

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: A37-04268

Date Received: 7/21/1988

Receipt No: 5001200

Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

1. Name: WILLIAM G. YANCEY
Address: P.O. BOX 1433
FALLON, NV

89407

AUG 1 1988
1-702-423-6293
Department of Water Resources
Southern Region Office

2. Date of Priority: AUG 01, 1968

3. Source: UNNAMED STREAM

Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	17E	3	NE	NW		3	BLAINE

5. Description of diverting works:
ROCK DAM, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	05/01	11/30	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
X/CORE DRILLING, ETC.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	17E	3	NE	NW	3	MINING	
03N	17E	34	SE	SW		MINING	

11. Place of use in counties: BLAINE

A37-04268

Page 1

Date: 07/21/88

COPY

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:

14. Remarks:

SEE FILE FOR ADDITIONAL DATA.
USED FOR MINING WITH A37-08140.

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 ☐ 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): William G. Zancery Date: July 21, 1988
Date: _____

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of July 19 88

Low White
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95

CONF

MICROFILMED
FEB 24 1993

COPY

DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED _____

2008 FEB 22 PM 2 05

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

) Subcase No. 37-4268
)
)
)
)

Case No. 39576
_____)

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

2/22/08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/22, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Jeff Thomason
PO Box 1882
Hailey ID 83333

William Yancy
PO Box 1433
Fallon NV 89406



Signature of person or attorney mailing the form

02/11/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4268

NAME AND ADDRESS: JEFFREY THOMASON
PO BOX 1882
HAILEY ID 83333

SOURCE: UNNAMED STREAM

TRIBUTARY: DEER CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 08/01/1968

POINT OF
DIVERSION:

T02N R17E S3 NENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MINING

05/01 11/30

0.040 CFS

PLACE OF USE: MINING in BLAINE County

T02N R17E S03 Lot 3 NENW

T03N R17E S34

SESW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 22, 2008

JEFF THOMASON
PO BOX 1882
HAILEY ID 83333

RE: SRBA Claim(s) 37-4268

Dear Claimants:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: William Yancy
PO Box 1433
Fallon NV 89406

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

RECEIVED
 FEB 06 2008
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
37-04268					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

William G Yancey

P.O. Box 1433

Fallon NV. 89406

4. New Owner/Claimant(s)

Jeff Thomason

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 1882

City, State and ZIP Code

Harley Id. 83333

New Telephone Number

208 788-3081 Email:

5. Date you acquired the property

Feb. 03 1999

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Receipted by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____



THIS INSTRUMENT WAS FILED FOR
RECORD BY BLAINE COUNTY
TITLE, AS AN ACCOMMODATION
ONLY, IT HAS NOT BEEN EXAMINED
AS TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

Order No. 98008822
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **WILLIAM G. YANCEY**, an unmarried man

the Grantor hereby grants, bargains, sells, conveys and warrants unto **JEFFREY K. THOMASON**, a married man

the Grantee whose current address is: P.O. BOX 1882, HAILEY, IDAHO 83333

the following described premises, to-wit:

DAVITT 37, SNOW FLY 41, MONTANA 48, SEC 34
SILVER MOON 49, ~~SEC~~ 33 & 34, T3NR17E
SEC

420435
Blaine County Title
98 OCT 30 PM 4 05
FEE \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 30, 1998

X William G. Yancey
WILLIAM G. YANCEY

State of IDAHO

County of BLAINE

ss.

On this 30th day of October, 1998, before me, the undersigned, a Notary Public, in and for said State, personally appeared WILLIAM G. YANCEY

satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Stromy R. Namer
Notary Public
Residing at: HAILEY, IDAHO
Commission Expires: April 29, 2002



Expiration Date: 4/29/2002
Residing: Hailey, Idaho

Legal Description of Property

T02N	R17E	S03	Lot 48
T02N	R17E	S03	Lot 49
T03N	R17E	S34	Lot 37
T03N	R17E	S34	Lot 41

POD ~~go~~ T02N, R17E, S03, Lot 48 (NENW)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 12, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JEFF THOMASON
PO BOX 1882
HAILEY ID 83333

RE: Water Right Claim No. 37-4268
Notice of Change in Water Right Ownership
Notice of Security Interest in a Water Right

Dear Mr. Thomason:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted. Because the Snake River Basin Adjudication Court has not yet decreed this claim, no fee is due to process the owner change. I am herein returning your check no. 1805 in the amount of \$25.00.

I am also returning your Notice of Security Interest in a Water Right along with your check no. 1806 in the amount of \$25. This form is for the use of a party holding a security interest or lien on the property to which the water right is appurtenant and wishes to be notified of any changes made to the water right. In order to be listed as a security interest holder, we require evidence of the security interest such as a deed of trust, mortgage or contract of sale. You may resubmit the Notice along with the proper documentation and an expiration date.

Thank you and should you have any questions please feel free to give me a call.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED
FEB 06 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

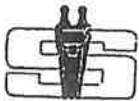
And Request for Notification of a Change in Ownership or Any Proposed Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

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

1. Water Right No(s): 37-04268
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE of \$25.00 per water right** or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest
Jeff Thomason P.O. Box 1882 Hailey Id.
Jeff Hardamen P.O. Box 1980 Seffner, FL.
 83333
 33584
4. Name of Water Right Owner/Claimant(s) Jeff Thomason P.O. Box 1882 Hailey Id.
 83333
5. Expiration Date of Notification Period _____
6. Is this a Renewal of Request for Notification? ☒ YES ☐ NO
7. Signature(s) of Security Interest holder(s)
 (and title if applicable) Jeff Thomason

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



THIS INSTRUMENT WAS FILED FOR
RECORD BY BLAINE COUNTY
TITLE, AS AN ACCOMMODATION
ONLY, IT HAS NOT BEEN EXAMINED
AS TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

Order No. 98008822
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **WILLIAM G. YANCEY**, an unmarried man

the Grantor hereby grants, bargains, sells, conveys and warrants unto **JEFFREY K. THOMASON**, a married man

the Grantee whose current address is: P.O. BOX 1882, HAILLEY, IDAHO 83333

the following described premises, to-wit:

DAVITT 37, SNOW FLY 41, MONTANA 48, SEC 34
SILVER MOON 49, ~~SEC~~ 33 & 34, T3N17E
SEC

420435
Blaine County Title
REQUEST
BLAINE COUNTY TITLE
98 OCT 30 PM 4 05
FEES \$ 32

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 30, 1998

X William G. Yancey
WILLIAM G. YANCEY

State of IDAHO

SS.

County of BLAINE

On this 30th day of October, 1998, before me, the undersigned, a Notary Public, in and for said State, personally appeared WILLIAM G. YANCEY

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Stobmy R. Namer
Notary Public
Residing at: HAILLEY, IDAHO
Commission Expires: April 29, 2002



Expiration Date: 4/29/2002
Residing: Hailey, Idaho

Legal Description of Property

T02N	R17E	S03	Lot 48
T02N	R17E	S03	Lot 49
T03N	R17E	S34	Lot 37
T03N	R17E	S34	Lot 41

POD go T02N, R17E, S03, Lot 48 (NENW)

02/20/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4268
NAME AND ADDRESS: WILLIAM G YANCEY
PO BOX 1433
FALLON NV 89406

Mixed Ownership
-POD & POU

SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK
QUANTITY: 0.040 CFS
PRIORITY DATE: 08/01/1968
POINT OF
DIVERSION: T02N R17E S3 NENW Lot 3 Within BLAINE County

The POD in Lot 3 (NENW) describes Forest Service lands. According to the maps in the claim file, the POD resides on private land within the Montana Mining Claim which has been surveyed at government lot 48. The POD would be more accurately described as:

T02N, R17E, S03, Lot 48 (NENW).

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

MINING

PERIOD OF USE

05/01 11/30

QUANTITY

0.040 CFS

PLACE OF USE:

MINING in BLAINE County

T02N R17E S03 Lot 3 NENW

T03N R17E S34

SESW

The POU in T02N, R17E, S03, Lot 3 entirely describes Forest Service lands. The POU in T03N, R17E, S34, SESW is a nominal quarter-quarter description that is entirely comprised of government surveyed lots.

The Notice of Claim states that the use of water is intended to be used on 4 patented mining claims: Davitt (Lot 37), Snowfly (Lot 41), Montana (Lot 48), and Silver Moon (Lot 49). All 4 of these patented mining claims were surveyed as lots and should be defined as such:

T02N R17E S03 Lot 48

T02N R17E S03 Lot 49

T03N R17E S34 Lot 37

T03N R17E S34 Lot 41

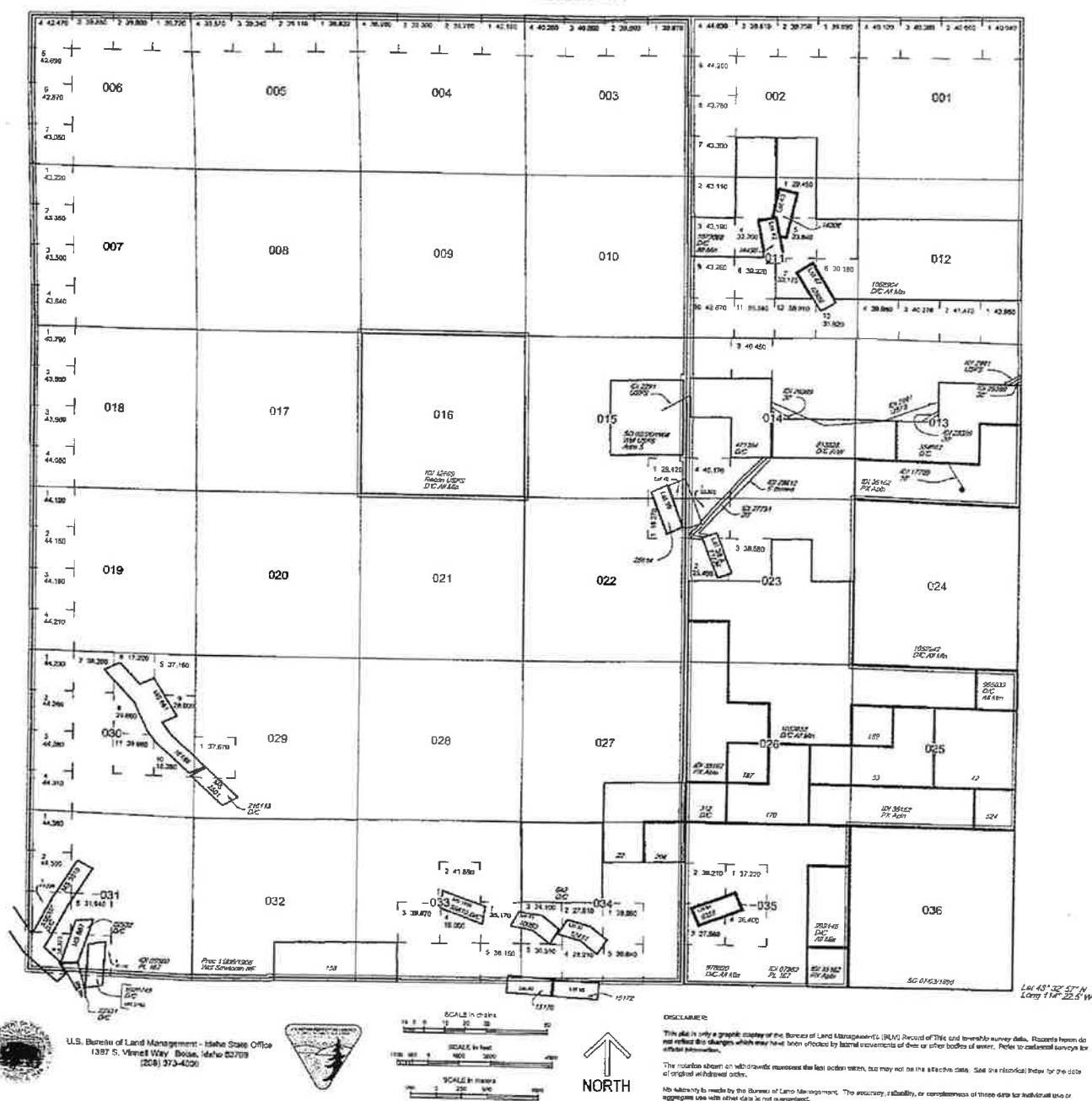
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

BLAINE COUNTY 013
TWIN FALLS DISTRICT SEC 3



MT PLAT

[illegible]

DOI 07852 Del PL 167 (Act of Cong 01/23/1855)
completed 06/22/1960. All PD surface Mgmt by BLM

ADN 09356 Del PL 167 (Act of Congress 07/23/1955)
completed 07/03/1962. All NF surface Mgmt by LUSF.

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE NO:	800850008102CANT00020.dwg		
CONVERTED TIME:	03/27/2008	BY:	LTM
LAST UPDATED:	07/11/2008	BY:	ST
GAUC #1:		GAUC #2:	
POSTED TO PUBLIC RECORD:			
BY:			
PUBLIC LAND SURVEY SYSTEM (PLSS)			
BLM DCCB ACQUIRED:	04/28/2005		
OTHER:	NA		
PROJECTED COORDINATE SYSTEM: UTM ZONE 18N, NAD 1983			
NOTES:			
FILE PATH:			

Bohe My
T. 3 N
R. 17 E

BLAINE COUNTY 013
TWIN FALLS DISTRICT SEC 3



No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or inappropriate use with other data is not guaranteed.

[illegible]

T. 2 N
R. 17 E

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.

(Name of Claimant)

(Mailing Address)

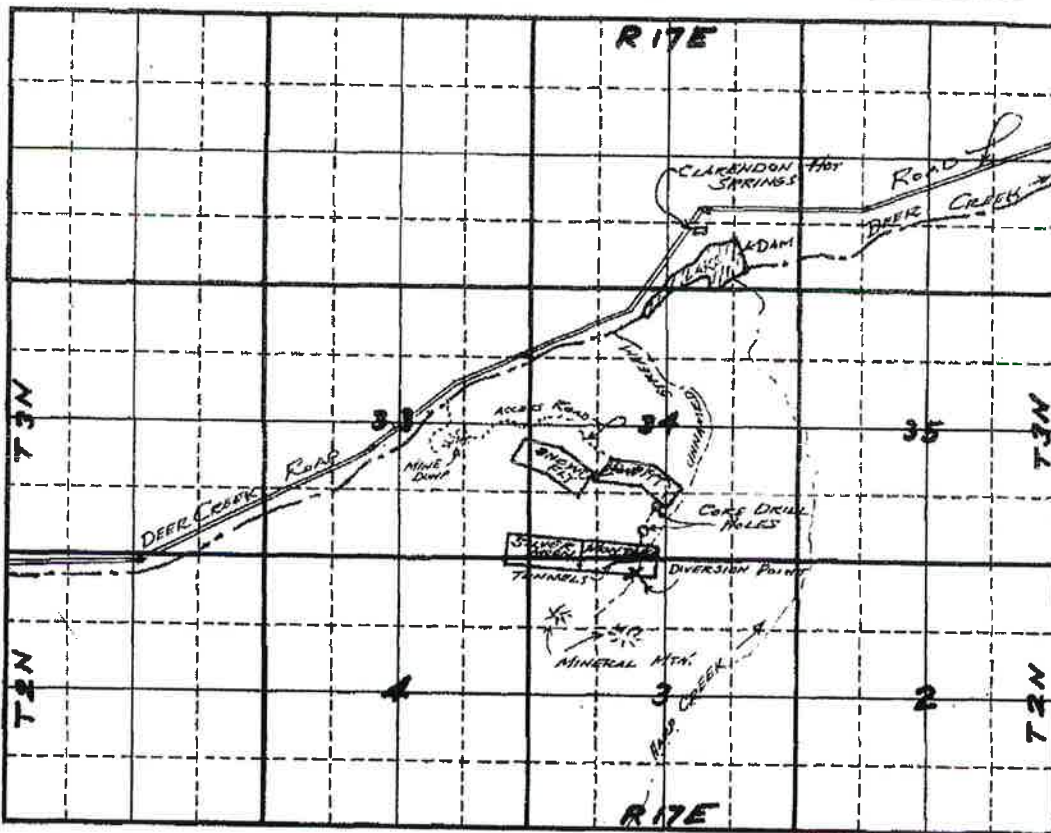
(Zip Code)

- NONE*

- (7) If you are claiming water as a member of an organization, list name of organization: W.G. YANCEY IS SOLE
OWNER OF 4 PATENTED CLAIMS AND THE UNPATENTED CLAIMS.

(8) Remarks

Plat map to Encls. #1 thru #20 and the title of town plat



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.

newark
State of ~~Idaho~~

County of Churchill

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.

Sworn to before me this 22nd day of November, 19 82

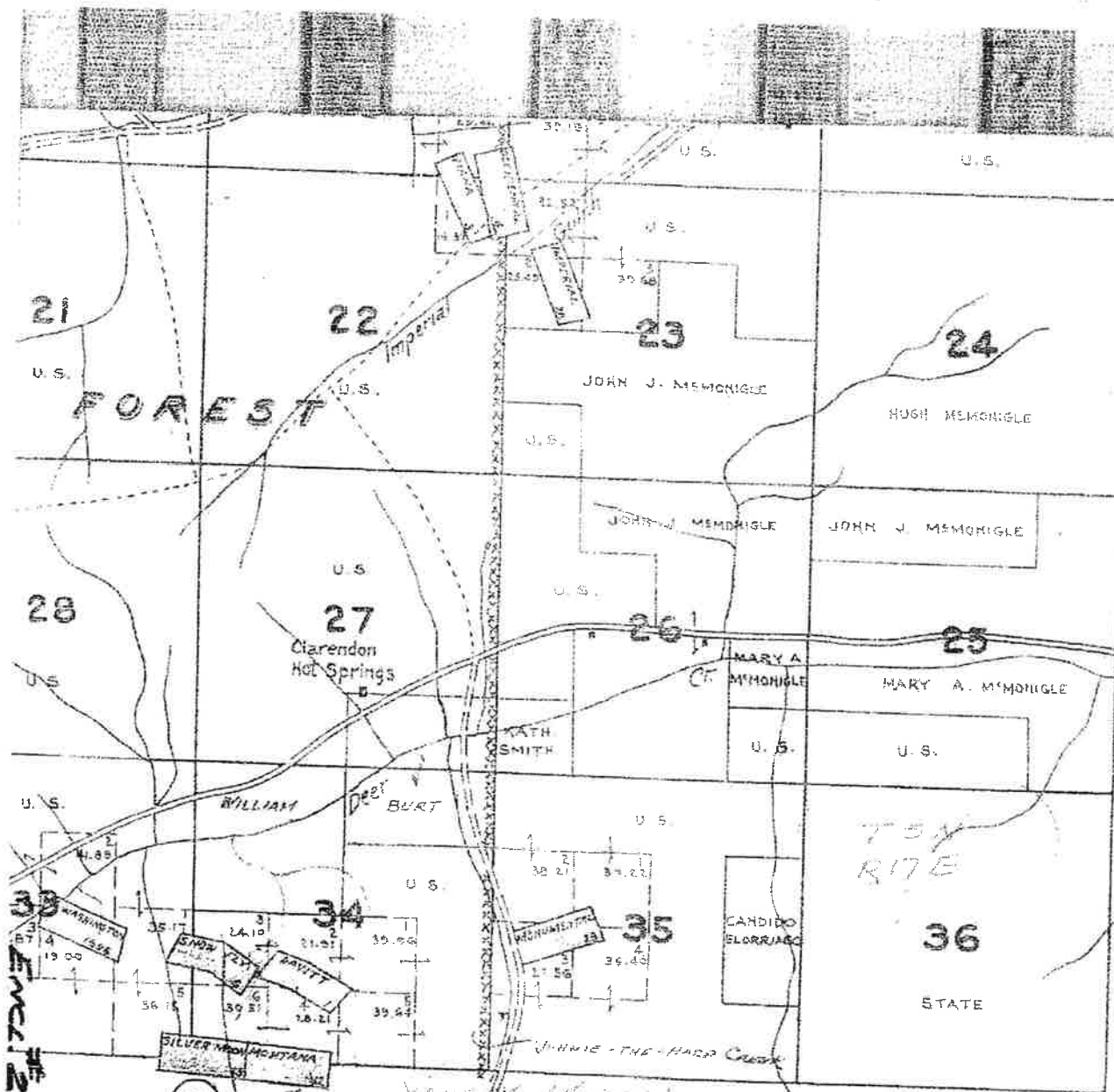


My commission expires Oct 29, 1985

William S. Spencer
(Claimant)
Jody Brown
Notary Public
Residing at Box 576
FALLON, NEVADA 89406

FOR DEPARTMENT USE ONLY

Received by W. S. Spencer Date 11/24/82 Exception filed by: _____ Date _____
Prelim. check by W. S. Spencer Date 12-1-82 Forwarded to claimant by: _____ Date _____
\$20.00 fee received by W. S. Spencer Date 12/30/82 #23857
Published in Churchill County
Dates 12/1/82 - 12/30/82



24

LOCATION
WATER SOURCE
POINT OF DIVERSION

CONFIDENTIAL

- LEGEND--
- PAVED ROADS
 - STATE HWYS. UNPAVED
 - IMPROVED ROADS
 - DIRT ROADS
 - INTERIOR ROADS
 - RAILROADS
 - TRAILS
 - INTERMITTENT CREEKS
 - SCHOOLS

ENCLOSURE #2

ENCLOSURE #2

WATER SOURCE
POINT OF DIVERSION

YANCOY MINES
PATENTED CLAIMS: MONTANA, SILVER MOUNTAIN, DAVITT & SNOW FLY.

SEC 3 T2N R17E



Idaho Department of Water Resources

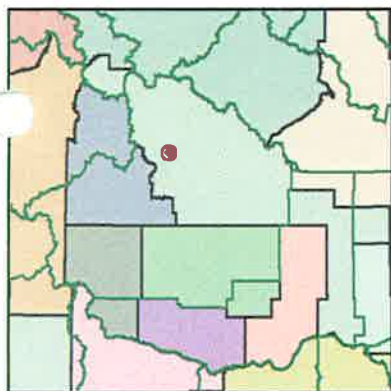
SRBA Recommendation:

37-4268

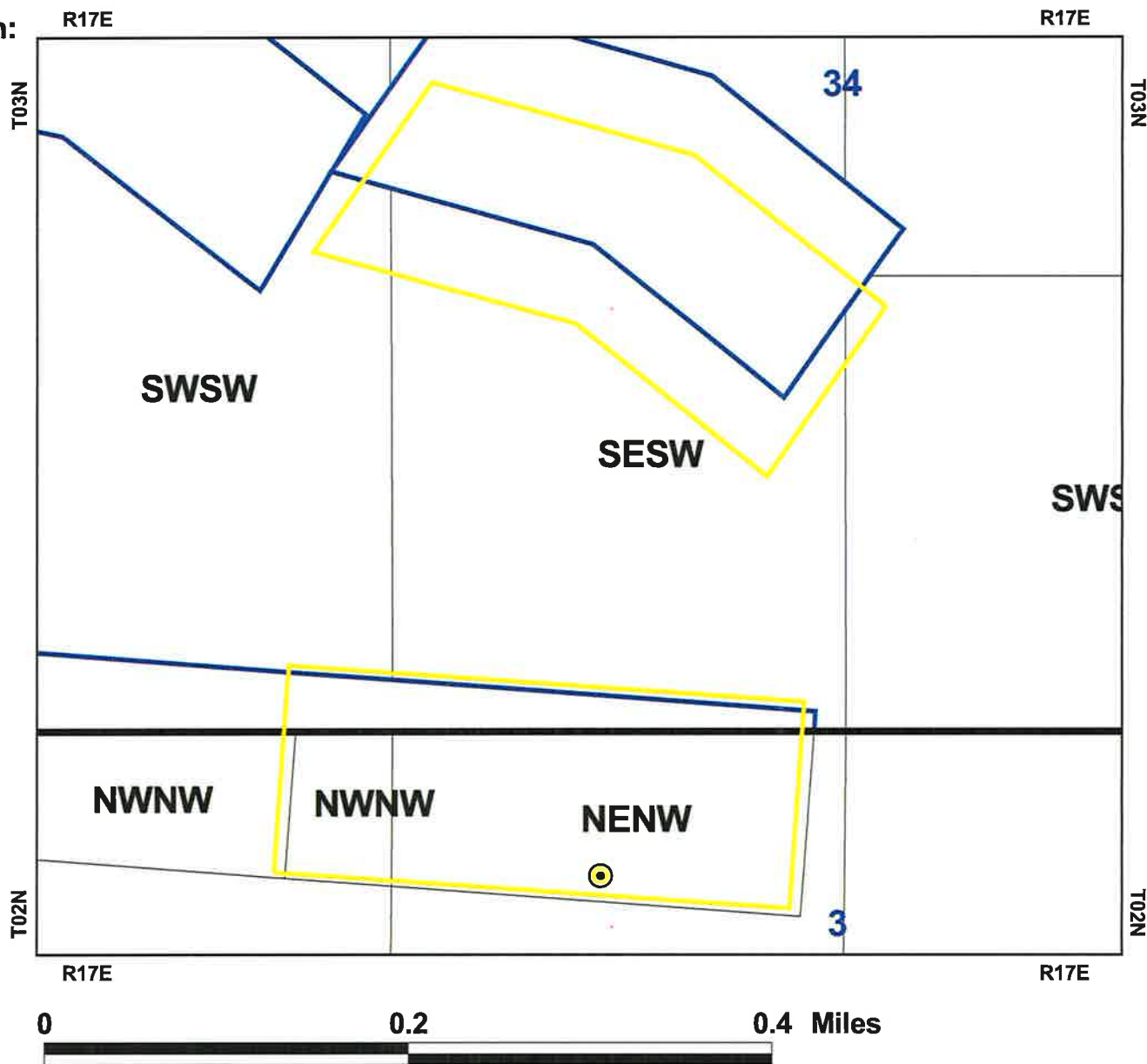
(Mining)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. Norques
On Thursday, November 9, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

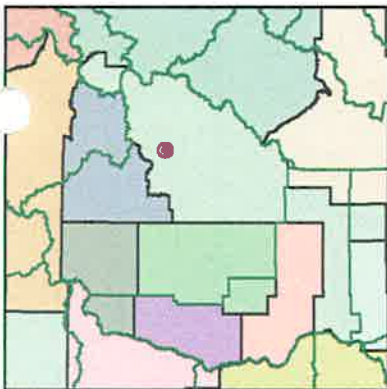
SRBA Recommendation:

37-4268

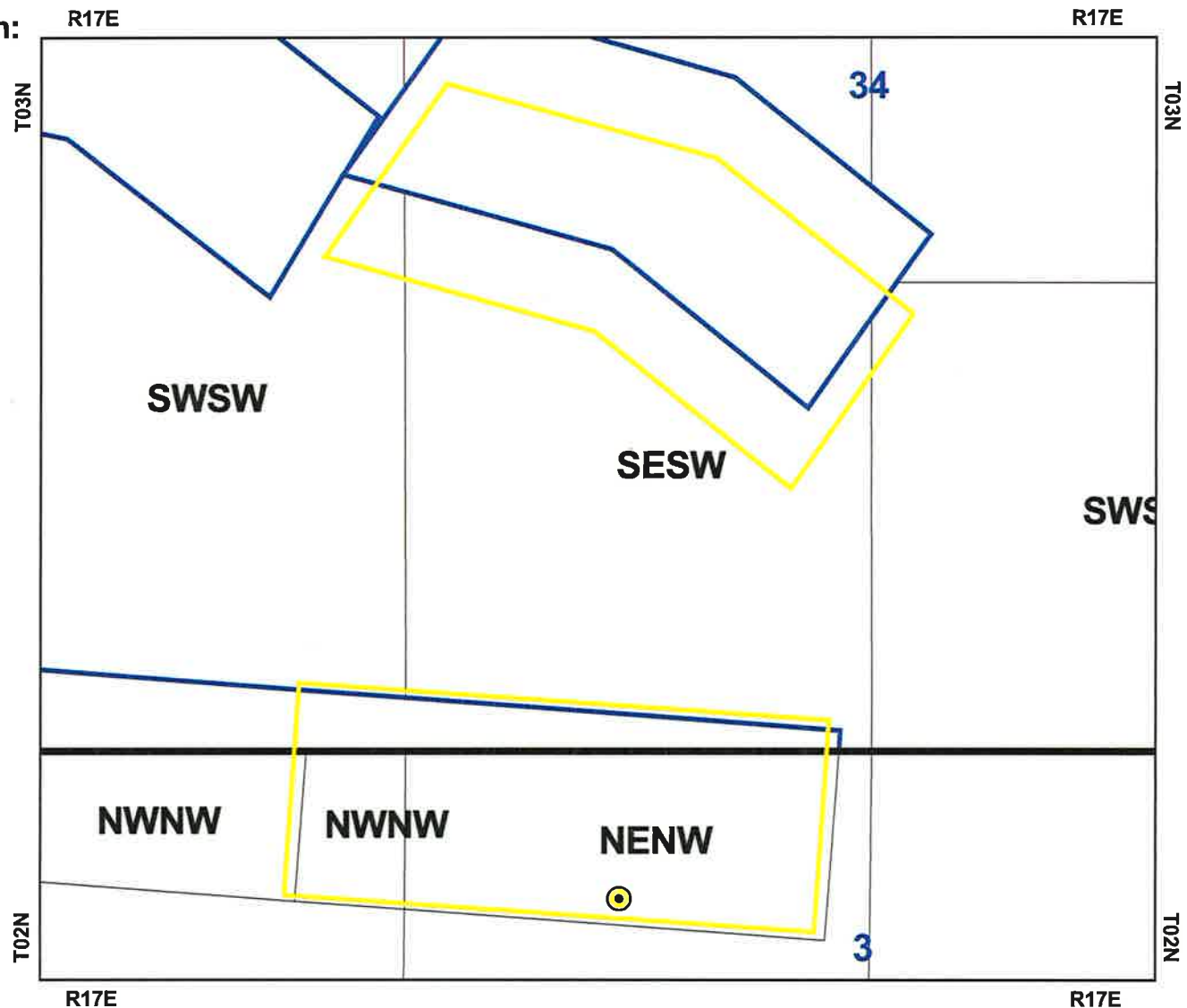
(Mining)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by E. Norques
On Thursday, November 9, 2006
1987/88 Aerial Photography

RECEIVED

NOV 15 2007

Department of Water Resources
Adjudication Bureau

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase: 37-04268

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 342-7741

Name & Address of Attorney, if any:

David L. Negri

550 West Fort Street MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: William G Yancey

Address: PO Box 1433
Fallon, NV 89406

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point of Diversion**
Should be: Lot 48. See E below.
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: Lot 48. See E below.
10. **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

The point of diversion and place of use in the NENW Lot 3 Sec 3, T3N, R17E, as shown on the Directors Report recommendation are on National Forest System (NFS) land. The NENW is split ownership with the private land being Lot 48 and the NFS land being Lot 3.

F.

VERIFICATION (must be completed)

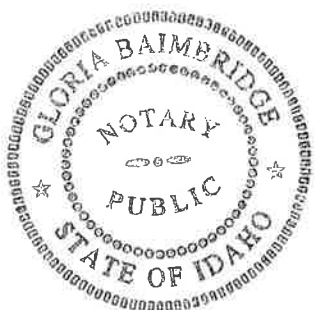
State of Idaho)
)ss.
County of Ada)

Steven M. Spencer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steven M. Spencer
(Signature of person filing objection)
[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 11-13-07



Gloria Baimbridge
Notary Public for: Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/17/2008

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 14, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimants of the water right at the following address:

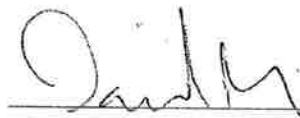
Name: William G Yancey
Address: PO Box 1433
Fallon, NV 89406

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

02/20/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4268

NAME AND ADDRESS: WILLIAM G YANCEY
PO BOX 1433
FALLON NV 89406

SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 08/01/1968

POINT OF
DIVERSION: T02N R17E S3 NENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	05/01 11/30	0.040 CFS

PLACE OF USE: MINING in BLAINE County

T02N R17E S03 Lot 3 NENW	T03N R17E S34	SESW
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A. Subcase 37-04268
(Insert water right number)

Case No. 39576)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: William G. Yancey
Address: P.O. Box 1433; Fallon, NV 89406

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See attached.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element five and nine (POD & POU) above may include Federal land. The description should be specific enough to exclude Federal land. This can be done by properly describing the land descriptions with the correct lot numbers.

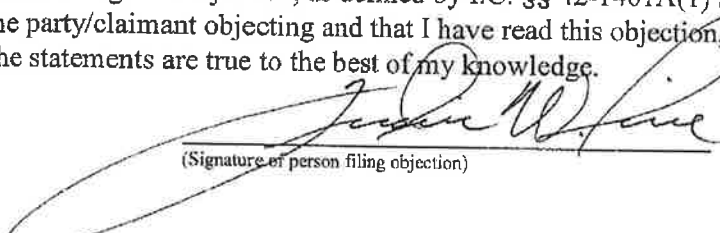
F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

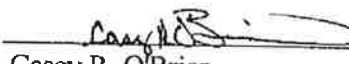
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 12, 2007




Casey R. O'Brien

Notary Public for State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on Nov. 13, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

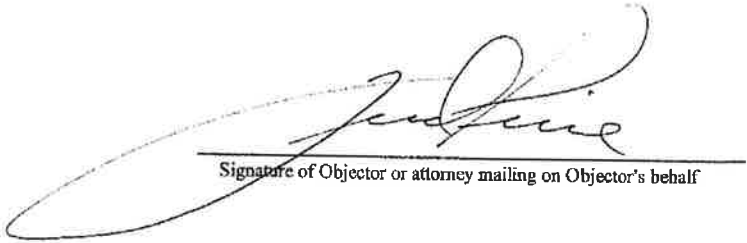
Name: William G. Yancey
Address: P.O. Box 1433; Fallon, NV 89406
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

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

FIRST CLASS

UNITED STATES POSTAL SERVICE
FIRST CLASS
02 1A
0004389393
\$ 00.870
MAR 08 2007
MAILED FROM ZIP CODE 83702

Return to Sender
Return to Sender
Return to Sender
Return to Sender
Return to Sender

RECEIVED
MAR 23 2007
DEPARTMENT OF
WATER RESOURCES

37-4268
37-8440

YANC4 004063622 1N 25 03/12/07
RETURN TO SENDER
UNABLE TO FORWARD

WILLIAM G YANCEY
PO BOX 1433
FALLON NV 89406

11/09/2006

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

RIGHT NUMBER: 37-4268

NAME AND ADDRESS: WILLIAM G YANCEY
PO BOX 1433
FALLON NV 89406

SOURCE: UNNAMED STREAM

TRIBUTARY: DEER CREEK

QUANTITY: 0.040 CFS

PRIORITY DATE: 08/01/1968

POINT OF DIVERSION:

T02N R17E S3 NENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MINING

05/01 11/30

0.040 CFS

PLACE OF USE: MINING in BLAINE County

T02N R17E S03 Lot 3 NENW

T03N R17E S34

SESW

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 - Statutory Claim

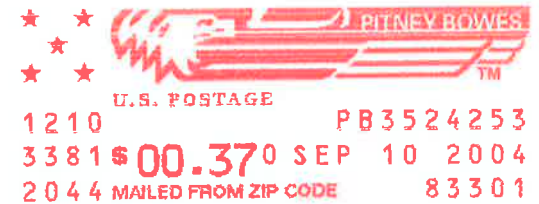
Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

37-4268
37-8140

Kelly



RECEIVED
SEP 24 2004
Department of Water Resources
Southern Region



YANCEY
PO BOX 1433
FALLON NV 89406



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
41 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

37-4268



RECEIVED

MAR 03 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

WILLIAM YANCY
PO BOX 1433
FALLON NV 8

NIXIE 895 SE 1 74 02/27/08

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 83301525950 *3014-07726-22-40

8940731433 8011
83301@5259



COMMUNICATION DOCUMENTATION

Claim No. A37-04268
A37-08140

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 11/9/94Contact Person(s) William YanceyNature of Contact phone call

Substance of Communication Mr. Yancey called to check on the status of his two mining claims, I think he may be trying to sell the property. He wanted to make sure he'd done everything he needed to do. I told him we really haven't done much work up in Basin 37 yet, so his claims haven't been investigated yet. One is a statutory claim and there appeared to be evidence of priority in the micro-fiche. The other one is based on a permit - waiting for a field exam. He wanted to know about getting that scheduled for next Spring, Summer, or Fall. I told him to call when he's ready or has a date in mind and an agent would meet with him. I mentioned the forfeiture issue for five continuous years of non-use and he said he was not aware of that kind of thing pertaining to water... He also updated his zip code and gave me his phone # for our records.