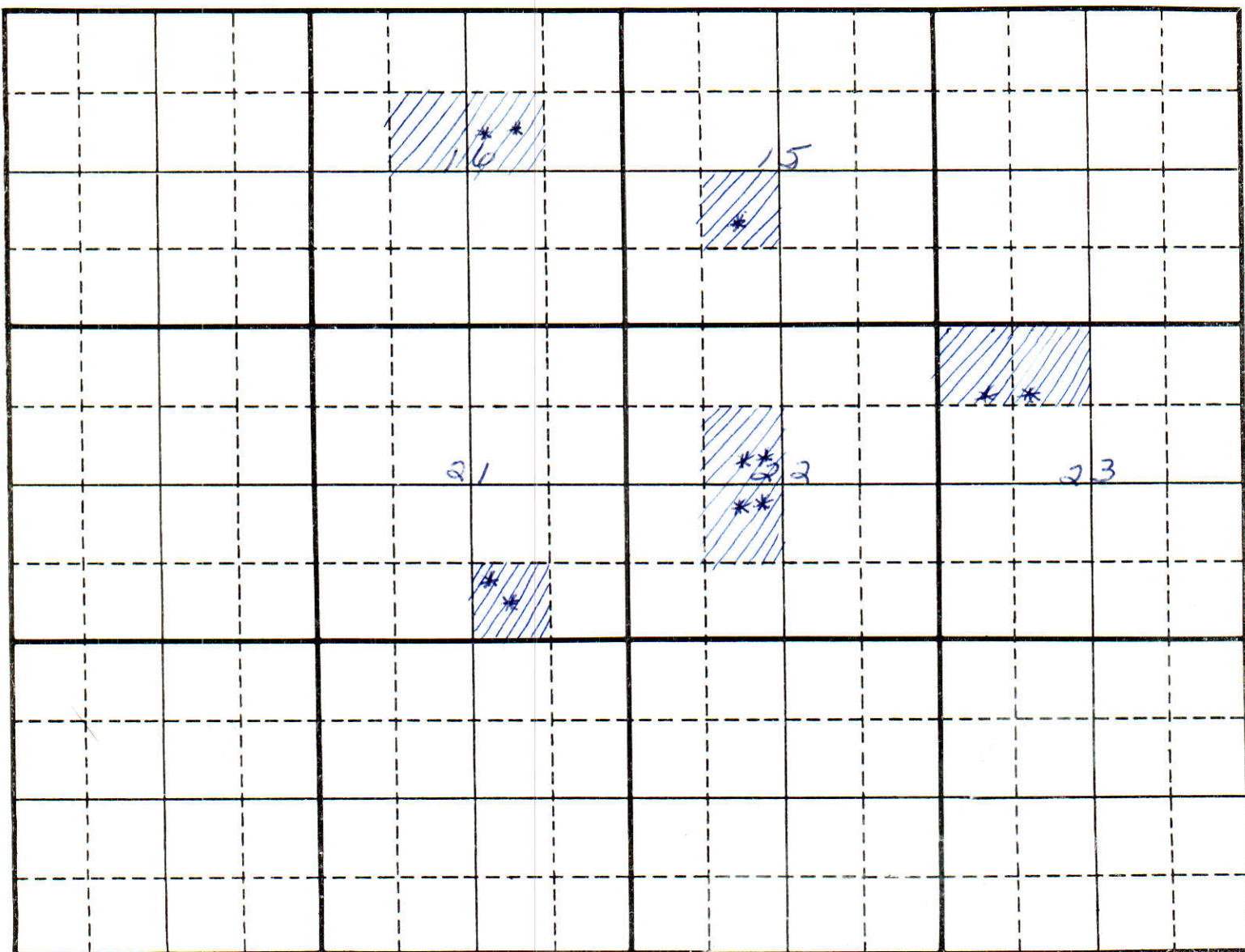


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 14 day of January, 1982.

Ralph L. Yates
(Claimant)
Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires life

2/23/82 Delbert & Pauline Williams

2/22/82 - Bill Owens
- Howard Bossart
- Lyle & Sharon Rivers
Date 2/17/82

FOR DEPARTMENT USE ONLY

Received by jc Date 1/14/82 Exception filed by: Ray & Ruth McCracken Forwarded to Jack D. & Arlene Hubbard
Prelim. check by jc Date 1/19/82 #21875 & Steve Fuzi
#30 \$20.00 fee received by jc Date 1/19/82
Published in Idaho County News
Dates 2/11 & 2/18, 1982
Leon W. Hasbrouck, Power of Attorney for
Eugene & Peggy Hirt

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given
that the following claim(s) to
water right(s) have been
established by diversion and
application to beneficial use:

78-4169 ✓ 139 /

YATES, RALPH &/or ALTA
C.

P.O. BOX 217, POLLOCK, ID
83547

Source: SPRINGS tributary
to SINKS; SPRINGS
tributary to HAT CREEK

Priority Date: 01/01/1900

Amount: 0.09 CFS

Diversion Point: SWNE
SWNE Sec 16 T 23N R 01E
NESW Sec 15 T 23N R 01E
SENEW SENW NESW NESW
Sec 22 T 23N R 01E NEN-
W NWNW Sec 23 T 23N R 01E
SWSE SWSE Sec 21 T 23N R
01E, IDAHO Co.

Use: STOCKWATER (0.09
CFS) from 01/01 to 12/31

Place of Use: NESW Sec 15 T
23N R 01E SWNE SENW Sec
16 T 23N R 01E SENW NESW
Sec 22 T 23N R 01E NENW
NWNW Sec 23 T 23N R 01E
SWSE Sec 21 T 23N R 01E

Diversion Means:
PIPELINE, TROUGH &
CATCH BASINS.

Any exception to any
claim of water right may be
filed with the Director of
Idaho Department of Water
Resources, 92 S. Cole Road,
Boise, Idaho 83709.

A. KENNETH DUNN
Director

Published 2/10 & 2/17/82.

F10-17

AFFIDAVIT OF PUBLICATION

Nona C. Donaldson being first duly
sworn, says he is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 10 day of February, 19 82,
and the last publication on the 17 day of
February, 1982; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Nona C. Donaldson

Subscribed and sworn to before me this 18 day
of February, 19 82

[Signature], Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED

FEB 22 1982

Department of Water Resources
Western Regional Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that RALPH & OR ALTA C. YATES
(Name of Claimant)
Box 217, Pollock, ID 83547 Telephone No. 628-3872
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) 1900

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
SPRINGS tributary to SINKS & HAT CREEK

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>2.09</u>	Use	<u>STOCKWATER</u>	Period of Use From	<u>JAN. 1</u> To <u>DEC. 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(2 PTS) SW 1/4 NE 1/4, Sec. 16 Twp. 23N Rge. 1E B.M., County of IDAHO
Additional points of diversion: NE 1/4 SEC. 15, SENE (2 PTS), (NE 1/4) SEC. 22, (2 PTS)
NE 1/4, NWNW, SEC. 23, TWP. 23N, RGE. 1E, D.M. & SENE, SEC. 31, 23N, 1E.
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. PIPELINE & TROUGH W/ CATCH BASINS.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>23N</u>	<u>1E</u>	<u>15</u>									X								
		<u>16</u>			X					X									
		<u>22</u>								X	X								
		<u>23</u>					X	X											
		<u>31</u>															X		

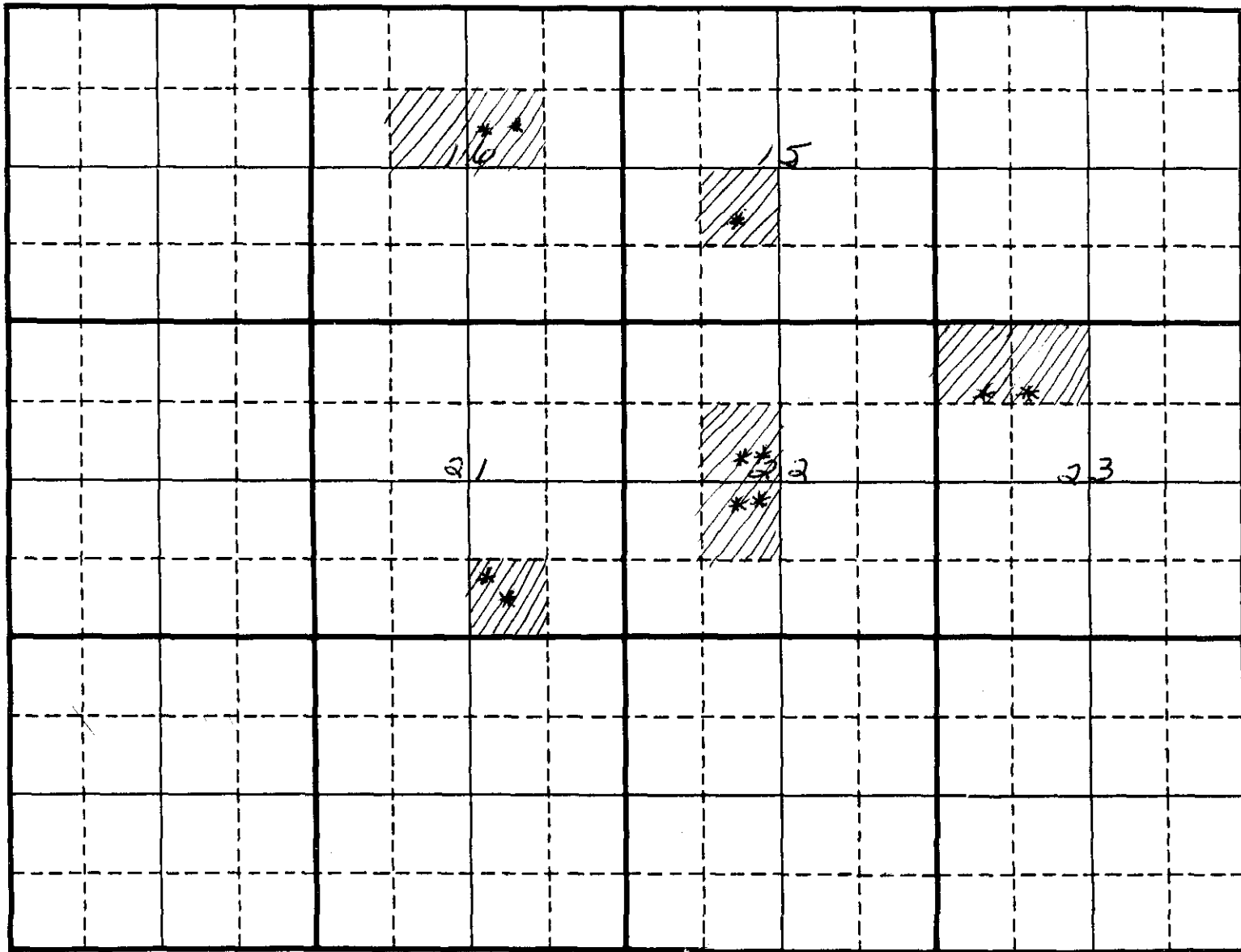
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 500 HP.

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 14 day of January, 1982.
Ralph L. Yates
(Claimant)

Nancy M. Mathway
Notary Public
Residing at Boise

My commission expires life

2/23/82 Delbert & Pauline Williams
2/22/82 - Bill Owens
" - Howard Bossart
" - Lyle & Sharon Rivers
Date 2/17/82

FOR DEPARTMENT USE ONLY

Received by jc Date 4/14/82 Exception filed by: Ray & Ruth McCracken Forwarded to Jack D. & Arlene Hubbard
Prelim. check by jc Date 1/19/82 #21875 & Steve Fuzi
#30 \$200.00 fee received by jc Date 1/14/82 #21875 & Steve Fuzi
Published in Idaho County News Leon W. Hasbrouck, Power of Attorney for
Dates 3/11 & 2/18, 1982 Eugene & Peggy Hirt

Feb 22, 1982

Dear Mr. Shaw,

In reference to your letter dated 2-17-82 concerning claim to water right by Ralph Yates 78-4169.

You state that the "Department will not schedule a hearing" on the claim. I don't understand what kind of affidavit you want us to file. Do you have a copy we might use? Proof is no problem and you have it in your records if you care to look back. There was a court decision in 1929 (HAT CREEK)

I know that you didn't write the Idaho Code but thought I would tell you its so hard to understand that it needs a translation.

Sincerely,
Lyle Rivers

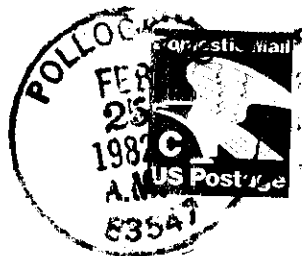
P.S. Help - IT DOES all means that the water from the springs Yates filed on, feed Hat Creek so its still Hat Creek water.

RECEIVED

FEB 26 1982

Department of Water Resources
Western Regional Office

RIVERS, Lyle
Box 207
Pollock, Idaho
83547



Department of Water Resources
92 South Cole Road
Buhl, Idaho
83709

ATTN Dave Shaw

Department of Water Resources
Western Regional Office

Delbert & Pauline Williams
P. O. Box 251
Pollock, Idaho 83547

February 16, 1982

Kenneth Dunn
Director Idaho Dept. Water Resources
92 S. Cole Road
Boise, Idaho 83709

Re: Ralph & Alta Yates Water Claim # 78-4169

Dear Mr. Dunn:

This letter is to protest the claim to water rights # 78-4169 by Ralph and Alta Yates P. O. Box 217 Pollock, Idaho. 83547.

- 1.. Water from diversion points has not been used in the past 5 years as prescribed by Law.
- 2./ Water from diversion points SENW-SENV-NESW-NESV- section 22T23N
RCIE-NENV-NWNW- Section 23T23N RCIE
SWSE-SWSE Section 21T23NRCIE, Idaho County would decrease the amount of water from Hat Creek which has already been decreed by Law to its full content.
3. Applicant has applied for far more water than is necessary for stock water.

Sincerely,

Delbert W. Williams
Pauline Williams

RECEIVED
FEB 23 1982

Department of Water Resources
Western Regional Office

Mr. & Mrs. Del Williams
P. O. Box 251
Pollock, Idaho 83547

Mr. Kenneth Dunn
Director of Idaho Department of Water Resources
92 S.. Cole Road
Boise, Idaho 83709



RECEIVED

FEB 23 1982

Director of Water Resources,
Kenneth Dunn.

Department of Water Resources
Western Regional Office

Feb 18, 1982

We have water diverted from Hatt Creek
in Pocatello, Idaho. There always seems to
be a problem in this area over the water
and we are getting a little tired of the
water resource board letting anyone and
everyone file a new claim to water when
you already know that the entire creek is being
used now. I'm protesting the claims of Ralph
and Alta Yates filed on Hat Creek Jan 14, 1982
78-7198 & #78-7169.

We would also like to find out what decision
was made at water resource on the hearing
of protest against Mr. Smith from California
last fall. That was concerning water on Denny
Creek. The hearing was held in McCall and attended
by the Rivers, Wilens, Smith, Hodges, Stampers and
none of us has heard anything.

Sincerely,
Lyle & Sharon Rivers

RECEIVED

FEB 22 1982

Feb 17, 82

Kenneth Dean
Dear Sir

Department of Water Resources
Western Regional Office

Mr. Ralph Yater has
filed a claim No. 78-4169 on
Hat Creek for stock water.

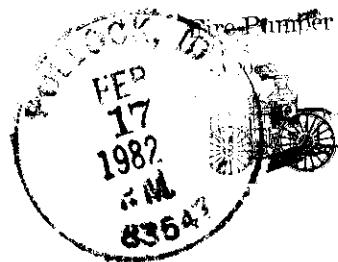
I wish to protest
his actions of diverting this
water.

His stock has easy access
to water on Hat Creek on his
property and on BLM property
so it is unnecessary to divert
this water for such an expense.

We get our water from Hat
Creek, from July to the first of
Oct. we have quite a lot
of trouble stretching the water
to reach 7 of the users. There
is 6 acreage and 1 ranch using
Hat Creek

Respectfully Yours
Bill Owens

W. W. Owens
Box 195
POLLACK, IDAHO
83549



T. Kenneth Duenn
Director of Water resources
92 S Cole Rd.
Basie Idaho
83709

February 18, 1982

Jack D. & Arlene Hubbard
Hwy. 95
Po llock, Idaho 83547

Dear Mr. Dunn:

On our protest of February 10, on application #78-7198 Ralph & Alta Yates, we have discovered that plans on pipeline in our BLM permit area would hinder our cattle from access to the creek for watering. We request minimum stream flow from SESW Sec. 23 T23N R 01E and SESE Sec. 22 T 23N R01E To SESW T23N R01E & SESE Sec. 20 T23 NRO1E.

We are now filing a pro test to application #78-4169 filed by Ralph & Alta Yates for diversions of water for stock water. The cattle have easy access to the creek and springs without having to divert it. The diversion points SWNE Sec. 16 & NESW Sec. 15 should be tributaries to Grouse Creek and he should refile on them.

The following reasons are why we are against his filing.

1. On the remainder points of diversion in hat creek at 0.09 CFS will cut our judicated water down from 135 miners inches to 99 miners inches which we cannot stand.
2. 0.09 CFS is enough water to water 450 cows in two hours and he doesn't run that many.
3. The water that has been judicated in hat creek has not been diverted from these points in this area since 1946 and has lost all priority to water rights.

Sincerely,

Jack D. Hubbard
Arlene Hubbard

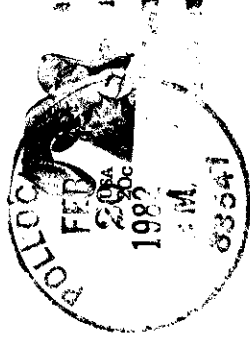
Jack D. & Arlene Hubbard



Department of Water Resources
Western Regional Office

Howard L. Bossart
Box 235
Pollock, Id 83547

Director, Id. Dpt of Water Resources
92 S. Cole Rd.
Boise, Id 83709



Box 235
Pollock, Id 83547
Feb 10, 1982

Re: Water rights claim #78-4164

Dear Director Dunn

I, having water rights from Nat Creek, am voicing opposition to the above claim filed by Ralph and Alta Yates

The reason for my opposition is that the entire flow of Nat Creek has been adjudicated and the approval of the above claim would reduce the flow or quantity of water in Nat Creek. This quantity and use was adjudicated and established at 135 miner inches. During August and early September when irrigation needs are greatest, the flow in Nat Creek is much less than the 135 miner inches.

Hence any claim that would further restrict or reduce the flow of Nat Creek should not be approved.

Sincerely
Howard L Bossart

RECEIVED

FEB 22 1982

Department of Water Resources
Western Regional Office

Jack D. Hubbard
Hwy. 95
Pollock, Idaho

RECEIVED
JAN 18 1982

Attn. Mr. Kenneth Dunn
State of Idaho
Dept. of Water Resources
92 South Cole Road
Boise, Idaho
83709



Pollock, Id. 83547

Box 256

DBS

2/15-82

Director of The Idaho -
- Water Resources
Boise - Idaho -

Mr. Kenneth Dunn.

Dear Sir.

RECEIVED

FEB 17 1982

Department of Water Resources
Western Regional Office

This is in protest to the claim
to water rights by Ralph C. & or
alta Yater, claim no. 78-4169.

Am protesting for Eugene & Peggy
Hirt of Fairbanks Alaska. I have
their Power of Attorney to act in their
interests. It is on record at

Grangeville. Will mail it to you
on request. Also I, and my wife
Sarah have a life time lease on
this place. The N.E. Portion of the
N.E. 1/4 of Sec. 29 - Township 23 -
Range 1-E. Approx - 66 A. With
long standing water rights to
Hot Creek.

During the dry season, when it
is needed the most, there is very,

Very little water left in Hat Creek
after the various permit holders
have taken out their needs.

Any thing Mr. Yater ^{does} on Sec.
15 + 16 does not concern the
water rights holders on Hat Creek.
At least is no concern of mine.

Have inquired of previous owners
of the land that Mr. Yater now owns.
And at least since 1945 there has
been no water from Hat Creek used
to irrigate any of that land, or
from any of its tributaries.

Mr. Yater is well aware of that.
Mr. Yater bought that land and
moved in about 180 head of cows
last spring. Althou we had a
lot of moisture thru the spring,
and summer he soon found out that
^{that} steep hillside range would not support
that many cows, so during the
summer he had to cut back to
something over 100 head, approx what

he has now.

So now he wants to dam up some of the springs & other tributaries to Hat Creek, and pipe it here and there. Why? He says for his live stock. Water, once he gets those dams in & the water piped here and there he will change his stock water rights to irrigation rights. So he can water some of those foot hills.

Those water tanks and dams wont be more than 2 or 3 hundred yards (at the most) from Hat Creek, and it is wide open for his cows the full length. All up thru his range, and the B. L. M. lands the water is easily available for the stock.

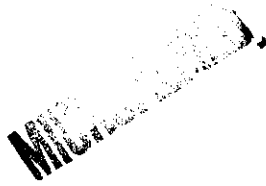
I have always worked on the theory of live & let live, but there is just not enough water in Hat Creek for any more permits.

Yours truly - Leon W. Hasbrouck

Leon W. Harbrough

Box 255

Pollock-Id. 83547



Director of Idaho Dept-
- of water Resources
92 South Cole Road

Boise
Id.

83709



Pollock Ida ⁸³⁵

Feb 12, 82.

Water Resources

In Regards to 78-4169

Yates Ralph & Alta C.

P.O. Box 217 Pollock Ida.

If these springs are
feeding Hot Creek waters.
Then they should not be
piped elsewhere. As
all of this water is
needed in the summer
months. Should be left
as is.

We do then Protest
this claim 78-4169

Ray & Ruth McCracken

Box 203

Pollock Ida 83547.

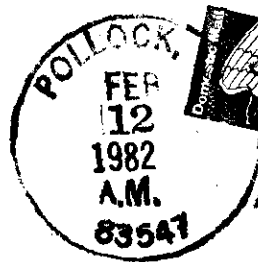
Steve Fries

Box 224

POLLOCK IDAHO 83547

MICROFILMED

411 Cracker
Box 203
Pollock Ida
83547



MICROFILMED

Idaho Department of Water
Resources

925 Cole Road
Boise Idaho

83709

AFFIDAVIT OF PUBLICATION

.....Nona C. Donaldson..... being first duly sworn, says he is the Office Manager..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two..... weeks, being published two..... times, the first publication being on the 10..... day of February....., 1982., and the last publication on the 17..... day of February....., 1982.; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Nona C. Donaldson

Subscribed and sworn to before me this 18..... day of February....., 1982

[Signature], Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED

FEB 22 1982

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

Jan Grover
7B- 41109

Applicant

YATES

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 2/22/82
- ☒ Claim published correctly. Carthage County, Iowa River
- ☒ Exceptions processed. 4/18/82 \$30.00/21875

By jp

DBS

Date

1/16/82

3/9/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

kw

Date

3/11/82

RECEIVED

MAR 11 1982

Department of Water Resources

STREAM CODE

(1) 272.0-092.0-104.0-008.3

(2) 272.0-092.0-104.0-008.3

P.D. - SWNE - 16 - 23N - 01E
12 PTS

REACH
000.3

000.4

MICROFILMED

MORE STREAM
CODES
- OVER -

STREAM CORREREACH
001.2

272.0-092.0-104.0-008.3

P.D.NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 15 - 23N - 01EP.D.SE $\frac{1}{4}$ NW $\frac{1}{4}$ (2 PTS) - 22 - 23N - 01ECODEREACH

(1) 272.0-092.0-104.0-001.0-000.5

000.8

(2) 272.0-092.0-104.0-001.0-000.6

000.5

P.D.NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 PTS) - 22 - 23N - 01ECODEREACH

(1) 272.0-092.0-104.0-001.0-000.5-000.6

(2) 272.0-092.0-104.0-001.0-000.6 - 000.3

P.D. NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 23 - 23N - 01EREACH
001.4CODE

272.0-092.0-104.0-001.0-000.6

P.D. NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 23 - 23N - 01EREACHCODE

272.0-092.0-104.0-001.0-000.6 001.6

P.D. SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 21 - 23N - 01E (2 PTS)CODEREACH

(1) 272.0-092.0-104.0-001.0

000.8

(2) 272.0-092.0-104.0-001.0

000.9

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

March 9, 1982

Lyle Rivers
Box 207
Pollock, Idaho 83547

Re: Claim to Water Right No. 78-4169 in the name of Ralph and/or
Alta C. Yates

Dear Mr. Rivers:

I have received your letter of February 22, 1982, and am enclosing copies of several sections of the Idaho Code which I hope will help answer some of your questions.

There are two types of water right filings which commonly occur and are advertised in local newspapers around the state. One type of filing is an application to develop a new water right which is required by Section 42-201, Idaho Code. Sections 42-202 and 42-203, Idaho Code, go on to explain how the application is made, how it is advertised and the protest procedure that can be used if any person is concerned about the application. Two things are important to notice about the description of the application. The first is an application is to establish a new water right that is not presently being used. The second is that the Department has no choice but to accept an application should the applicant insist on filing that application. We can and do advise prospective applicants if we are aware of problems or water shortages that exist on a particular water source, however, if that applicant still desires to file the application, the Department must accept that application.

Once an application has been accepted, it is advertised and may be protested by any person concerned by that application. Whether or not an application is protested, the Director will consider the five criteria spelled out in Section 42-203, Idaho Code, to determine whether or not the application should be approved, partially approved, or denied. If an application is protested those five criteria are the only items the Department can consider in evaluating the application and the protest.

cont.

RECEIVED

page 2
Lyle Rivers

The second type of water right filing frequently seen in the paper is the claim to an existing water right. The procedure for recording a claim to a water right is spelled out in Sections 42-243 and 42-244, Idaho Code. A claim can be filed only for an existing use of water that for surface water was first used prior to May 20, 1971 and for groundwater was used prior to March 25, 1963. As with the application, any person wishing to file claim with the Department may do so and the Department has no choice but to accept and record the claim.

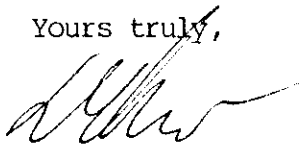
A claim that has been filed with the Department is advertised, but does not receive any action to approve or deny by the Department since the claim is intended only to record existing water uses.

After the claim has been advertised anyone who disagrees that the water right claimed has been established and is currently being used, may file an exception to the claim. The statute calls for the exception to be filed in affidavit form, which simply means the facts as you know them as to the existence or non-existence of the water right claimed, should be stated along with a statement of the type "the undersigned being duly sworn, deposes and says that the foregoing information is true and correct to the best of the affiant's knowledge". The affidavit should be signed by you before a notary public.

We are aware of the Hat Creek Decree and the filing of an application for permit or a claim to an existing water right by anyone does not take away any of the water rights granted by that Decree.

I hope I have answered some of your questions with regard to the Idaho Statutes and the meaning of filing a water right application or a water right claim. If you have any additional questions, please feel free to contact me or we will probably be scheduling a hearing for Mr. Yates's application for power production in the future and we may have a opportunity to answer questions immediately prior to that hearing.

Yours truly,



DAVID B. SHAW
Western Region Supervisor

DBS:jp

Enc:

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 24, 1982

Ralph &/or Alta C. Yates
Box 217
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169 and exception filed by
Delbert & Pauline Williams

Dear Mr. & Mrs. Yates:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 24, 1982

Delbert & Pauline Williams
P. O. Box 251
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
In the Name of Ralph & Alta C. Yates

Dear Mr. & Mrs. Williams:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 23, 1982

Ralph &/or Alta C. Yates
Box 217
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169 and exception filed by
Lyle & Sharon Rivers, Bill Owens and Howard L. Bossart

Dear Mr. & Mrs. Yates:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

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State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 23, 1982

Lyle & Sharon Rivers
Box 207
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
In the Name of Ralph & Alta C. Yates

Dear Mr. & Mrs. Rivers:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

NOTE: A decision on the Smith Application on Denny Creek has not yet been reached. You will receive a copy of the decision when it is issued.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 23, 1982

Bill Owens
Box 195
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
In the Name of Ralph & Alta C. Yates

Dear Mr. Owens:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

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State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 23, 1982

Howard L. Bossart
Box 235
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
In the Name of Ralph & Alta C. Yates

Dear Mr. Bossart:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

RECEIVED
FEB 25 1982
BOISE, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 19, 1982

Ralph &/or Alta C. Yates
Box 217
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
and exception filed by Jack D. & Arlene Hubbard

Dear Mr. & Mrs. Yates:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 19, 1982

Jack D. & Arlene Hubbard
Highway 95
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
In the Name of Ralph & Alta C. Yates

Dear Mr. & Mrs. Hubbard:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

RECEIVED
FEB 22 1982
WESTERN REGION



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 17, 1982

Ralph &/or Alta C. Yates
Box 217
Pollock, Id. 83547

Re: Claim to a Water Right NO. 78-4169
and exception filed by Leon W. Hasbrouck,
Power of Attorney for Eugene & Peggy Hirt

Dear Mr. & Mrs. Yates:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Region Supervisor

DBS:jp

Enc:

RECEIVED
FEB 22 1982
BOISE, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 17, 1982

Leon W. Hasbrouck,
Power of Attorney for
Eugene & Peggy Hirt
Box 255
Pollock, Id. 83547

Re: Claim to a Water Right No. 78-4169
in the name of Ralph & Alta C. Yates

Dear Mr. Hasbrouck:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Region Supervisor

DBS:jp



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 17, 1982

Ralph &/or Alta C. Yates
Box 217
Pollock, Id. 83547

Re: Claim to a Water Right No. 78-4169
and exception filed by Ray & Ruth McCracken
& Steve Fuzi

Dear Mr. and Mrs Yates:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claim since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enc:

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 17, 1982

Steve Fuzi
Box 224
Pollock, Idaho 83547

Re: Claim to a Water Right No. 78-4169
in the name of Ralph C. &/or Alta C. Yates

Dear Mr. Fuzi:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

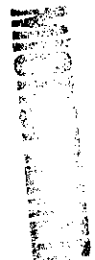
"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Region Supervisor

DBS:jp





State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 17, 1982

Ray & Ruth McCracken
Box 203
Pollock, Id. 83547

Re: Claim to a Water Right No. 78-4169
in the name of Ralph C. &/or Alta C. Yates

Dear Mr. and Mrs. McCracken:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Region Supervisor

DBS:jp

RECEIVED
FEB 22 1982
BOISE, IDAHO

IDENT. NO. 72-41109

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

FEBRUARY 4, 1982

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 1, 1982.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published 2/11 & 2/18/82.

RECEIVED
FEB 22 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MARCH 3, 1982

RALPH YATES
ALTA C. YATES
P.O. BOX 217
POLLOCK

ID 83547

RE: Claim No. 78-4169

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

28-4169-

YATES, RALPH &/or ALTA C.

P.O. BOX 217, POLLOCK, ID 83547

Source: SPRINGS tributary to SINKS
SPRINGS tributary to HAT CREEK

Priority Date: 01/01/1900

Amount: 0.09 CFS

Diversion Point: SWNE SWNE Sec 16 T 23N R 01E NESW Sec 15 T 23N R 01E SENW
SENE NESW NESW Sec 22 T 23N R 01E NENW NWNW
Sec 23 T 23N R 01E SWSE SWSE Sec 21 T 23N R 01E,
IDAHO Co.

Use: STOCKWATER (0.09 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 15 T 23N R 01E SWNE SENW Sec 16 T 23N R 01E SENW NESW
Sec 22 T 23N R 01E NENW NWNW Sec 23 T 23N R 01E SWSE
Sec 21 T 23N R 01E

Diversion Means: PIPELINE, TROUGH & CATCH BASINS

RECEIVED
FEB 1 1900