

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: A29-10608
Date Received: 5/ 9/1994
Receipt No: E012396
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE T CRIST 208-233-8865
Address: 2382 APPLE LANE
POCATELLO ID 83402
OR
Name: NORENE CRIST 208-233-8865
Address: 2382 APPLE LANE
POCATELLO ID 83402

2. Date of Priority: DEC 31, 1907

3. Source: MINK CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	20		SE	SW		BANNOCK

5. Description of diverting works:
2" SUCTION LINE, 1 1/2 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	20	SE	SW		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 16 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) GEORGE T OR NORENE CRIST Phone (208) 233-8865Mailing Address 2382 APPLE LANE Zip 832042. Date of Priority (Only one (1) per claim) HART NURSERY 19073. Source of water supply (a) MINK CREEK
which is tributary to (b) FORTNEUF RIVER4. a. Location of existing point of diversion is: Township T7S Range R35E Section 20,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BANNOCKAdditional points of diversion if any: NONE

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 2" suction line1 1/2 H.P. Pump.

A2910608



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount .10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 6 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>7S</u>	<u>35E</u>	<u>20</u>																	<u>2</u>

Total number of acres irrigated TWO

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ()

14. Remarks:

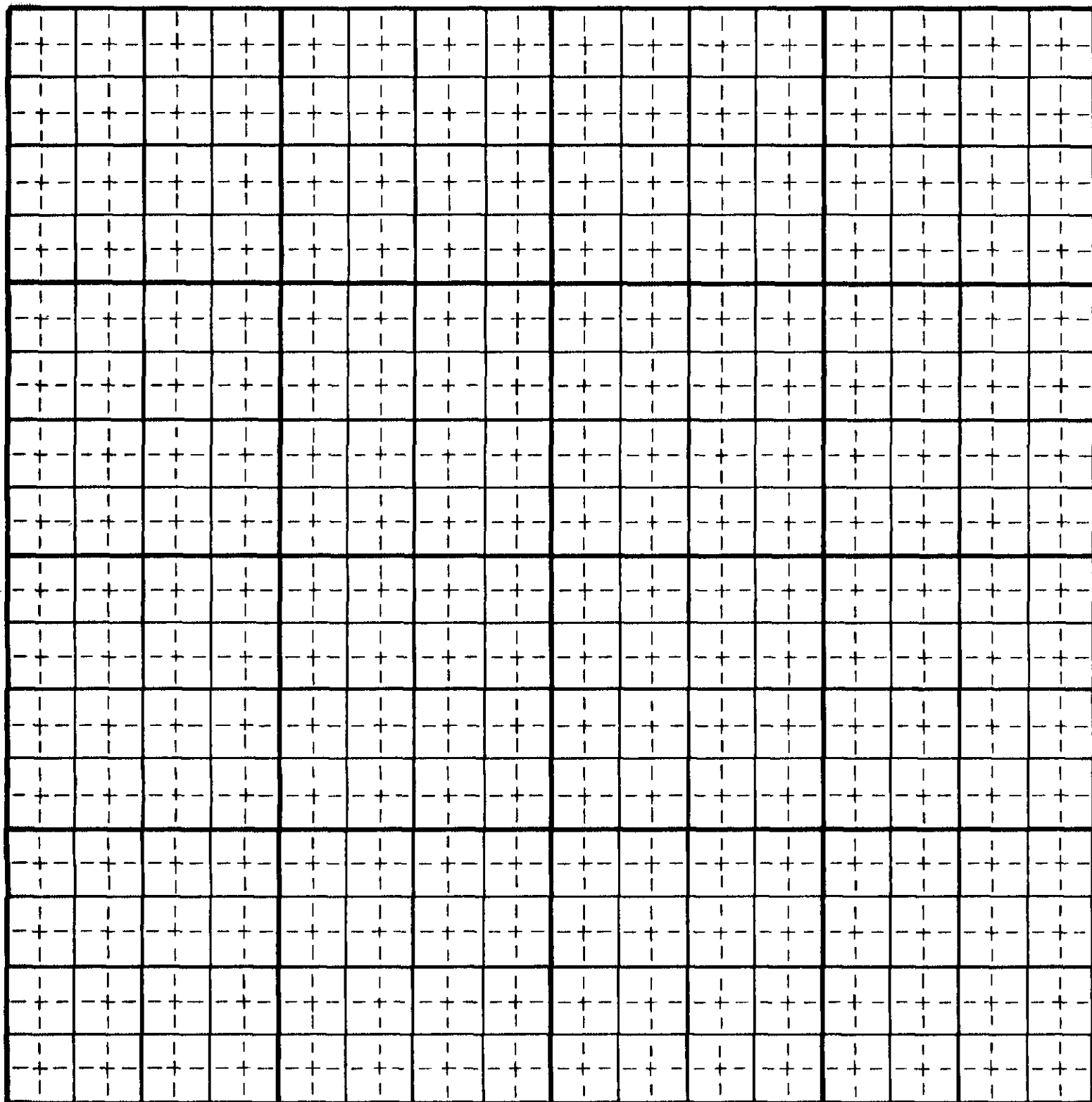
Last Name CRIST Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: ~~1 inch = 1 mile~~

SEE ENCLOSED PLAT NOT TO SCALE



Last Name

Crist

Ident No.

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) George J. Crist Date 3/11/90

Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 11 day of March 19 90

SEAL

Notary Public J. Duff Smellie

Residing at 235 So. 16th Pocatello Id.

My Commission Expires 8-20-94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Crist Ident. Number _____

Copies White-State, Yellow-Claimant

CURVE	A	L	R	T
A	16°28'	109.78'	381.77'	53.21'
B	33°31'	111.78'	191.10'	57.51'
C	31°49'	116.04'	191.10'	59.88'

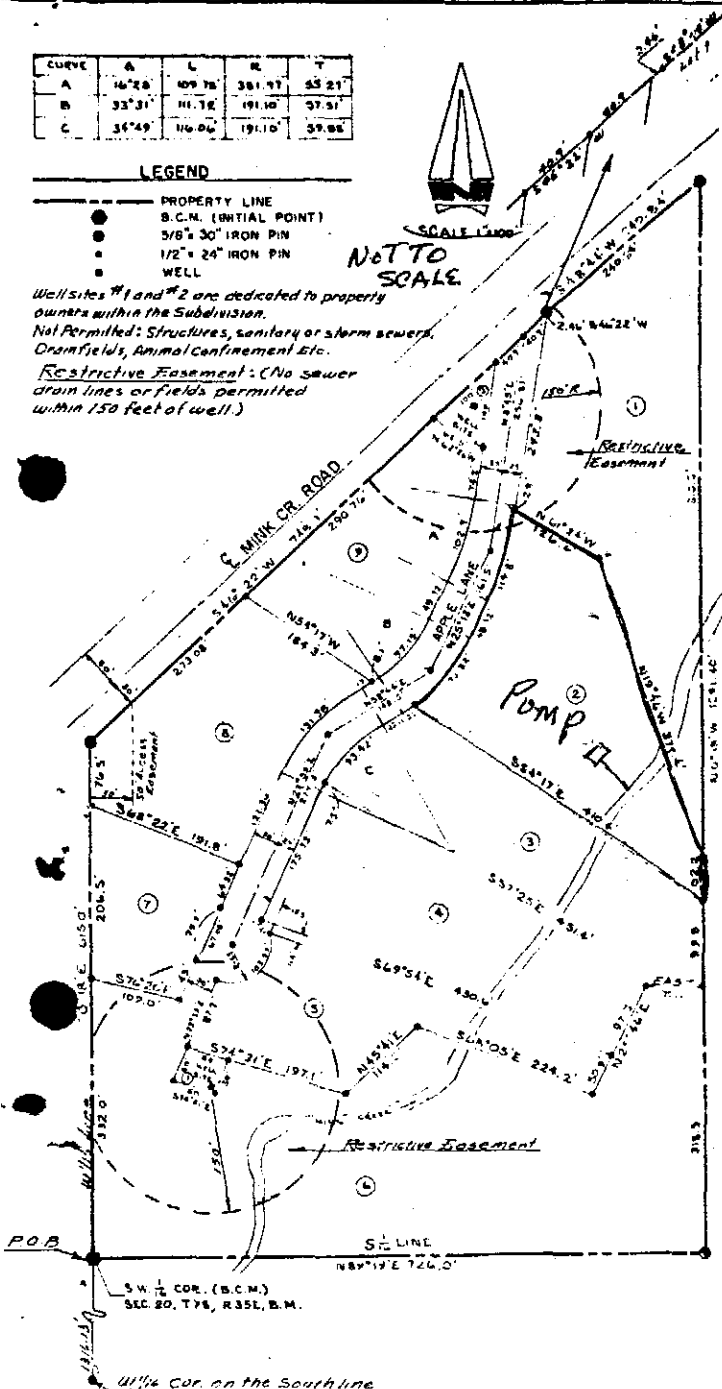
LEGEND

PROPERTY LINE
B.C.M. (INITIAL POINT)
5/8" 30" IRON PIN
1/2" 24" IRON PIN
WELL

Well Sites #1 and #2 are dedicated to property owners within the Subdivision.
Not Permitted: Structures, sanitary or storm sewers, Drainfields, Animal Confinement Etc.

Restrictive Easement: (No sewer drain lines or fields permitted within 150 feet of well.)

NOT TO SCALE



OWNERS DEDICATION

Know all men by these presents that we, the undersigned owners of the following described tract of land having and the same to be divided into Lots and Blocks and Streets, to be known hereafter as "Apple Acres" and do hereby warrant and save the County from any easements or encumbrances, if roads in the Subdivision are private and Bannock County is not expected to participate in their construction nor maintenance, including the removal of snow therefrom.

In witness where of we have here unto set our hands this 16 Day of March 1974.

S/J.M. Joseph Myler S/J.G. Green S/E. Edward L. Gordon S/J.B. Busby
S/J.A.M. Myler S/J.N.E. Norma Green S/J.K.G. Kayce Gordon S/J.G.M. Busby

The recognition by the Owners that the road within the Subdivision is a private road subject to the conditions set forth in the Owner's Dedication, is acknowledged and accepted by their having placed their initials adjacent to their original signatures.

State of Idaho, County of Bannock:

On the 16 Day of March 1974, Personally appeared before me the undersigned Notary Public in and for the State of Idaho, the signers of the above Owners Dedication & in number who duly acknowledged to me that they signed it freely and voluntarily and for the purpose therein mentioned.

Feb 9, 1976

S/John C. Sechenour

My Commission Expires

Notary Public

BOUNDARY DESCRIPTION

Beginning at the SW 1/4 corner of section 20, T7S, R35E, B.M. Thence N89°19'E, 724.0 feet along the S 1/4 line of said Section 20; Thence N0°18'W, 1281.40 feet more or less to the southerly right of way line of the Minn Creek Road; Thence S46°14'W, 240.84 feet; Thence S46°22'W, 748.1 feet more or less to the W 1/4 line of said section 20. Thence S0°18'E, along said W 1/4 line 415.0 feet more or less to the point of beginning.

HEALTH DEPT.

Sanitary restrictions are in force under Title 50, Chapter 13, Idaho Code.

COUNTY RECORDS

Instrument Number S20222 Time 12:13 PM Date 3-21-74
Book 9 Page 3 Fee \$5.00 Requested by Jay Busby
Records of Bannock County, Idaho

Tim Erikson

County Recorder

COUNTY ENGINEER

This Plat approved for Bannock County this 15th Day of March 1974

Les Ballif

COUNTY CLERK

I certify that this is a true copy of the original Plat of "Apple Acres" Subdivision

Tim Erikson

County Clerk

ENGINEER'S CERTIFICATE

I, Les H. Ballif a Registered Professional Engineer of the State of Idaho do hereby certify that a survey was made of the premises described in the Owner's Dedication. I further certify that the Plat upon which this certificate appears was made under my direction and that said Plat shows the wherz of the land described. The same now known as "Apple Acres", A subdivision in Bannock County, Idaho, and that said Plat correctly represents the Lots and Blocks as marked on the ground.

S/Les H. Ballif P.E.

COUNTY APPROVAL

I, Boyd Henderson, Chairman of the Board of County Commissioners hereby certify that the Plat of "Apple Acres" subdivision was accepted and approved by resolution of the Board this Day of 1974, subject to the following provision "all roads in the subdivision are private and that the County is not to be expected to participate in their construction or maintenance."

S/Boyd Henderson
Chairman

S/Tim Erikson
(Atties.) County Clerk

APPLE ACRES

A SUBDIVISION IN SECTION 20, T7S, R35E, B.M.

BANNOCK COUNTY

IDAHO

GATE: 3-12-74

L.H. BALLIF ASSOCIATES
CONSULTING ENGINEERS
POCATELLO IDAHO

JOB No. 72147

While this is a scale reproduction of the recorded plat, this company assumes no liability for variations, if any, with a re-survey.

AMERICAN LAND TITLE CO.

Lot 2

Print

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 22, 2001, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-10608

Log for claim A29-10608

Spatial Dynamics BTD

9/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	20	NESW	2	1.6	Wrong tract in database?
Totals:			2	1.6	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 20, 2001

29-10608
GEORGE T CRIST
NORENE CRIST
2382 APPLE LN
POCATELLO ID 83204

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

AJ5809NP
No. A29-10608

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 288

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE T CRIST	12/31/1907	IRRIGATION	03-15 11-15	0.100 CFS	
C	NORENE CRIST					
	2382 APPLE LANE			TOTAL DIVERSION:	0.100 CFS	
	POCATELLO ID 83402			CONSUMPTIVE USE:		6.00 AFA
	(208) 233-8865					

Water Source: MINK CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R35E S20 SESW BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:	---
07S	35E	20	:													02				:	2.0
																				TOTAL ACRES	2.0

POU County: BANNOCK

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 05/09/94 TAYLOR 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

CRIST

CLAIM IDENT. NO.

A29-10608

DATE RECEIVED

3-16-90

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: CH

Date:

5-4-94

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments: #4 & #10 SE SW Sec. 20 T7S R35E

#15 B/U.