

11/11/2002

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

RIGHT NUMBER: 29-576
NAME AND ADDRESS: AFTON G YOST
1846 LUND RD
BANCROFT ID 83217

DATE E YOST
1846 LUND RD
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.20 AFY

PRIORITY DATE: 05/01/1979

POINT OF DIVERSION:
T08S R39E S34 NWNWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS 1.20 AFY
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within CARIBOU County
T08S R39E S34 NWSE

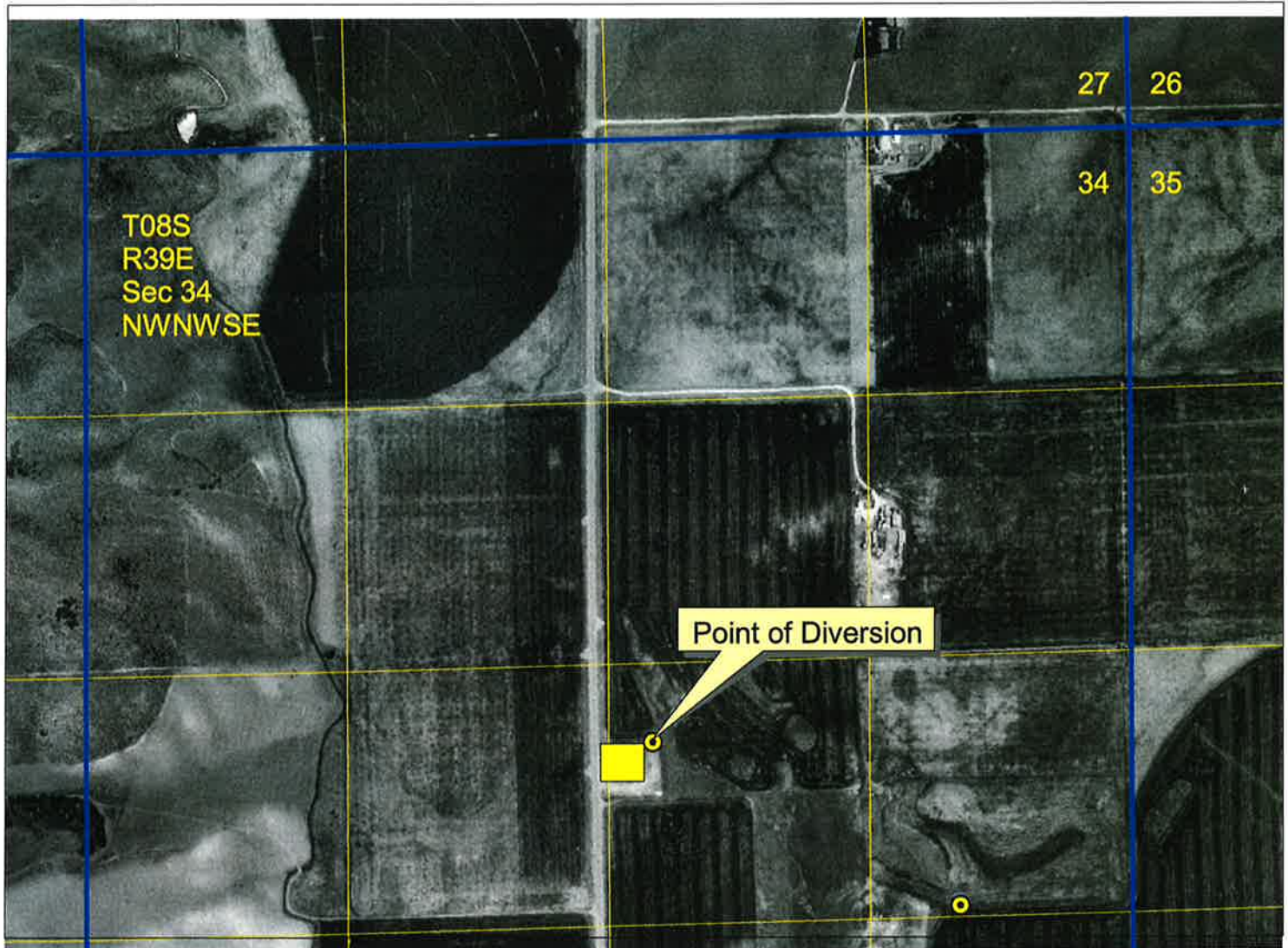
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed
PARCEL NO. 00000002822A



State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-576



0.1 0 0.1 0.2 Miles

A horizontal scale bar with alternating black and white segments, corresponding to the 0.1, 0, 0.1, and 0.2 mile markings.

Irrigated Acres = domestic

- Well.shp**
- Place of use.shp**
- Sections**
- QQ**

SCANNED
DEC 09 2005



PROTECTED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-576 V1

WATER RIGHT NUMBER: 29-576 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	AFTON G YOST 1846 LUND RD BANCROFT, ID 83217 (208) 648-7894
Current Owner	DATE E YOST 1846 LUND RD BANCROFT, ID 83217

Priority Date: 05/01/1979

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
<u>Total Diversion:</u>		0.040 CFS	1.20 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SE1/4	Sec. 34, Twp 08S, Rge 39E, B.M.
CARIBOU County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	39E	34															X		

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. x01 Domestic use is for 1 home.

Remarks:

1. Explanatory PARCEL NO. 00000002822A

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-576 V1

Comments:

1. AJU4-ECA 10/1/1997 DOMESTIC 1 HOME UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO AN EXP REMARK.

2. rwarner 10/25/2002 Changed POD/POU

Comment: Detailed review of aerial photography, USGS topographic quadrangle, and orthoquad map provided by Claimant shows that the claimed location is correct and NOT the Bancroft-Lund location.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/25/2002 9:42:22 AM	rwarner			Active
Priority Date	10/25/2002 9:43:15 AM	rwarner			Active
POD	10/25/2002 10:14:02 AM	rwarner			Active
Source	10/25/2002 10:14:25 AM	rwarner			Active
POU	10/25/2002 10:16:42 AM	rwarner			Active
Use	10/25/2002 10:43:59 AM	rwarner			Active
Season	10/25/2002 10:44:21 AM	rwarner			Active
Quantity	10/25/2002 10:45:21 AM	rwarner			Active
Summary			10/25/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	10/25/2002 9:42:22 AM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-576 V1

Priority Date	10/25/2002 9:43:16 AM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	10/25/2002 10:14:02 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	10/25/2002 10:14:25 AM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	10/25/2002 10:16:43 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - POU verified by ortho quad in file plus aerial photographs and USGS quadsheet.
Use	10/25/2002 10:44:00 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-576 V1

Season	10/25/2002 10:44:22 AM	rwarnar	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	10/25/2002 10:45:22 AM	rwarnar	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - Bancroft-Lund decree
Summary	10/25/2002 11:19:26 AM	rwarnar	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2001

A29-576

Date E. Yost

1846 Lund Road

Bancroft, ID 83217

REF: Snake River Basin Adjudication (SRBA)

SUBJECT: CRP Contract

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 has been filed in the Snake River Basin Adjudication (SRBA).

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. A field examination to verify items in the Notice will be conducted by Department personnel as soon as the weather permits. I was able to visit some of you this year before the snow arrived. While waiting for the weather to cooperate again I would like to collect some of the necessary documentation needed to recommend your claim to the SRBA court. The statute (42-104) requires the water be put to beneficial use to have a valid water right. One exception to the statute is if the land has been put into CRP. But evidence must be submitted to the Department of Water Resources to retain the water right otherwise the water right will not be recommended to the SRBA court.

If you have previously irrigated land that has been put into CRP, I would appreciate it if you could send me a copy of the contract when the land was put into CRP for my records, **by March 1, 2002**. **If you do not have any land in CRP please disregard this notice.** With no response from you, we will assume that you do not have any land in CRP. You may contact either the Farm Service Agency (FSA) or Natural Resource Conservation Service (NRCS) in Soda Springs at 547-4396 for a copy of the contract.

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DEC 09 2005

Please feel free to contact me in Soda at (208) 547-3993 if you have any additional questions. Have a safe and happy holiday.

Sincerely;

A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-576

WATER RIGHT NUMBER: 29-576

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DATE E YOST 1846 LUND RD BANCROFT, ID 83217

Priority Date: 05/01/1979

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>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	1.20 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 34, Twp 08S, Rge 39E, B.M.
CARIBOU County		

Place of UseDOMESTIC Within CARIBOU County

T08S R39E S34 SWNE

Total Acres: 0

Conditions of Approval:Remarks:

1. General DOMESTIC, 1 HOME

Comments:Dates and Other Information:

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-07472	RAOUL WISTISEN P.O. BOX 157 BANCROFT ID 83217	01/23/1979	DOMESTIC	01-01 12-31	.04 1.2	CFS AFY LICENSE
				TOTAL QUANTITY:	.04 1.2	CFS AFY
	NON-IRRIGATION-USES: DOMESTIC, 1 HOME POINT OF DIVERSION: T08S R39E S08 PLACE OF USE: DOMESTIC		SENE			
	T08S R39E S08		NESE			
29-00576	DATE E. YOST 1846 LUND RD. BANCROFT ID 83217	05/01/1979	DOMESTIC	01-01 12-31	.04 1.2	CFS AFY BENEFICIAL USE
				TOTAL QUANTITY:	.04 1.2	CFS AFY
	NON-IRRIGATION-USES: DOMESTIC, 1 HOME POINT OF DIVERSION: T08S R39E S34 PLACE OF USE: DOMESTIC		SWNE			
	T08S R39E S34		SWNE			
13-07261	DWAIN K. CHRISTENSEN 1651 RICH RD. GRACE ID 83241	09/10/1979	IRRIGATION	04-15 10-15	2.00 459.0	CFS AFY LICENSE
				TOTAL QUANTITY:	2.00 459.0	CFS AFY
				CONSUMPTIVE USE:	382.5	AFY
	POINT OF DIVERSION: T09S R40E S20 PLACE OF USE: IRRIGATION		SWSW			
	T09S R40E S19 153.0 ACRES TOTAL		NESE 37.0	NWSE 38.0	SWSE 39.0	SESE 39.0

SCANNED

MAY 4 2001

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: A29-00576 ✓
Date Received: 1/24/1990 ✓
Receipt No: M005580
Received By: J. Mc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DATE E. YOST ✓ 208-648-7894
Address: HC 72, BOX 2080
BANCROFT,, ID 83217

AND/OR

Name: AFTON G. YOST 208-648-7894
Address: HC 72, BOX 2080
BANCROFT, ID 83217

2. Date of Priority: MAY 01, 1979 ✓

3. Source: GROUNDWATER ✓ Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S ✓	39E ✓	34	NW	NW	SE		CARIBOU

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC ✓	01/01 ✓	12/31 ✓	0.040 ✓		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME.

A29-00576

Page 1

Date: 01/24/90

MICROFILMED
NOV 13 1992

A2900576



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S /	39E -	34 /	NW SE		DOMEST	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Dele E. Yast. Date: 1-24-90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 24 day

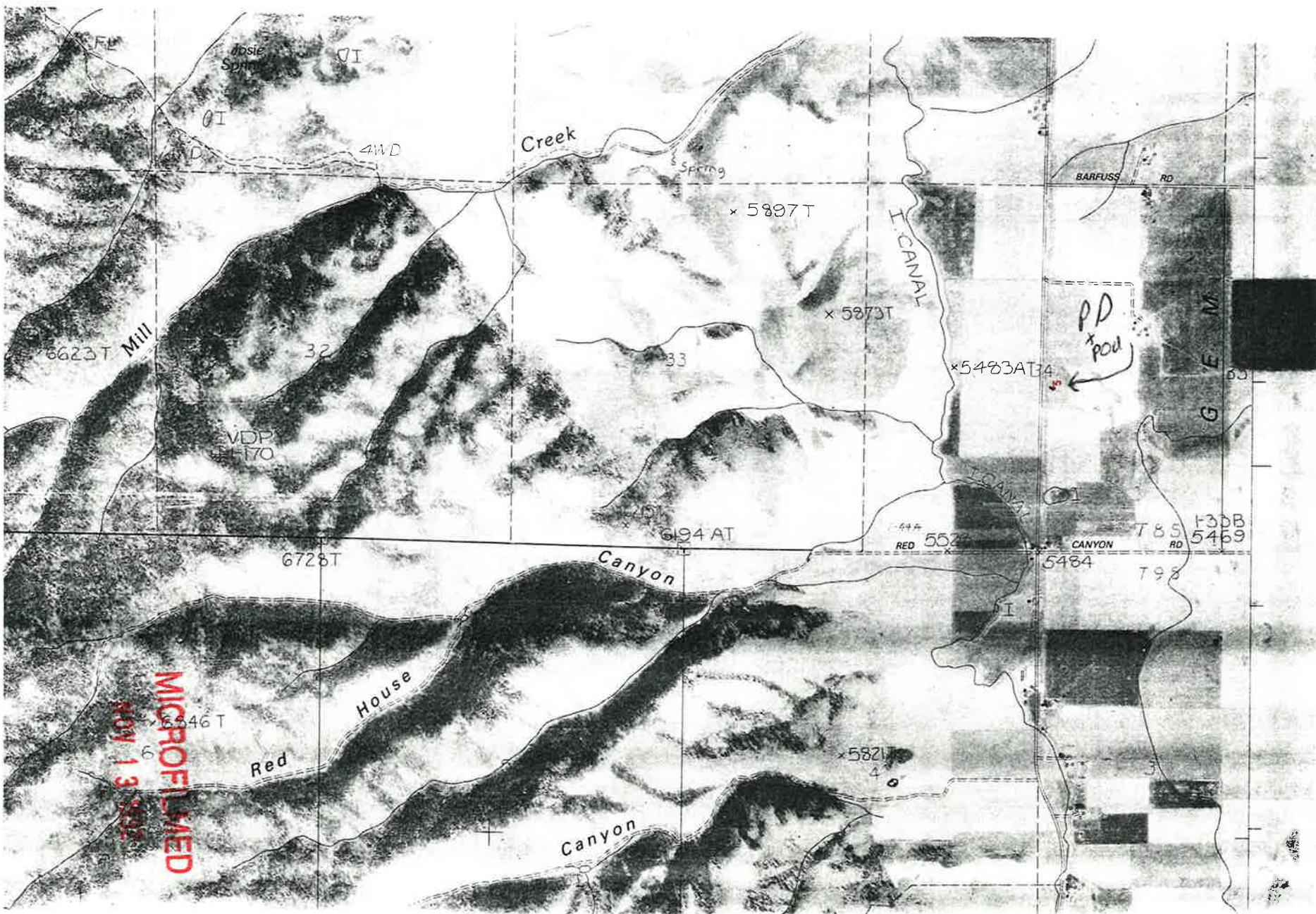
of Jan 19 90

Seal

John D. Carlson
Notary Public

Residing at Boise Id

My Commission Expires 4/3/94



T8
T9

NOV-14-1997
0009

1

RIGHT NUMBER: 29-00576

NAME AND ADDRESS: DATE E YOST
AFTON G YOST
HC 72 BOX 2080
BANCROFT ID 83217
~~BANCROFT, ID~~ 83217

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1979

POINT OF DIVERSION: T08S R39E S34 ^{SWNE}
~~NNWSE~~ Within CARIBOU County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 1 HOME		01-01 12-31	0.04 CFS
			<u>1.2</u> <u>AFY</u>

PLACE OF USE: DOMESTIC ^{SWNE}
T08S R39E S34 ^{Within CARIBOU County}
NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PARCEL NO. 00000002822A

DC

[Handwritten signature]

05/24/51 00:29:56
PAGE 1

OLD (C) NUMBER -

+ - - - - - ADDRESS - - - - - +

STATE- ID LIP- 03227

STATE- ID ZIP- 83317

STATE- 20 210- 86217

+-----+ STATUS +-----+

- - TRISUTARY - - - - -

STREAM INDEX (BLANK IF NO INDEX CODE)

DIVERSION RATE DIVERSION VOLUME

0.340

CONSUMPTIVE 0.8

DESCRIPTION	COUNTY

(23) CARROLL

and 0.004885 $\pm$ 0.000004.

IOWA DEPARTMENT OF WATER RESOURCES
 QUALITATIVE GLAUCIOLITE READING REPORT
$$0.5T \leq t \leq 1.6T \quad \text{duration } t_{\text{ex}} = 0.5T = 0.25T_0$$

20-2. TRANSLATION: 6-10-1970 CLIN

- - - - -

+ - - - - OLD WATER LIGHT NUMBERS - - - - - +
+ - - - - OLD WATER TAGS AT NUMBERS FADING.

+ - - - - CONDITIONS OF REMOVAL - - - - - +
+ - - - - UP CONDITIONS OF APPROVAL FOUND.

$$\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4} \quad \text{and} \quad \frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4} \quad \text{and} \quad \frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4} \quad \text{and} \quad \frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4}$$

+ - DEGREE DATE - +
00/00/0000

UNIT FILED - 01/14/90 CAPLUS

$$+ \dots + (-1)^{n-1} f_0(x) = -f_n(x) + f_{n-1}(x) + \dots + f_0(x).$$

===== 120012047170 KIGBT: 01705 403 PLUGS CRE3 =====

0600600 2822A

"Verified By"
 Toxic Map/Ortho-PQ
 AISC Map
 Watermaster Records
 NAAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
OCT 16 1991

CERTIFIED
OCT 27 1991
WATER EXAMINER

DATA ENTRY

ENTERED 9-10-92
CHECKED 10/26/92 DCD

MICROFILMED
APR 12 1984