

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
JAN 31 2017

Department of Water Resources

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Sandra and Terrell Yancey

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Letter from Aberdeen Springfield Canal Company indicating applicant is purchasing the parcel located in NENE Section 9, T5S R31E.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 31 2017

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Sandra and Terrell Yancey Phone 208-221-5374

Mailing address 1226 S 2700 W Aberdeen, ID 83210 Email tsyancey@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

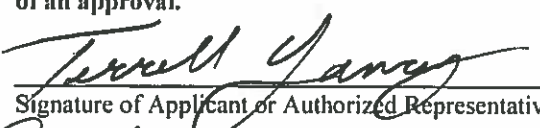
☐ No Representative

Name of Representative Rocky Mountain Environmental Associates Phone 208-524-2353

Mailing address 482 Constitutional Way Ste 303, Idaho Falls, ID 83422 Email kristin.rmea@gmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

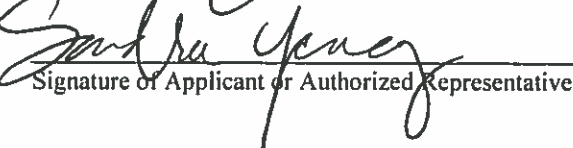
I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Terrell Yancey

Print Name and Title if applicable

1-18-17
Date


Signature of Applicant or Authorized Representative

Sandra Yancey

Print Name and Title if applicable

1-18-2017
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Transfer will update water right POU acres to reflect current irrigation practices on the Yancey property.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-2333	0.08	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	35-7355A	0.04	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	35-7355B	0.01	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	35-13553	0.05	Irrigation	04/01 to 10/31	Ground Water
☐ ☒	35-13753	0.03	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	35-2068	2.4	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.6 cfs and/or 520 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.20 cubic feet per second and/or 40 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5. POD's are within adjacent grid cells. No analysis required.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SW	SW	NE	9	05S	31E	BINGHAM	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	31E	9	27	37	40	26													130
Total Acres (for irrigation use)																			130

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

System will consist of ground water wells diverting to sprinklers.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Original acre will be retired from irrigation.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Transferred rights will be combined with the POU and POD of water right 35-2068.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

Transfer contains _____ pages and _____ attachments.

Received by 200-5C Date 1/31/17 Preliminary check by _____ Date _____

Fee paid 200.00 Date 1/31/17 Received by SC Receipt # F042724

Add'l fee paid 300 Date 2/7/17 Received by _____ Receipt # E042737

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/4/2017

WATER RIGHT NO. 35-2068

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA YANCEY
Current Owner	TERRELL N YANCEY 1226 S 2700 W ABERDEEN, ID 83210 (208)397-5374
Original Owner	C ROSS BABB PO BOX 737 ABERDEEN, ID 83210 (208)397-4422
Original Owner	KRISTINE BABB
Original Owner	LARRY R BABB 4859 ELIZABETH AVE CHUBBUCK, ID 83202 (208)238-0946
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 02/14/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	2.4 CFS	480 AFA
Total Diversion			2.4 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSWNE|Sec. 09|Township 05S|Range 31E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	31E	9		NENE	25		NWNE	37		SWNE	39		SENE	19

Total Acres: 120

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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Close

Part 2a

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/30/2016

WATER RIGHT NO. 35-2333

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA YANCEY
Current Owner	TERRELL N YANCEY 1226 S 2700 W ABERDEEN, ID 83210 (208)397-5374
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 05/28/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.9 CFS	780 AFA
Total Diversion			3.9 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 04	Township 05S	Range 31E	BINGHAM County
GROUND WATER	NWNESE	Sec. 04	Township 05S	Range 31E	BINGHAM County

IRRIGATION Use:
Acre Limit: 195

81426

Place(s) of use:

Part 2a

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	31E	33		NENE	14		NWNE	33		SWNE	40		SENE	37
				NENW	39		NWNW	38		SWNW	39		SENW	39.7
				NESW	39		NWSW	34		SWSW	34		SESW	34
				NESE	28		NWSE	39						

Total Acres: 487.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 195 acres within the place of use described above in a single irrigation season.
Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total
2. X35 diversion rate of 9.88 cfs, a total annual maximum diversion volume of 1950.8 af at the field headgate, and the irrigation of 487.7 acres.
Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions
3. T19 necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
Use of water under this right will be regulated by a watermaster with responsibility for the distribution
6. R05 of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of
8. I31 diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. X50 The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
Rights 35-2333, 35-7355B and 35-13753 when combined shall not exceed a total diversion rate of 5.15
11. cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.
12. F06 The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 493

Combined Volume Limit: 1972

Combined Rate Limit: 9.96

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

81426

Close

Part 2a

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/30/2016

WATER RIGHT NO. 35-7355A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA YANCEY
Current Owner	TERRELL N YANCEY 1226 S 2700 W ABERDEEN, ID 83210 (208)397-5374
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 11/26/1973
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.09 CFS	530.8 AFA
Total Diversion			2.09 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 04	Township 05S	Range 31E	BINGHAM County
GROUND WATER	NWNESE	Sec. 04	Township 05S	Range 31E	BINGHAM County

IRRIGATION Use:
Acre Limit: 132.7

81426

Place(s) of use:

Part 2a

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	31E	33		NENE	14		NWNE	33		SWNE	40		SENE	37
				NENW	39		NWNW	38		SWNW	39		SENW	39.7
				NESW	39		NWSW	34		SWSW	34		SESW	34
				NESE	28		NWSE	39						

Total Acres: 487.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 132.7 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.88 cfs, a total annual maximum diversion volume of 1950.8 af at the field headgate, and the irrigation of 487.7 acres.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. 131 Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. X50 The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
11. F06 The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.

Dates:

Licensed Date:

814261

Decreed Date: 03/08/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Part 2a

Other Information:
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 120
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit: 493
Combined Volume Limit: 1972
Combined Rate Limit: 9.96
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Close

Part 2a

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/30/2016

WATER RIGHT NO. 35-7355B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA YANCEY
Current Owner	TERRELL N YANCEY 1226 S 2700 W ABERDEEN, ID 83210 (208)397-5374
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 11/26/1973
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.68 CFS	172 AFA
Total Diversion			0.68 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 04	Township 05S	Range 31E	BINGHAM County
GROUND WATER	NWNESE	Sec. 04	Township 05S	Range 31E	BINGHAM County

IRRIGATION Use:
Acre Limit: 43

81426

Place(s) of use:

Part 2a

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	31E	33		NENE	14		NWNE	33		SWNE	40		SENE	37
				NENW	39		NWNW	38		SWNW	39		SENW	39.7
				NESW	39		NWSW	34		SWSW	34		SESW	34
				NESE	28		NWSE	39						

Total Acres: 487.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 43 acres within the place of use described above in a single irrigation season.
Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total
2. X35 diversion rate of 9.88 cfs, a total annual maximum diversion volume of 1950.8 af at the field headgate, and the irrigation of 487.7 acres.
Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions
3. T19 necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
Use of water under this right will be regulated by a watermaster with responsibility for the distribution
6. R05 of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of
8. I31 diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. X50 The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
11. Rights 35-2333, 35-7355B and 35-13753 when combined shall not exceed a total diversion rate of 5.15 cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.
12. F06 The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.

Dates:

Licensed Date:

Decreed Date: 03/08/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 493

Combined Volume Limit: 1972

Combined Rate Limit: 9.96

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Part 2a

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/30/2016

WATER RIGHT NO. 35-13553

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA YANCEY
Current Owner	TERRELL YANCEY 1226 S 2700 W ABERDEEN, ID 83210 (208)397-5374
Lienholder	ROBERT F UNDERWOOD ESTATE C/O JEFF UNDERWOOD PR 360 KURTWOOD PL POCATELLO, ID 83201
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 05/15/1948

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.64 CFS	400 AFA
STOCKWATER	04/01	10/31	0.01 CFS	
Total Diversion			2.64 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSWNE|Sec. 04|Township 05S|Range 31E|BINGHAM County

01426

IRRIGATION Use:
Acre Limit: 100

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	31E	33		NENE	14		NWNE	33		SWNE	40		SENE	37
				NENW	39		NWNW	38		SWNW	39		SENW	39.7
				NESW	39		NWSW	34		SWSW	34		SESW	34
				NESE	28		NWSE	39						

Place of Use Legal Description: STOCKWATER BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	31E	4		NENE	14		NWNE	33		SWNE	40		SENE	37
				NENW	39		NWNW	38		SWNW	39		SENW	40
				NESW	40		NWSW	34		SWSW	34		SESW	34
				NESE	31		NWSE	40						

Total Acres: 980.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 100 acres within the place of use described above in a single irrigation season.
2. X35 Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.88 cfs, a total annual maximum diversion volume of 1950.8 af at the field headgate, and the irrigation of 487.7 acres.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. X02 Stockwater use is for 50 head.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is

- within State Water District No. 120.
10. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. **Part 2a**
11. 131 Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. X50 The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
14. F06 The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.

Dates:

Licensed Date:

Decreed Date: 10/30/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND/OR

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre: 4

Combined Acres Limit: 493

Combined Volume Limit: 1972

Combined Rate Limit: 9.96

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Part 2a

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/30/2016

WATER RIGHT NO. 35-13753

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA YANCEY
Current Owner	TERRELL N YANCEY 1226 S 2700 W ABERDEEN, ID 83210 (208)397-5374
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT 10980 W SOUTH JORDAN GATEWAY PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 06/14/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.26 CFS	590.1 AFA
Total Diversion			1.26 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWNE	Sec. 04	Township 05S	Range 31E	BINGHAM County
GROUND WATER	NWNESE	Sec. 04	Township 05S	Range 31E	BINGHAM County

Licensed Diversion Capacity: 5.51

814261

IRRIGATION Use:
Acre Limit: 255

Part 2a

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	31E	33		NENE	14		NWNE	33		SWNE	40		SENE	37
				NENW	39		NWNW	38		SWNW	39		SENW	39.7
				NESW	39		NWSW	34		SWSW	34		SESW	34
				NESE	28		NWSE	39						

Total Acres: 487.7

Conditions of Approval:

1. X27 This right is limited to the irrigation of 255 acres within the place of use described above in a single irrigation season.
Rights 35-2333, 35-7355B and 35-13753 when combined shall not exceed a total diversion rate of 5.15 cfs, a total annual maximum diversion volume of 1020 af at the field headgate, and the irrigation of 255 acres.
2. Rights 35-2333, 35-7355A, 35-7355B, 35-13753 and 35-13553 when combined shall not exceed a total diversion rate of 9.88 cfs, a total annual maximum diversion volume of 1950.8 af at the field headgate, and the irrigation of 487.7 acres.
3. X35
4. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
Prior to the diversion and use of water under Transfer approval 73569, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of
8. 131 diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. X50 The well previously used under Right 35-13553 shall be abandoned in a manner which complies with Department well abandonment rules.
11. F06 The following rights are diverted through point(s) of diversion described above: 35-2333, 35-7355A, 35-7355B, 35-13553, 35-13753, 35-13754.

Dates:

81426

Licensed Date: 07/22/1994

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Part 2a

Other Information:

State or Federal:

Owner Name Connector: AND/OR

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Combined Acres Limit: 493

Combined Volume Limit: 1972

Combined Rate Limit: 9.96

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

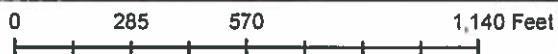
Cary Act Number:

Mitigation Plan: False

Close

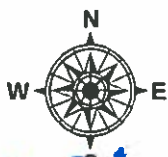


2015 Aerial Photography



Legend

- Existing POD
- Proposed POU
- Section
- QQ



014201

Proposed POU and POD

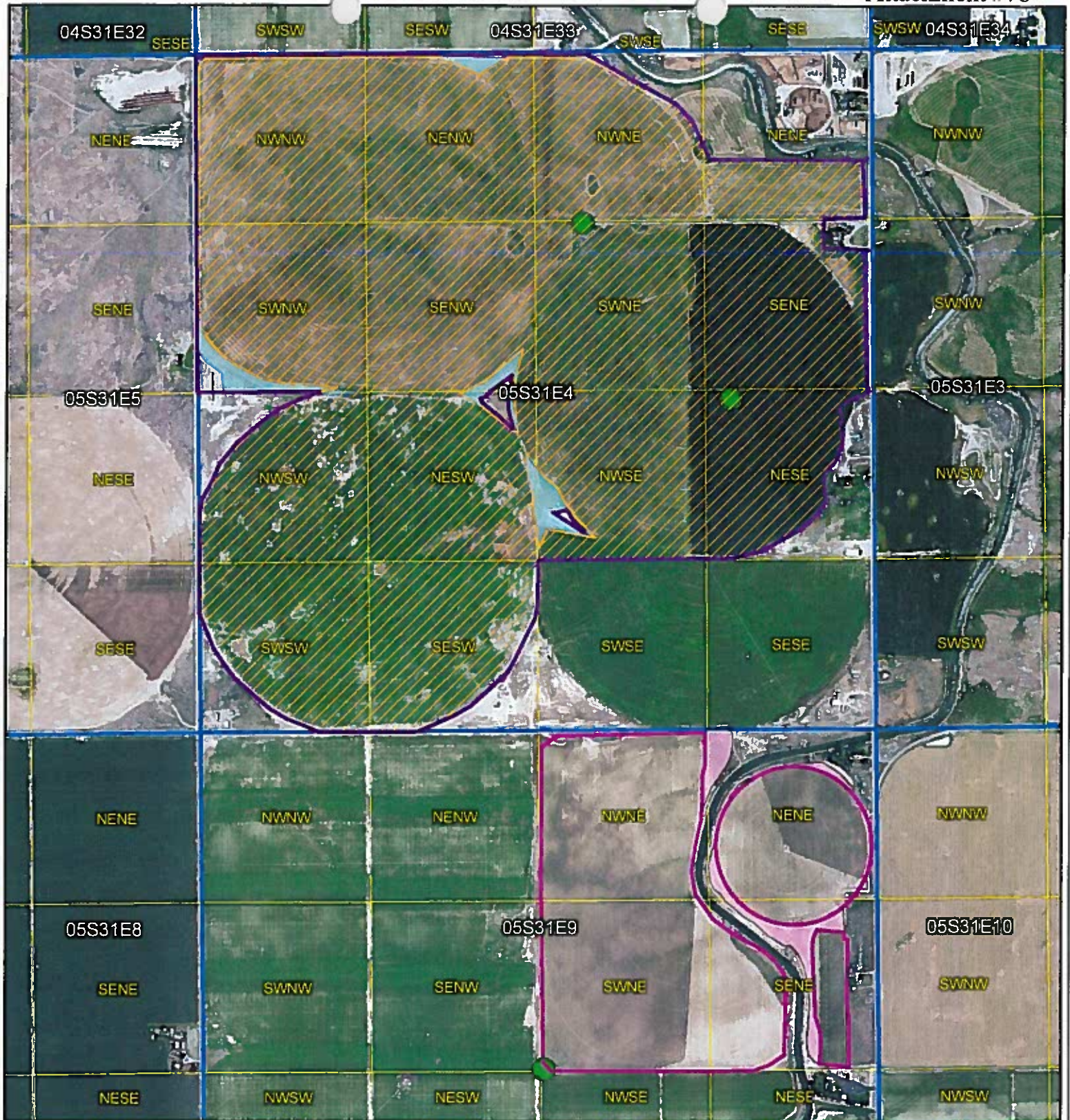
Terrell Yancey

RMEA Project #15-0046

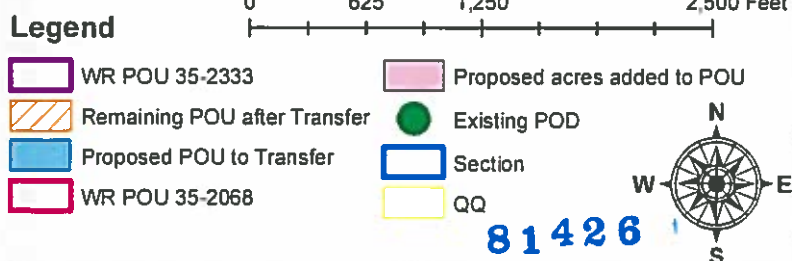
by: SB

Date: 1/9/2017





2015 Aerial Photography



Proposed POU and POD

Terrell Yancey

RMEA Project #15-0046

by: SB

Date: 1/9/2017





Aberdeen-Springfield Canal Company

144 South Main

PO BOX 857

Aberdeen, ID 83210

www.ascanal.org

Tel (208) 397-4192 Fax (208) 397-4510

January 12, 2017

Re: Sale of property to Terrell Yancey

To Whom It May Concern:

At their March 11, 2014 regular meeting the Board of Directors of Aberdeen-Springfield Canal Company resolved to sell a parcel of land owned by the Company to Terrell Yancey, along with 5 shares of Aberdeen-Springfield Canal Company Stock already appurtenant to the land. Final documents and deeds are in the process of being prepared at this time.

Attached please find a map indicating the approximate location of the property, which is located in the Northeast Quarter of the Northeast Quarter of Section 9, Township 05 South, Range 31 E.B.M (05S31E9NENE) in Bingham County, Idaho and a copy of the Board's resolution to sell this property.

A handwritten signature in blue ink, appearing to read "Steven T. Howser".

Steven T. Howser,
General Manager

COPY

**Aberdeen-Springfield Canal Company
Minutes of the Regular Board Meeting
March 11, 2014**

The Regular Board Meeting of the Aberdeen-Springfield Canal Company was called to order on March 11, 2014 at 10:00 a.m. Present at the meeting were: Mel Chappell, Thayne Driscoll, Ray Duffin, John Houghland, Robert Knudsen, Jr., Clarence Schroeder, Charles Shackelford, Ron Thompson and Val Wahlen. Also present: Company Attorney, Randy Budge, Racine, Olson, Nye, Budge, Bailey.

MOTION by Ray Duffin, second by Ron Thompson to accept the Amended Minutes of the Regular Board Meeting January 28, 2014.
Motion Passed.

MOTION by Ron Thompson, second by Robert Knudsen, Jr. to accept the March 2014 Financial Report and approve payment of the Company's bills.
Motion Passed.

MOTION by Ray Duffin, second by Robert Knudsen, Jr. to accept the offer from Terrell Yancey of \$[REDACTED] per acre for the purchase of the previously rented 19-fill property only. The legal description for the new certificate will be provided from the Bingham Courthouse records.
Motion Passed.

MOTION by Melvin Chappell, second by Charles Shackelford to accept the March 2014 Manager's Report.
Motion Passed.

[REDACTED]
Motion Passed.

[REDACTED]
Motion Passed.

