

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 37-21796
Date Received: 6/14/2006
Receipt No: 5028716
Received By: QIK

RECEIVED

JUN 15 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

William M. Yingst Phone: (208) 734-3829

4135 Creek View Dr
Twin Falls ID USA 83301

2. Date of Priority: 06/27/1883

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	14E	21	SW NE	CAMAS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01S	14E	3	SW NW	IRRIGATION	6.5
			SE NW	IRRIGATION	3.5
				Section Acres	10
				Total Acres	10

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

6-13-06- This is a portion of 37-50 AJK

Place of use is located within Lot 15; Mountain View Acres Subdivision.

15. Basis of Claim: Decreed

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 M. Jungst Date: 6/14/06

Date: _____

State of Idaho _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of June 2006 Kelly K. Christensen

Notary Public

Residing at Twin Falls ID
My commission Expires 4-2-2010



Idaho Department of Water Resources Receipt

Receipt ID S028716

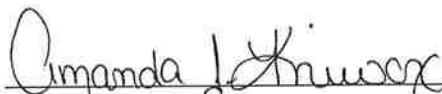
Payment Amount	\$85.00	Date Received	6/14/2006 9:34:50 AM	Region	Southern	Status	
Payment Type	Check	Check Number	780				

Payer WILLIAM YINGST

Comment 2 new claims
37-21796 \$50 irrigation + \$10 (10 acres)
37-21798 \$25 domestic

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$85.00	ADJUDICATION FILING FEE	0337	44503	1155	


Signature Line (Dept. Representative)

09/22/2006

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

RIGHT NUMBER: 37-21796

NAME AND ADDRESS: William M. Yingst
4135 Creek View Dr
Twin Falls ID 83301

SOURCE: SOLDIER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.140 CFS

PRIORITY DATE: 06/27/1883

POINT OF DIVERSION:

T01N R14E S33 NESESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.140 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T01S R14E S03 SWNW 4.50

4.5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



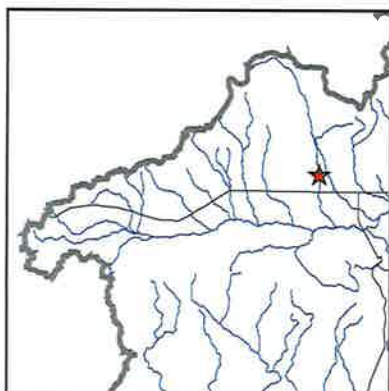
Idaho Department of Water Resources

SRBA Recommendation:

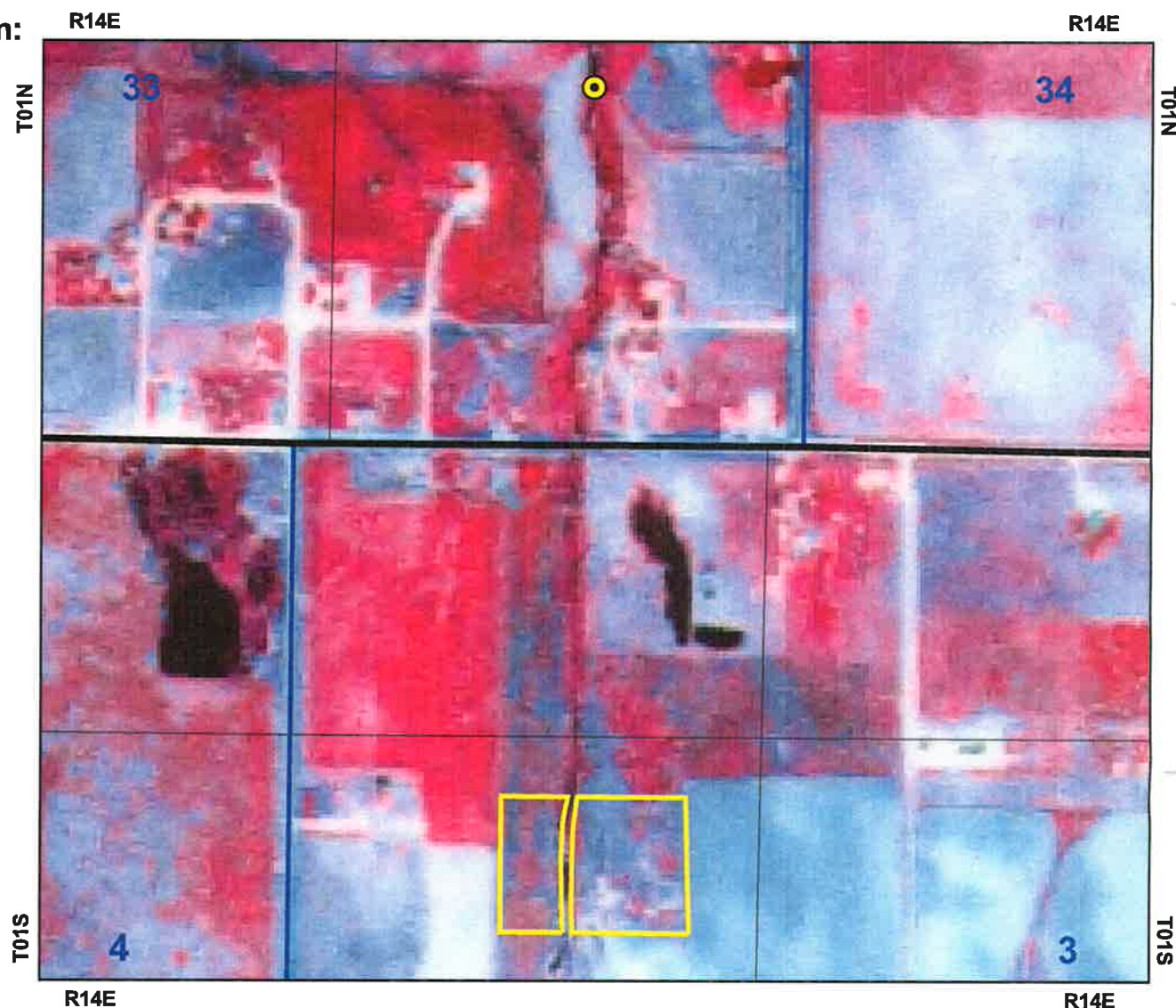
37-21796

Legend

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



Camas County
IDWR Basin 37



0 0.25 Miles



Prepared by M. Anders
On Friday, September 22, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-21796

Background Data

- Source is Soldier Creek tributary to Camas Creek
- Priority date search indicates:
 - 37-50A decreed for 0.72 cfs on 5 QQ
 - 37-50B decreed for 2.0 cfs on 5 QQ
 - SRBA claims
 - 37-50A
 - 37-50C claimed 0.05 cfs from 37-50A for Irrigation of 15 acres
 - 37-50D claimed 0.03 cfs from 37-50A for Irrigation of 29.6 acres
 - 37-13187 claimed 0.06 cfs from 37-50A for Irrigation of 17 acres
 - 37-50E claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-13195 claimed 1.0 cfs from 37-50A & 37-50B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres
 - 37-21796 claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-21801 claimed 0.17 cfs from 37-50A & 37-50B for Irrigation of 5.7 acres
 - 37-50B
 - 37-50C claimed 0.15 cfs from 37-50B for Irrigation of 15 acres
 - 37-50D claimed 0.25 cfs from 37-50B for Irrigation of 29.6 acres
 - 37-13187 claimed 0.18 cfs from 37-50B for Irrigation of 17 acres
 - 37-21298 claimed 0.2 cfs from 37-50B for Irrigation of 10 acres
 - 37-50E claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-13195 claimed 1.0 cfs from 37-50A & 37-50B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres
 - 37-21796 claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-21801 claimed 0.17 cfs from 37-50A & 37-50B for Irrigation of 5.7 acres

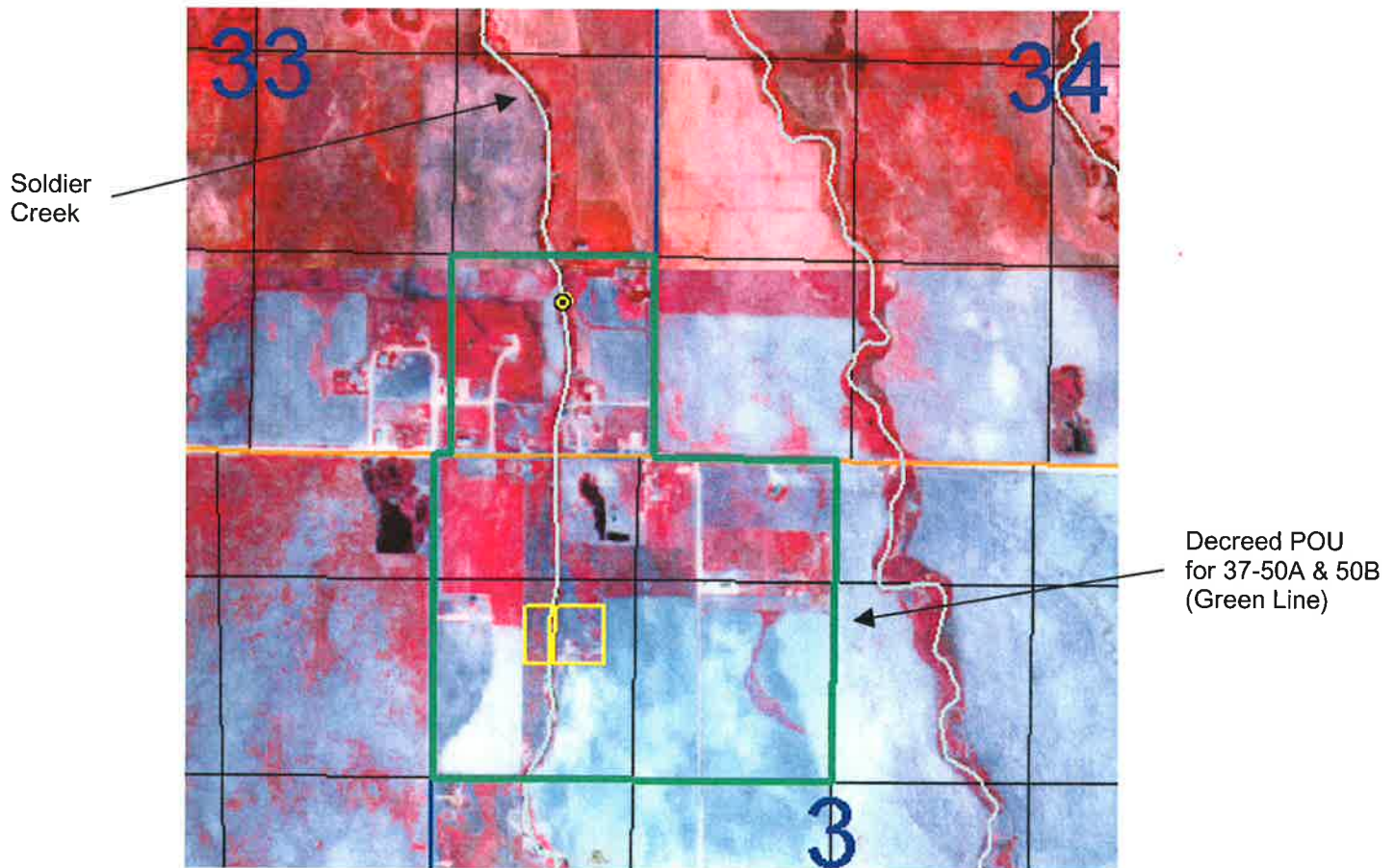
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1S R14E Section 3

- Found 4.5 acres of Irrigation.
- Claim combines water from 2 different water rights. There is no combined use limit on this right for the acreage for each of the rights because: a) the allocated irrigated acres from the different rights equal/exceed the irrigated acreage, b) it would have required to put multiple limits on different portions of the diversion rate on a one right (ex: 0.04 cfs of this right are limited to 130 acres, 0.26 cfs of this right are limited to 400 acres, etc.), which is uncommon, c) the water was moved and applied before 1987 and there are no known disputes/injuries, and d) as right are currently claimed, there is no expansion of the water right, if additional water is claimed any expansion of the water right would be minimal.

➤ Recommendations:

- 37-21796 – 0.14 cfs for Irrigation of 4.5 acres

- 37-50A

- 37-50C – 0.05 cfs for Irrigation of 13 acres
- 37-50D – 0.03 cfs for Irrigation of 25 acres
- 37-50E – 0.05 cfs for Irrigation of 9 acres
- 37-13187 – 0.06 cfs for Irrigation of 17 acres
- 37-13195 – 0.26 cfs for Irrigation of 513 acres
- 37-13198 – 0.02 cfs for Irrigation of 9 acres
- **37-21796 – 0.04 cfs for Irrigation of 4.5 acres**
- 37-21801 – No apparent irrigation. Claim disallowed.
- Unclaimed – 0.21 cfs for Irrigation of 58 acres

- 37-50B

- 37-50C – 0.15 cfs for Irrigation of 13 acres
- 37-50D – 0.25 cfs for Irrigation of 25 acres
- 37-50E – 0.13 cfs for Irrigation of 9 acres
- 37-13187 – 0.18 cfs for Irrigation of 17 acres
- 37-13195 – 0.74 cfs for Irrigation of 513 acres
- 37-13198 – 0.04 cfs for Irrigation of 9 acres
- **37-21796 – 0.10 cfs for Irrigation of 4.5 acres**
- 37-21801 – No apparent irrigation. Claim disallowed.
- 37-21298 – 0.18 cfs for Irrigation of 9 acres
- Unclaimed – 0.23 cfs for Irrigation of 23 acres

- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

37-50A decreed POU = 5 QQ			(0.72 cfs) duty = 0.0036 cfs/acre	(26% of 37-50)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	50	C	0.05	13.0	13.0	0.05
37	50	D	0.03	25.0	13.0	0.03
37	50	E	0.20	50A, 50B 9.0	9.0	0.05
37	13187		0.06	17.0	17.0	0.06
37	13195		1.00	50A, 50B 513.0	76.5	0.26
37	13198		0.12	50A, 50B, 222B 9.0	9.0	0.02
37	21796		0.20	50A, 50B 4.5	4.5	0.04
37	21801		---	---	---	---
Unclaimed					58.0	0.21
Total					200.0	0.72

37-50B decreed POU = 5 QQ			(2.0 cfs) duty = 0.01 cfs/acre	(74% of 37-50)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	50	C	0.15	13.0	13.0	0.15
37	50	D	0.25	25.0	25.0	0.25
37	50	E	0.20	50A, 50B 9.0	9.0	0.13
37	13187		0.18	17.0	17.0	0.18
37	13195		1.00	50A, 50B 513.0	90.5	0.74
37	13198		0.12	50A, 50B, 222B 9.0	9.0	0.04
37	21796		0.20	50A, 50B 4.5	4.5	0.10
37	21801		---	---	---	---
37	21298		0.20	9.0	9.0	0.18
Unclaimed					23.0	0.23
Total					200.0	2.00

37-222A decreed POU = 8 QQ			(2.8 cfs) duty = 0.0088 cfs/acre	(29% of 37-222)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	13195		1.58	222A, 222B 513.0	129.0	1.12
Unclaimed					191.0	1.68
Total					320.0	2.80

37-222B decreed POU = 12 QQ			(0.8 cfs) duty = 0.0017 cfs/acre	(71% of 37-222)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	13187		0.03	17.0	17.0	0.03
37	13195		1.58	222A, 222B 513.0	306.0	0.46
37	13198		0.12	50A, 50B, 222B 9.0	9.0	0.06
Unclaimed					148.0	0.25
Total					480.0	0.80

Water Right Report 37-50A

WATER RIGHT NUMBER: 37-50A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN L BAXTER ID

Status: Active

<u>Source</u>	<u>Tributary</u>
SOLDIER CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.720 CFS	
	<u>Total Diversion:</u>	0.720 CFS	

Location of Point(s) of Diversion
SOLDIER CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	14E	33																	X
01S	14E	3					X L3	X L4	X	X									

Conditions of Approval:

1. P/D & P/U INCOMPLETE. SEE FILE.
RT. WAS NOT REAFFIRMED IN HALLOWELL DECREE. MAY HAVE BEEN LOST.

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-50A

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
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:

Water Right Report 37-50B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	REX MC DONALD
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	2.000 CFS	
	<u>Total Diversion:</u>		2.000 CFS	

<u>Location of Point(s) of Diversion</u>		
SOLDIER CREEK	SW1/4NE1/4	Sec. 21, Twp 01N, Rge 14E, B.M.
CAMAS County		

Place of Use
IRRIGATION

[illegible]

Conditions of Approval:

1. ORIGINALLY DECREED TO JOHN L. BAXTER IN THE FROST DECREE.

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-50B

Licensed Date:
Decreed Date: 3/11/1959
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Milo W Baker, et al
Decree Plaintiff: Clifford Hallowell
Civil Case Number:
Judicial District: Fourth District
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: