

04/22/2002

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

RIGHT NUMBER: 29-4260

NAME AND ADDRESS: KARA D YOST
8435 N PARKS RD
POCATELLO ID 83201

CHRISTIAN C YOST
8435 N PARKS RD
POCATELLO ID 83201

SOURCE: SOUTH FORK POCATELLO CREEK

TRIBUTARY: POCATELLO CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 07/01/1970

POINT OF DIVERSION:

T06S R35E S20 NWNWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T06S R35E S20 NWSW 1.0

1 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-04260
Township , 6S35E

09/20/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend





 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

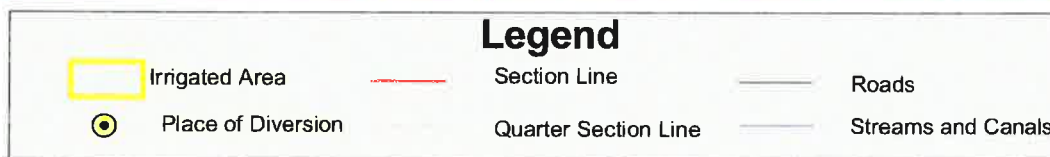
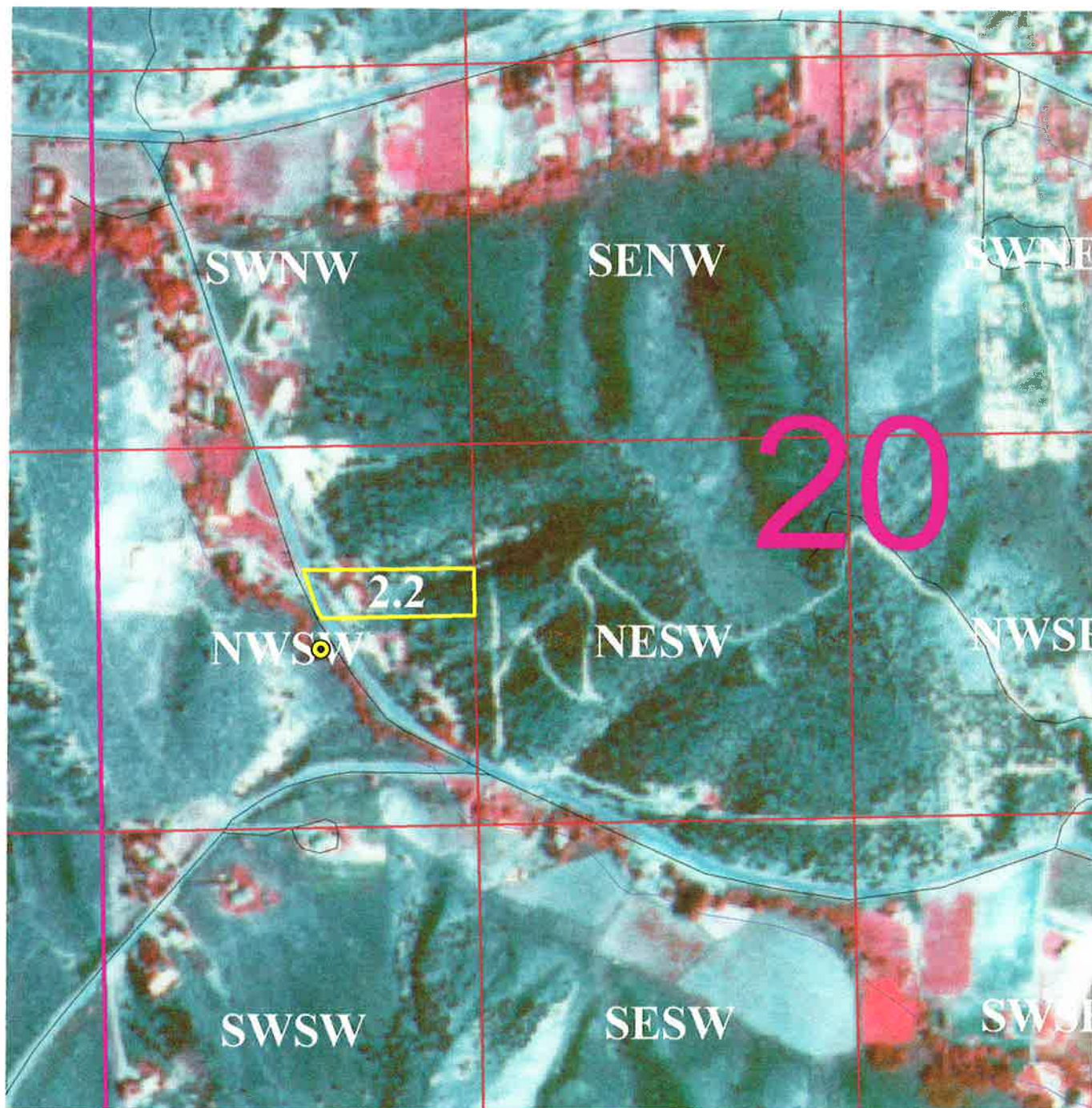
 Streams and Canals

Legend



Water Right Claim Number A29-04260
Township , 6S35E

09/20/2000



300 0 300 600 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4260 V1

WATER RIGHT NUMBER: 29-4260 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KARA D YOST 8435 N PARKS RD POCATELLO, ID 83201 (208)234-2305
Current Owner	CHRISTIAN C YOST 8435 N PARKS RD POCATELLO, ID 83201 (208)234-2305

Priority Date: 07/01/1970

Basis: Beneficial Use

Status: Active

Source

SOUTH FORK POCATELLO CREEK

Tributary

POCATELLO CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SOUTH FORK POCATELLO CREEK BANNOCK County	NW1/4NW1/4SW1/4	Sec. 20, Twp 06S, Rge 35E, B.M.
--	-----------------	---------------------------------

Place of UseIRRIGATION Within BANNOCK County

T06S R35E S20 NWSW 1.0

Total Acres: 1

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.

Remarks:Comments:

1. csaxton 4/22/2002 POD

Comment: Intrepid Engineering took a GPS point and Picture of what appears to be the claimants well. POD recommended on Creek in center of claimants property.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4260 V1

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:
 State or Federal:
 Owner Name Connector: 0
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust: False
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: AND

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>
Priority Date	4/22/2002 11:19:55 AM	csaxton			Active
POD	4/22/2002 11:20:19 AM	csaxton			Active
Source	4/22/2002 11:29:32 AM	csaxton			Active
POU	4/22/2002 11:30:54 AM	csaxton			Active
Use	4/22/2002 11:31:53 AM	csaxton			Active
Season	4/22/2002 11:34:37 AM	csaxton			Active
Quantity	4/22/2002 11:35:13 AM	csaxton			Active
Summary			04/22/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	4/22/2002 11:18:35 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Intrepid Field Exam 9/14/01.
Priority Date	4/22/2002 11:19:56 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from previous owner.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4260 V1

POD	4/22/2002 11:20:19 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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?
POD	4/22/2002 11:20:36 AM	csaxton	Edited point location
Source	4/22/2002 11:29:32 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Intrepid Field Exam 9/14/01.
POD	4/22/2002 11:29:56 AM	csaxton	Edited point location
POU	4/22/2002 11:30:54 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (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 - 1987 NAPP photography
POU	4/22/2002 11:31:20 AM	csaxton	Edited shape boundary
Use	4/22/2002 11:31:53 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Intrepid Field Exam 9/14/01.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4260 V1

Season	4/22/2002 11:34:37 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	4/22/2002 11:35:13 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per David Tuthill, claims for 0.20 cfs or less do not require measurement.
Summary	4/22/2002 11:37:38 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?

02/18/2003

Craig

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-4260

KARA D YOST
8435 N PARKS RD
POCATELLO ID 83201
Telephone Number: (208) 234-2305

CHRISTIAN C YOST
8435 N PARKS RD
POCATELLO ID 83201
Telephone Number: (208) 234-2305

RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

RECEIVED

MAR 06 2003

Department of Water Resources
Eastern Region

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

2/26/03

SIGNATURE:

[Signature]
Christian C. Yost

Please print your name:

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

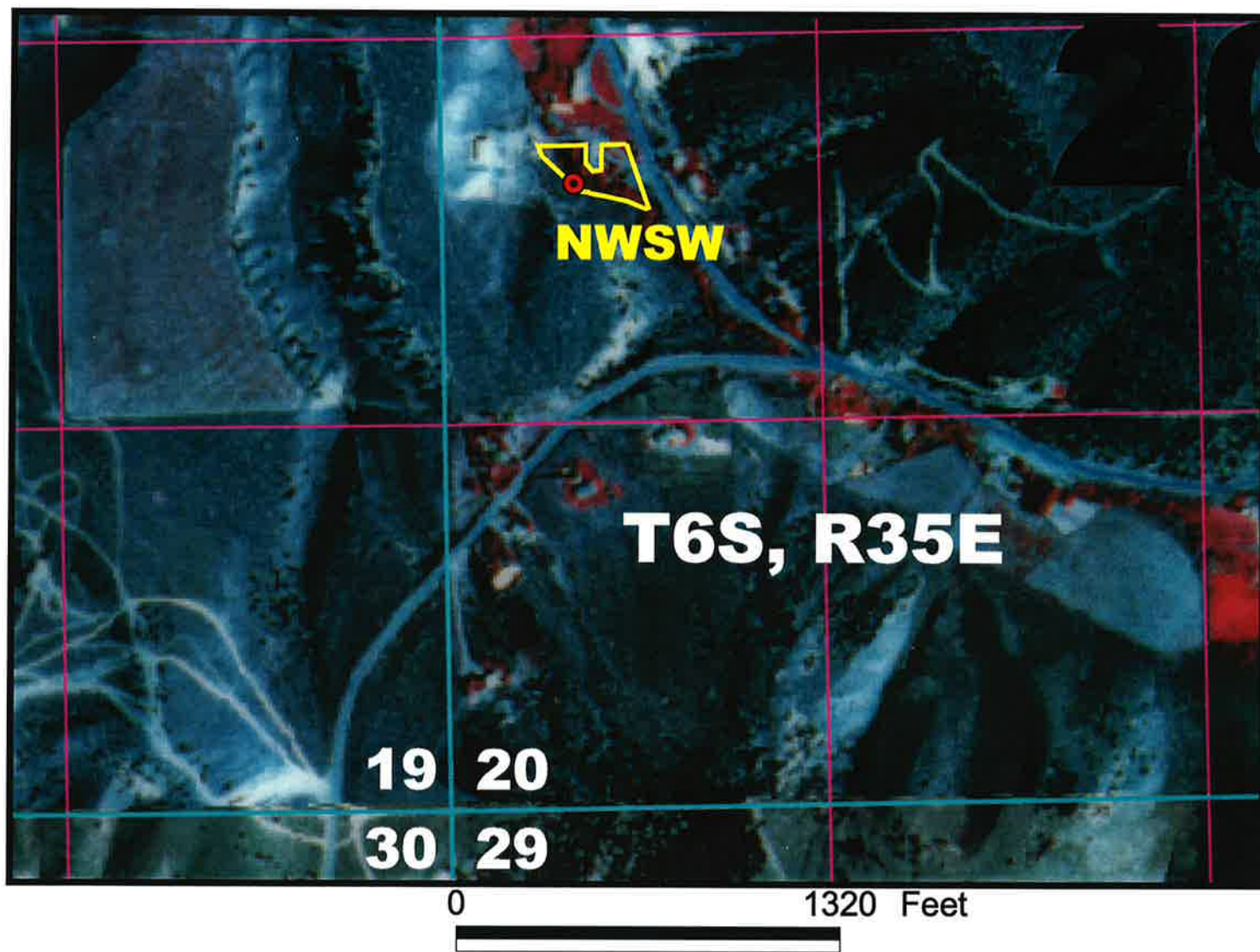
MAR 03 2005



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-04260



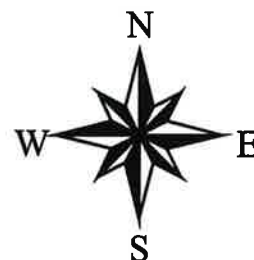
Total Irrigated Acres: 1.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

PROFILED

SCANNED

MAR 03 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: April 2002

4-22-02 : 29-09243 - Proof due 2002 - Not required to be
filed on in the SRBA

: 29-10644 - PD's dts

: No overlap

: Intrepid data no good. It appears Intrepid took
Pic and GPS point @ claimant's well. POB location
recommended on claimant's property along stream.

SCANNED

MAR 03 2005

PROFILED



4-22-02: It appears that Intrepid took a picture of claimants well. GPS Data probably not accurate.

PROFILED

SCANNED
MAR 03 2005



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Submersible pump 3 ft from new house. 45 yds from road.

Assumptions

Horse power, pressure head, and elevation.

Invoice

2000-037-01-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

OD ID 201707 01.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

09-14-01

13:00

0.077504610226320

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water
above orifice
centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water
above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel
Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System



HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information



New Contact Comments

This Form and the associated query are the exclusive Intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.

SCANNED

MAR 03 2005



PROFILE



SCANNED

JUN 13 2001

RECEIVED

MAY 07 2001

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

Department of Water Resources
Eastern Region

EASTERN REGION

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

April 12, 2001

29-04260
CHRISTIAN YOST
KARA YOST
8435 N PARKS RD
POCATELLO ID 83201

H2O right # 29-4260

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".

RECEIVED

MAY 07 2001

Department of Water Resources
Eastern Region

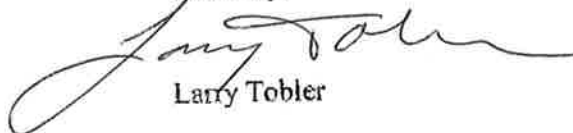
4-24-01

To Whom it May Concern,

I am writing to verify the priority date of 7-1-70 for water right #29-4260. I, Larry Tobler, purchased property and built a home which was sold to Christian C. and Kara D. Yost in May 1978. I used the water from the South Fork of Pocatello Creek, NWSW Sec. 20 Township 06S, Range 35 E Barnock County at that time for irrigation purposes on my property. This water use was continuous until the sale of this property in May of 1978.

Thank you for your assistance in verifying this water usage.

Sincerely,

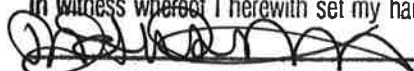

Larry Tobler

(This needs to be notarized. Thanks Larry.)

STATE OF ARIZONA
COUNTY OF PIMA

} ss.

This instrument was acknowledged before me this 30 day of April, 192001, by LAURENCE (LARRY) TOBLER.
In witness whereof I herewith set my hand and official seal.

 , NOTARY PUBLIC



SCANNED

JUN 13 2001

Log for claim A29-04260

Spatial Dynamics LTD

9/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	20	NWSW	1	2.2	Indiscernible
Totals:			1	2.2	

4/12/01 - O+S 29-10644 P0'd

AJ5809NP
No. A29-04260

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 74

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHRISTIAN C YOST	07/01/1970	IRRIGATION	04-01 10-31	0.020 CFS	
C	KARA D YOST					
	8435 N PARKS RD					
	POCATELLO ID 83201			TOTAL DIVERSION:	0.020 CFS	
	(208) 234-2305			CONSUMPTIVE USE:		3.00 AFA

Water Source: POCATELLO CREEK, SOUTH FORK

Tributary to: PORTNEUF RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T06S R35E S20

NWSW

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
06S	35E	20	:											01						:	1.0
																				TOTAL ACRES	1.0

POU County: BANNOCK

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-07795 29-10644 29-10675 29-11066 A29-07259 A29-07620 A29-07795 A29-10644 A29-10675 A29-11066

Other Water Rights Listing Overlapping Place(s) of Use:

A29-07259 A29-07620

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/20/90 MOBILE2 07/20/94 THOMPSON 03/29/95 POST-STD

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 Christian C. Yost
(Name of Claimant)
Parks Road, Pocatello, Idaho 83201 Telephone No. 234-2305
(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) July 1, 1970
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)
Pocatello Creek, South Fork tributary to Portneuf River
- (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	0.02 cfs	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>10/31</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)	0.02 cfs	TOTAL QUANTITY USED.		
	(cfs, gpd, AFA)			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 20 Twp. 6S Rge. 35E B.M., County of Bannock
Additional points of diversion:

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.

Pump and pipes

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	35E	20										1							1

No. of acres 1

- 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:

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

JUN 13 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: A29-04260
Date Received: 3/20/1990
Receipt No: M006282
Received By: Rat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHRISTIAN C. YOST 208-234-2305
Address: 8435 N. PARKS RD.
POCATELLO, ID 83201

AND/OR

Name: KARA D. YOST 208-234-2305
Address: 8435 N. PARKS RD.
POCATELLO, ID 83201

A2904260

2. Date of Priority: JUL 01, 1970

3. Source: POCATELLO CREEK, SOUTH FORK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	20	NW	SW			BANNOCK

5. Description of diverting works:
1-1/2 HP PUMP, PIPES, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.020		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	NW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

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:
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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A29-04260
Date Received 3-20-90 rest
Receipt Number MO06282

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Christian C. & Kara D. Yost Phone (208) 234-2305
Mailing Address 8435 N. Parks Rd., Pocatello, ID Zip 83201

2. Date of Priority (Only one (1) per claim) July 1, 1970

3. Source of water supply (a) Pocatello Ck. South Fork
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 6S Range 3SE Section 20,
_____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

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

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

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. 1-1/2 HP pump, pipes,

sprinklers

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 10/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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>6S</u>	<u>35E</u>	<u>20</u>										<u>1</u>							<u>1</u>

Total number of acres irrigated 1

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

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 (X)

14. Remarks:

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Last Name _____ 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 A29-04260
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 1

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

Signature of Claimant (s) ☒ [Signature]

Date 3/20/90

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 20th day of March 19 90

SEAL

Notary Public Helen Harrington

Residing at _____

Helen Harrington, Notary Public
Residing at Boise, Idaho

My Commission Expires _____

My Commission Expires December 1, 1994

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 _____

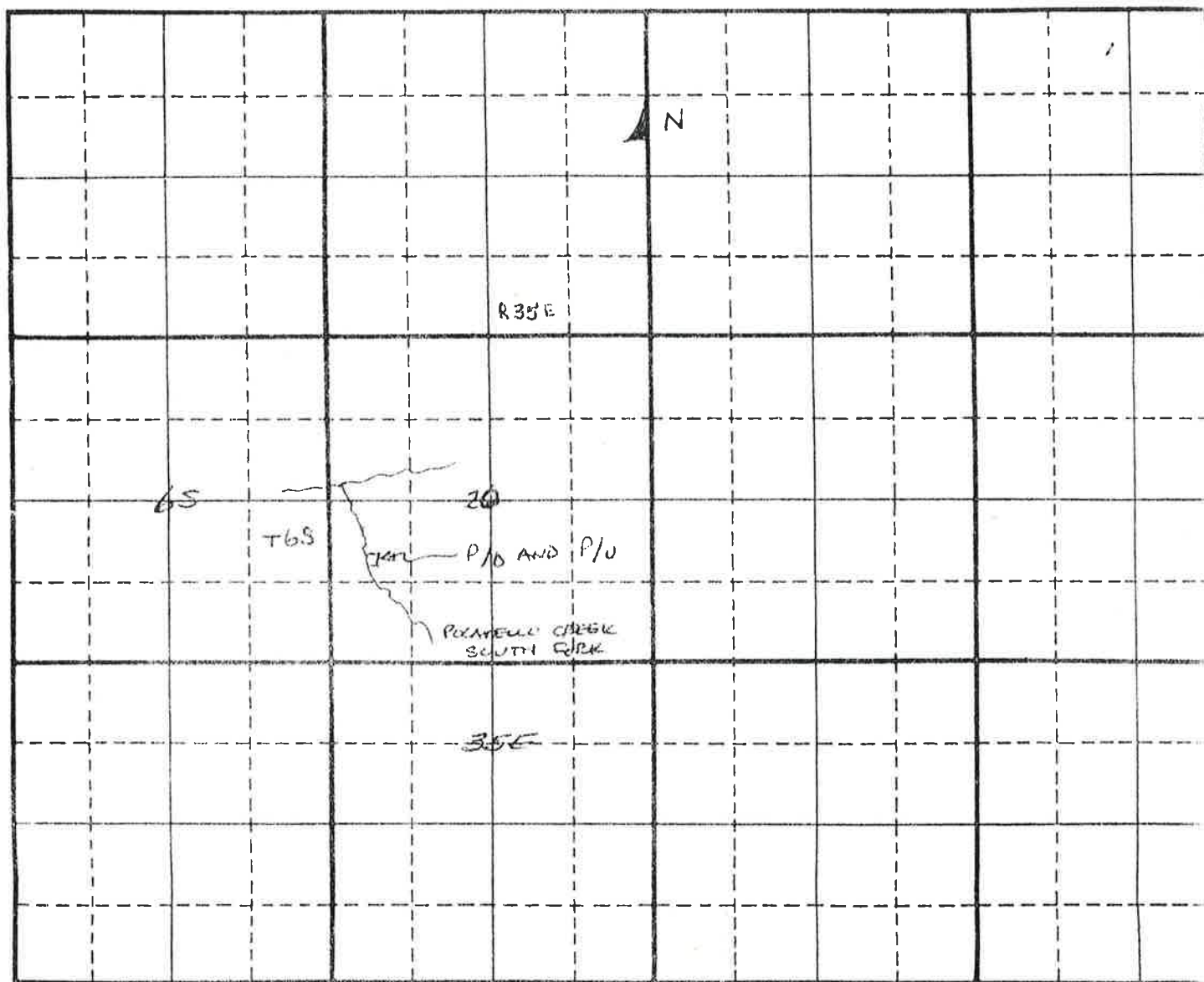
Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

(8) Remarks



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NOV 13 1992

April 12, 2001

29-04260
CHRISTIAN YOST
KARA YOST
8435 N PARKS RD
POCATELLO ID 83201

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"**.

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 May 21, 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 29-04260