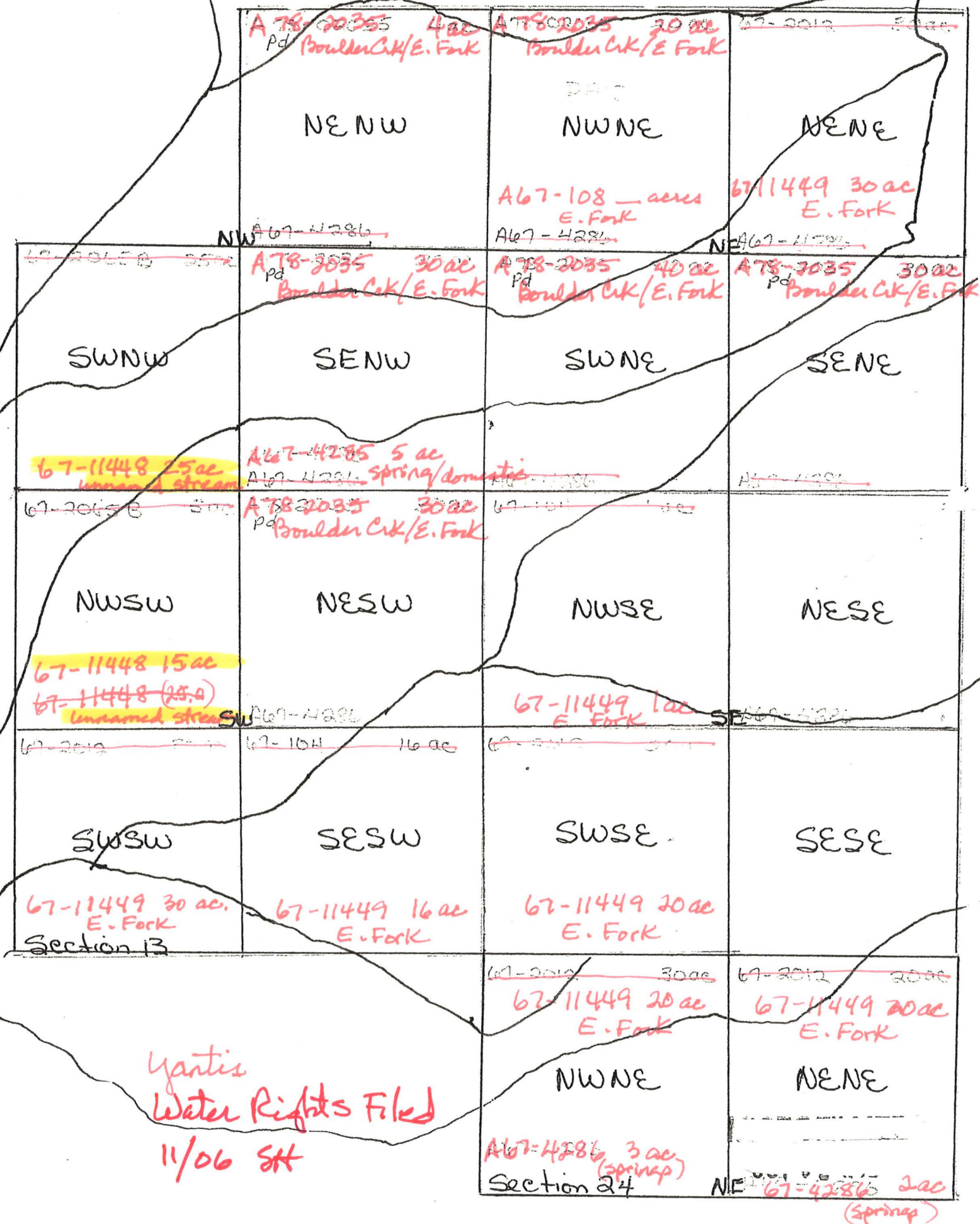
-  Point of Diversion
 -  Assumed Decreed POU - N/A
 -  Preliminary Place of Use
 -  Tax Lot Data - N/A
 -  Quarter Quarter Lines
 -  Section Lines
- Total Irrigated Acres = N/A**



Prepared By: Craig L. Saxton
Date: February 2006



67-11449 Yantis 11/6/2006 SH



-Ditch APPROX 2000'

Township 20N R1W

Township 20 N R 1 E

5 Mile Se Lc

Township Line

Township 19N / W

Township 19N R1E

Township Line

Township 18N R 1W

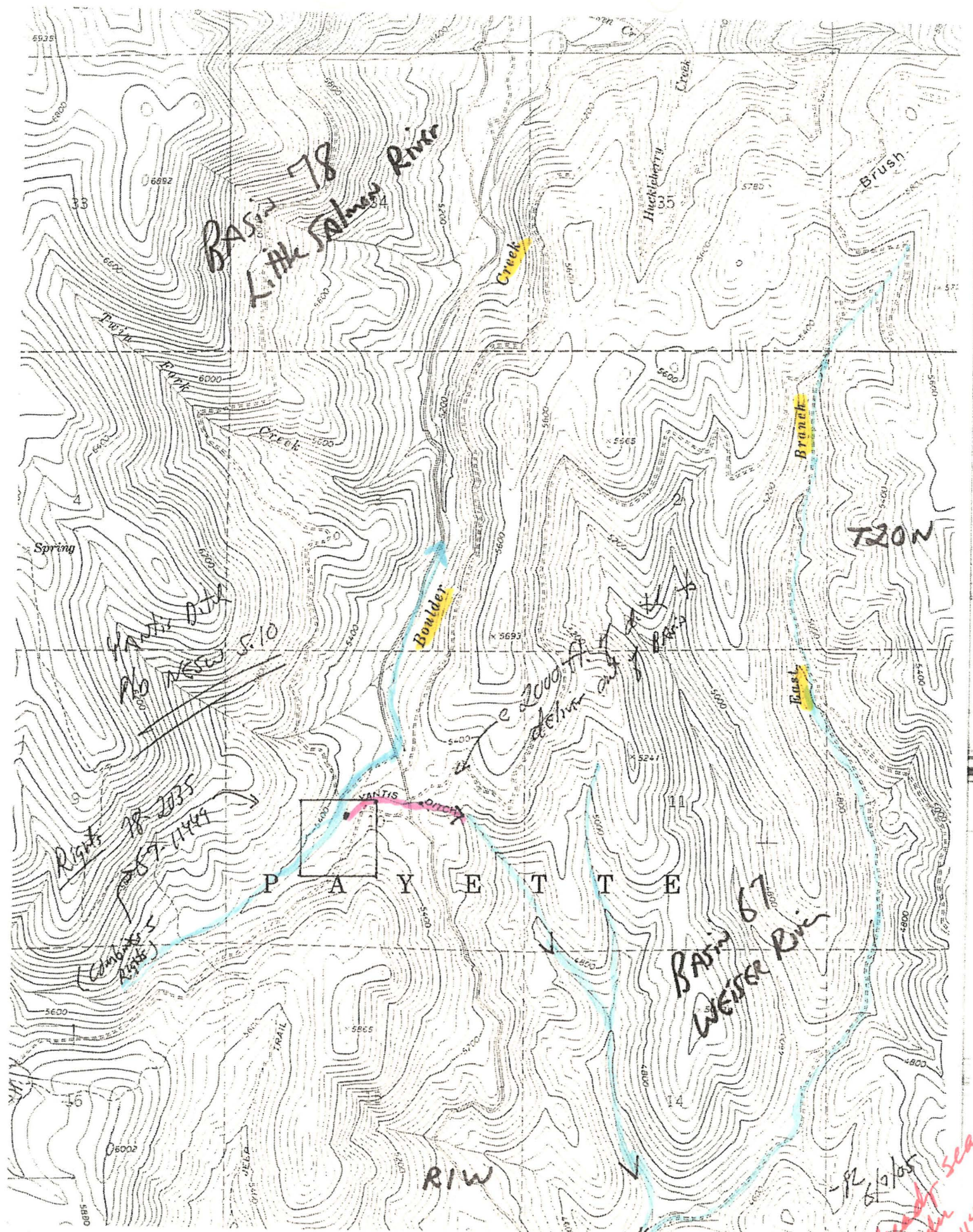
Township 18N R1E

Township 17N1W

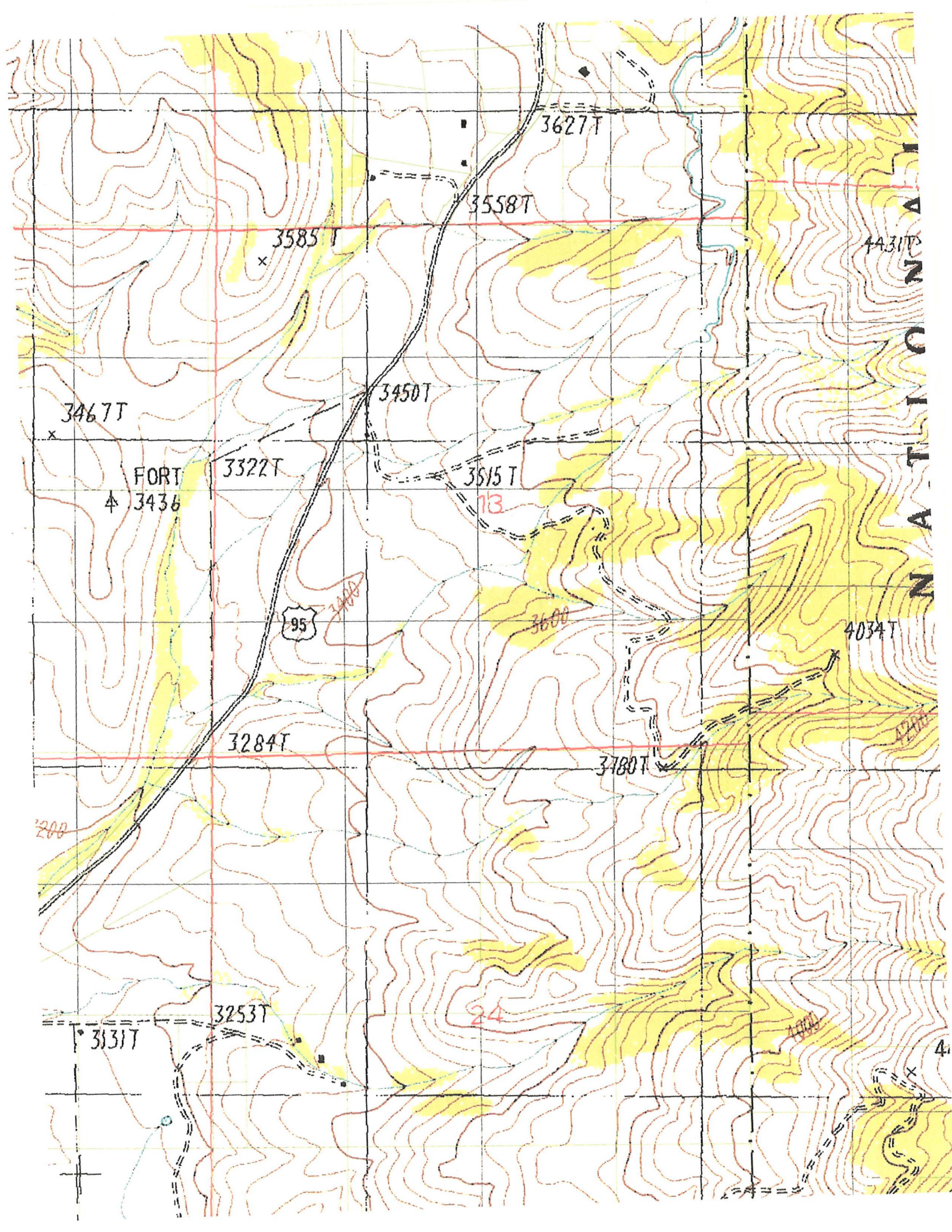
Township Line

Township 17N R1E

Land to be irrigated



already scanned
under
67-11449





POD
Boulder
Creek

24"
Culvert/
Headgate
to ~2000'
ditch that
discharge
to Weise
River

11/06/2006

N45°04.980' W116°26.835'
2307,398 1,545,304



Boulder
Creek

head
gate

11/06/2006

SA

78-2035/67-11449/67-00108 Yantis
67-11448



Yantis
Ditch
27" Culvert
to ditch

SA

78-2035/67-11449/67-00108
Yantis

67-11448

N 45° 05.111' W 116° 26.926
2,307,813 1,545,535



POD

24" Culvert
Head gate
at the
East Fork
of the Wei
River
(reclaimed
water)

78-2035/67-11449/67-00108
Yankee

67-11448

N44°49.333' W116°27.970'
2,312,935 1,516,156



← This is where the
Thomlinson
Yantis Ditch
first comes
on to the
POU, 2
other ditches
branch off



POU:
alfalfa
with
blue grass
pastures

Stockwater
150 head
cattle
rotated
throughout
property



POU



POU



Pou:

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, February 14, 2006 9:34 AM
To: 'Bosler, Bosco'
Cc: Case, Morgan; Fritschle, Carter
Subject: Jack and Donna Yantis

Hey Bosco,

How's it going? I am back from Hawaii and it was great. I want to go back. But since I am here, I have a question for you.

Morgan Case had a question about Jack Yantis water rights. The story is this:

Jack has a license for 150 inches from Boulder Creek in Basin 78. The water is diverted from Boulder Creek and then injected into the Weiser River. Now... as the license reads, the 150 inches is then diverted from the E. Fork Weiser into his ditch to be used in 17N, 1W, S13 (exchanged).

I checked your delivery records and see delivery of decreed rights 67-104 thru 108. This decreed water is claimed in SRBA claims:

67-108

67-11449 (this is a combination of 67-140, 105, 106, 107 with same priority date).

1) The question is, are you aware of this B78/Boulder Creek exchange and is that water being delivered through the Tomlinson Yantis ditch? Do you know if he is still using that water and if you are accounting for that water (78-2035)?

2) Are all the above mentioned rights diverted out of the same POD (Tomlinson Yantis Ditch)? *Yes*

Note: I couldn't find a GPS point for the Tomlinson Yantis Ditch, but I think I know where it is... attached is a map for your review.

Correct

....You said you needed something to work on this winter.

Seriously though, if you have any insight on this it would help Morgan, Myself, and Carter.

Thanks Bosco,

Craig



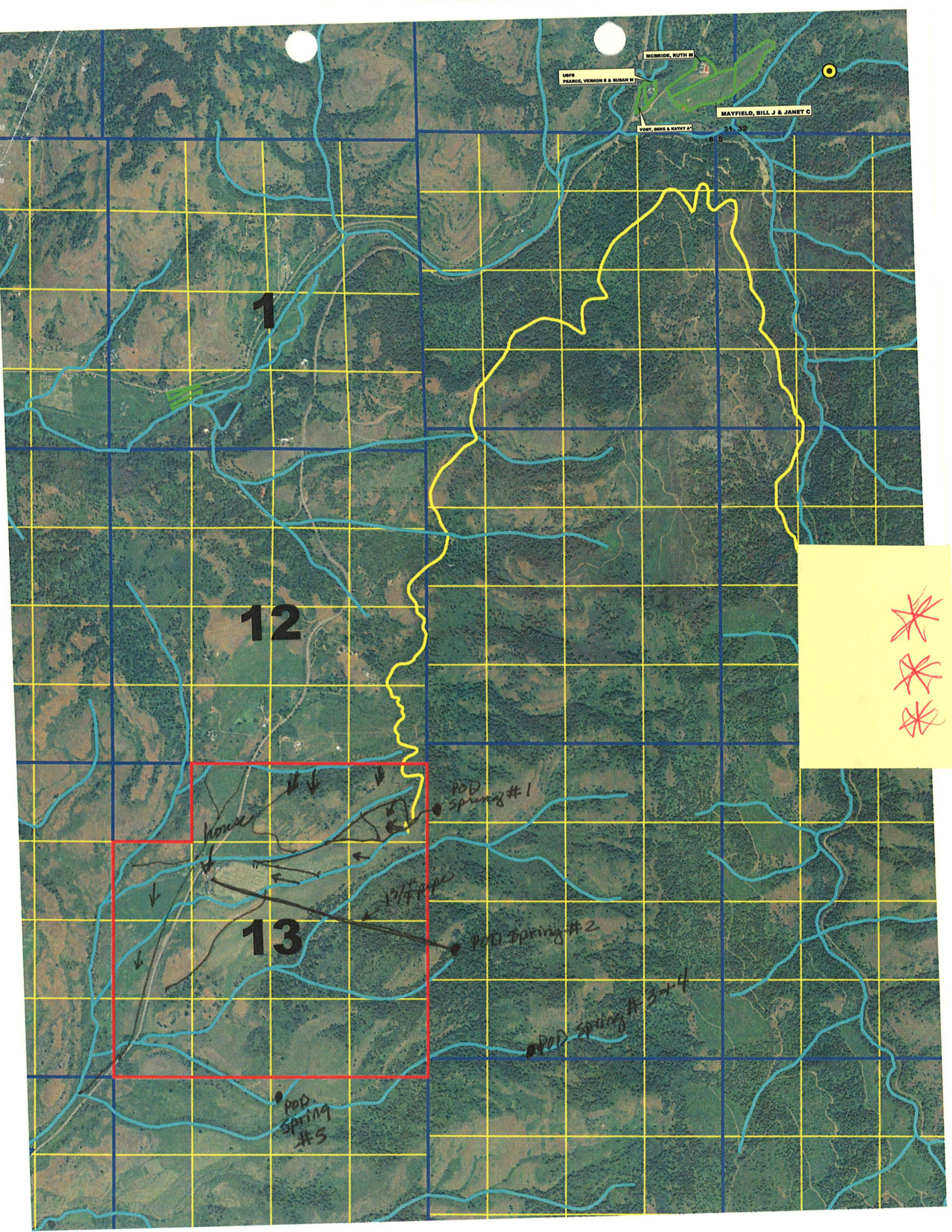
yantis.jpg



Water right
78-2035.RTF



SRBA claim
78-2035.RTF



Jesse Buzzard (Steward Ditch)
 Hattie Gilbert Sub., for
 Oscar Gilbert, sub for A E Beigh
 John Roberts
 S L Goodwin
 William M Woods (Wood-Cornett Ditch)
 Samuel Woods (Steward Ditch)

East Fork Weiser River.

Tomlinson Yantis Ditch.

Mary E Tomlinson
 E W Tomlinson
 Sarah Yantis
 L A Spira
 Ralph Yantis

East Fork Ditch.

Frank E Brown
 George H Bliss
 J A Carr
 C A Findies and F P Hagan
 W H Camp
 L L Burtenshaw and Harvey Huston
 Nettie C Burtenshaw
 J G Kauffman
 Will Kauffman
 J H McGinley sub., for M E Krigbaum
 Anna L Morrow
 S D Piper
 Lillian G Spofford
 Fred Cool
 C L Weed
 F B Weymouth
 John Ingram
 G F Lappin
 A E Flemley, sub for A G Petters
 H W Anderson
 E Medley
 W H Upchurch
 C T Ward
 Minnie Rambo
 E C Smith
 Carrie H Lowe
 J D Neale
 Riley Atkinson
 Fay McBirney

26

June 1, 1895 67 0098

74 /
 125 /
 62 1/2 /
 17 1/2 /
 93 1/2 /
 Dec 30, 1907 67 0099
 Dec 30, 1907 67 0100
 Dec 30, 1907 67 0101
 July 1, 1883 67 0102
 June 1, 1883 67 0103

50 /
 55 /
 40 /
 10 /
 8 /
 June 13, 1905 67 0104
 June 13, 1905 67 0105
 June 13, 1905 67 0106
 June 13, 1905 67 0107
 Dec 31, 1908 67 0108

70 /
 35 /
 15 /
 30 /
 40 /
 4 /
 3 /
 10 /
 9 1/2 /
 20 /
 5 /
 25 /
 106 /
 37 /
 10 /
 30 /
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 5 /
 10 /
 2 1/2 /
 5 /
 3 1/2 /
 3 /
 3 /
 14 /
 20 /
 July 1, 1905 67 0109
 July 1, 1905 67 0110
 July 1, 1905 67 0111
 July 1, 1905 67 0112
 July 1, 1905 67 0113
 July 1, 1905 67 0114
 July 1, 1905 67 0115
 July 1, 1905 67 0116
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 July 1, 1905 67 0128
 July 1, 1905 67 0129
 July 1, 1905 67 0130
 July 1, 1905 67 0131
 July 1, 1905 67 0132
 July 1, 1905 67 0133
 July 1, 1905 67 0134
 July 1, 1905 67 0135
 July 1, 1905 67 0136
 July 1, 1905 67 0137

JUL 24 1996

half of the Northeast Quarter of Section 26, Township 15 North, Range 1 West Boise Meridian.

HATTIE GILBERT: Lot 2, and the Southeast Quarter of the Northwest Quarter Section 30, Township 15 North, Range 1 East and the Northwest Quarter of the Southeast Quarter, Section 25, Township 15 North, Range 1 West Boise Meridian. 7
See Gilb
Gilbert

JOHN ROBERTS: The Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 25, Township 15 North, Range 1 West Boise Meridian.

S I. GOODWIN: The South half of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter, Section 35, Township 15 North, Range 1 West Boise Meridian.

SAMUEL WOODS: The North half of the Southeast Quarter, and the Southeast Quarter of the Northeast Quarter, Section 27, and the Southwest Quarter of the Northwest Quarter, Section 26, Township 15 North, Range 1 West Boise Meridian.

WILLIAM H WOODS: Southwest Quarter and Southwest Quarter, Southeast Quarter, Section 25, Township 15 North, Range 1 West Boise Meridian.

MARY E TOMLINSON: The South half of the Southwest Quarter and the West half of the Southeast Quarter of Section 13, Township 17 North, Range 1 West Boise Meridian.

E W TOMLINSON: The east half of the Southeast Quarter of Section 13, the Northeast Quarter of the Northeast Quarter of Section 13 and the North half of the Northeast Quarter of Section 24, all in Township 17 North, Range 1 West Boise Meridian.

SARAH YANTIS: The Southeast Quarter of the Northwest Quarter, the South half of the Northeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 13, Township 17 North, Range 1 West Boise Meridian.

L A SPIVA: The Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 13, Township 17 North, Range 1 West Boise Meridian.

RALPH YANTIS: The Northwest Quarter of the Northeast Quarter of Section 13, Township 17 North, Range 1 West Boise Meridian.

FRANK E BROWN: The Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southeast Quarter of Section one, and the Northeast Quarter of the Southeast Quarter, and the Southwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Southwest Quarter of Section 2, Township 16 North, Range 1 West Boise Meridian.

GEORGE H BLISS: The Northeast Quarter of the Northeast Quarter of Section 36, Township 17 North, Range 1 West Boise Meridian, and the Northwest Quarter of the Northwest Quarter of Section 11, Township 16 North, Range 1 West Boise Meridian.

J A CARR: The South ten (10) acres of the Southwest Quarter of the Southeast Quarter of Section 14, the North fifteen (15) acres of the Northeast Quarter of the Northwest Quarter of Section 14, the North thirty (30) acres of the Southeast Quarter of the Southeast Quarter of Section 11 and the North twenty-five (25) acres of the Northwest Quarter of the Northeast Quarter of Section 14, all in Township 16 North, Range 1 West Boise Meridian.

C A FINDIES and F P HAGAN: The Southeast Quarter of the Southwest Quarter, what
Township 16 North, Range 1 West Boise Meridian.

W H CAMP: The Northwest Quarter of the Southwest Quarter and the Southwest

JUL 24 1996

LITTLE WEISER (CON.)

Chris Behnen	8	June 1, 1895
J. A. Lemons	30	" " 1900
J. W. Meeneely sub for Leitchliter	13	" " 1902
Fred Anderson	38	" " 1875
G. E. Steward	25 57	" " 1888 Mar 1, 1880
W. C. Schearer	1	June 1, 1886
R. F. Coutts	34	" " 1884
C. E. Kennedy	14	" " 1886
Mattie E. Gray	23	" " 1891
A. S. Byers	15	" " 1882
Samuel Woods	93	" " 1883
J. D. Bailey	15	" " 1885
Walter Benson, sub for Caroline Bailey	6	" " 1894
Albert McDowell	19	" " 1889
Andrew Hutchinson	50	" " 1873
<i>D W Hutchinson</i>	19	" " 1890
Mrs. H. L. Ware	32	" " 1887
H. L. Joslin	17	" " "
~~Jesse Bushnell~~	~~24~~	~~" " 1895~~
John Woods	7	" " 1909
Elizabeth Woods	10	" " "
John Hutchinson	30	May 1, 1897
Anna Hutchinson	8	June 1, 1885
J. E. Donart	76	July 1, 1883
Heirs of R. H. Martin	90	May 1, 1887
Samuel A. Mentzer, sub for Riley Cox	94	" " "
Marion Smith	92	" " "
W. D. Morey	162+	" " "
Mrs. Margaret A. Crouter	65	" " "
Henry Mossman	85	" " 1891

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JUL 24 1996

CONVERSATION MEMORANDUM

DATE 1-26-90FILE AG7-11448

NAME OF PARTY

Jack Gantis

EMPLOYEE

Linda WarnerAG7-11449RE: Combined claims

1. Are the written copies of claims how they wish them to be combined? ^{YES} If so - then -
 A 67-2065 A & B - shows an additional usage although reflecting the same total quantity. OK

AG7-11449 AG7-104 - 107 & 67-2021

POU on written claims indicates 17N, 1E, Sec. 13²⁴ rather than 17N, 1W, Sec. 24 & 13. Also some areas not shown on claim which were originally on previous W.R.

What about acreage on 67-2021 - Not indicated on claim? AG7-2021 filed at state office -

Has there been an expansion? ^{NO} When?

2nd diversion in T20N, R1W, Sec. 16?

Amount of water way over combined amt

Previous total = 3.9 cfs Your total = 7.1

Filed by Louisa Livestock; has correct POU; correct amt. of water; 4 diversions - Do they still want to combine this claim? ←

No answer at 10:30 am on 2:45 pm - 1-26-90

" " " 1:45 p on 1-29-90

" " " 9:00a on 1-30-90

OVER →

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OCT 05 1992

Talked w/c "sumant" (Donna Yantis) at 2:00p on 1-30-90

AG7-11449 - No domestic

AG7-2021 should actually be 67-2012

POA is actually T 17N, RTW, Sec. 13 & 24

Since this was the problem, it answers all the questions. Okay to file as they indicated.

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 AG 7-11449
Date Received 11-9-89
Receipt Number W006656

RECEIVED

NOV 09 1989

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Jack and Donna Yantis Phone (208) 253-4776
Mailing Address HC 64 Box 3595 Zip 83612

2. Date of Priority (Only one (1) per claim) June 13 1905

3. Source of water supply (a) East Fork
which is tributary to (b) Weiser River

4. a. Location of existing point of diversion is: Township 17N Range 1E Section 8,
NE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of ADAMS

Additional points of diversion if any: 20N 01W 10 NE SW ADAMS

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion Dam and Headgate
in East fork of Weiser River

MICROFILMED

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 10-15 amount 7.1 or _____

For Domestic purposes from 1-1 to 12-31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.1 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
17N	1E	13	30										30	16		1	20		97
17N	1E	24	20	30															50

Total number of acres irrigated 147

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
78-2035 67-2065B 67-108 or None ()

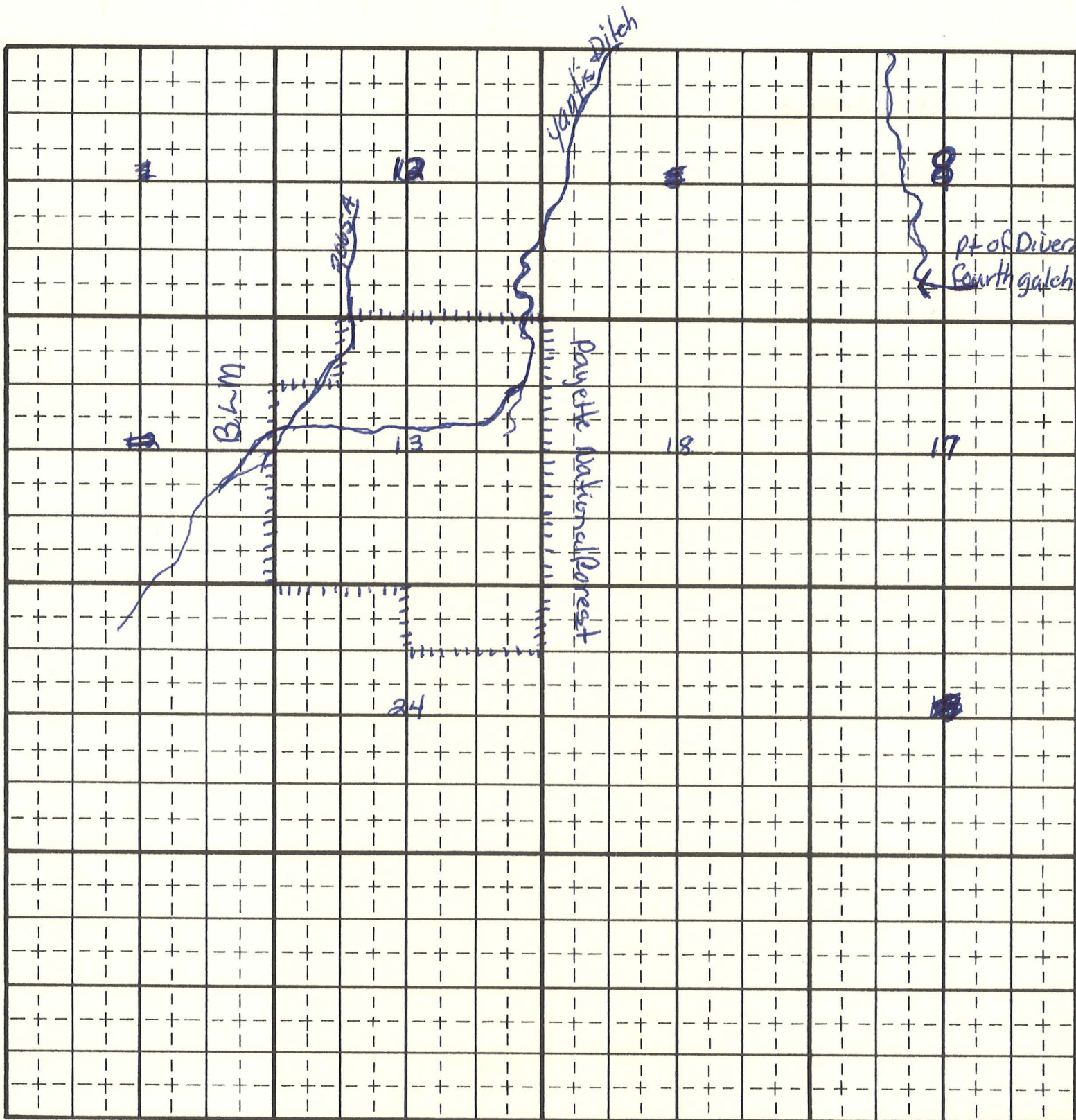
14. Remarks: I am combining 67-104, 67-105, 67-106, 67-107 67-2021 into one water right with same priority date

Last Name Yantis Ident No. AG7-11449

MICROFILMED
Copies: White -State, Yellow-Claimant
OCT 05 1992

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

Scale: 2 inches equals 1 mile



Last Name

Yantis

Ident No.

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 05 1992

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

Decree ☒

If applicable provide IDWR Water Right Number 67-104, 67-105 67-106 67-107 67-2021

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Jack F. Gentes Date 11-20-89

Donna Gentes Date 11-20-89

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

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 20th day of Nov 19 89

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho

Please Print Name

My Commission Expires December 8, 1994

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant

OCT 05 1992

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: A67-11449
Date Received: 11/09/1989
Receipt No: W006656
Received By: RN & HW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK YANTIS 208-253-4776
Address: HC 64, BOX 3595
COUNCIL, ID 83612

AND

Name: DONNA YANTIS 208-253-4776
Address: HC 64, BOX 3595
COUNCIL, ID 83612

2. Date of Priority: JUN 13, 1905

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01E	8	NE	SW			ADAMS
20N	01W	10	NE	SW			ADAMS

5. Description of diverting works:
DIVERSION DAM AND HEADGATE IN E. FORK OF WEISER RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	7.100		

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

8. Total consumptive use is 441.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	13	NE		NE		IRR	30.0
			SW		SW		IRR	30.0
			SE		SW		IRR	16.0
			NW		SE		IRR	1.0
			SW		SE		IRR	20.0
							Section Acres	97.0
		24	NE		NE		IRR	20.0
			NW		NE		IRR	20.0
							Section Acres	40.0
							Total Acres	137.0

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:
78-02035, 67-02065B, 67-00108

14. Remarks:
I AM COMBINING 67-00104, 67-00105, 67-00106, 67-00107 AND
67-02012 INTO ONE WATER RIGHT WITH SAME PRIORITY DATE.
67-02012 IS A LICENSED WATER RIGHT.
SEE ATTACHED MEMO

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 67-11449

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

DONNA 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):

Quantity, it should be 7.1000 C.F.S.

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

make it the same as it was before

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

old water right decreed 7.1 cfs

☐ 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

*This combines 67-104, 67-105, 67-106, 67-~~107~~ &
67-2012.*

67-104 → 50"

67-105 → 55"

67-106 → 40"

67-107 → 10"

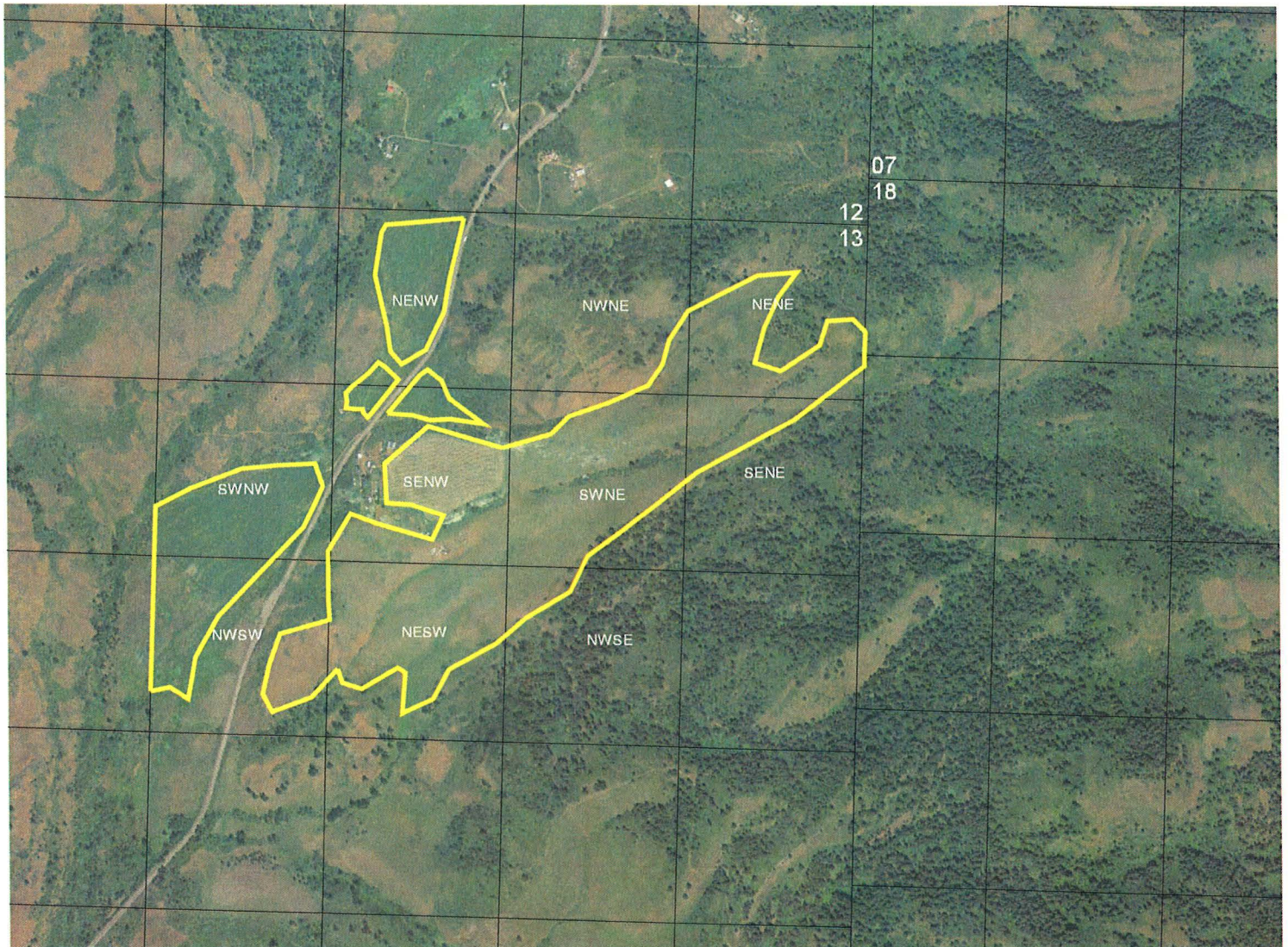
155" = 3.1 cfs

*67-2012 was superseded by Muir v. Allison. No changes.
See comments by C. Saxton in Quickslook for in-depth
review.*

*MVB
12-18-06*

SCANNED
DEC 15 2006

78-2035



T17N R01W S13

Map prepared by: Carter Fritschle
Date prepared: 12/18/06
2004 NAIP Photography
Idaho Department of Water Resources

