

02/18/2003

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: 29-7352C

MONTE YOST
PO BOX 171
BANCROFT ID 83217
Telephone Number: (208) 648-7704

GORDON RAY YOST
1681 LUND RD
BANCROFT ID 83217
Telephone Number: (208) 648-7886

SHERRY YOST
1681 LUND RD
BANCROFT ID 83217
Telephone Number: (208) 648-7886

SHAUNA YOST
PO BOX 171
BANCROFT ID 83217
Telephone Number: (208) 648-7704

RECEIVED
FEB 17 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: 3-10-03 SIGNATURE: Monte Yost

Please print your name: MONTE YOST

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

PROFILED

APR 27 2003

RECEIVED
MAR 24 2003
By

02/18/2003

Cindy

NOTICE OF ERROR
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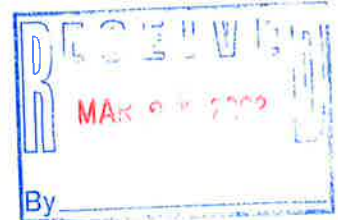
Water right number: 29-7352C

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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: 3/10/03 SIGNATURE: *Gordon Yost*
Please print your name: Gordon Yost

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

PROFILED

RECEIVED

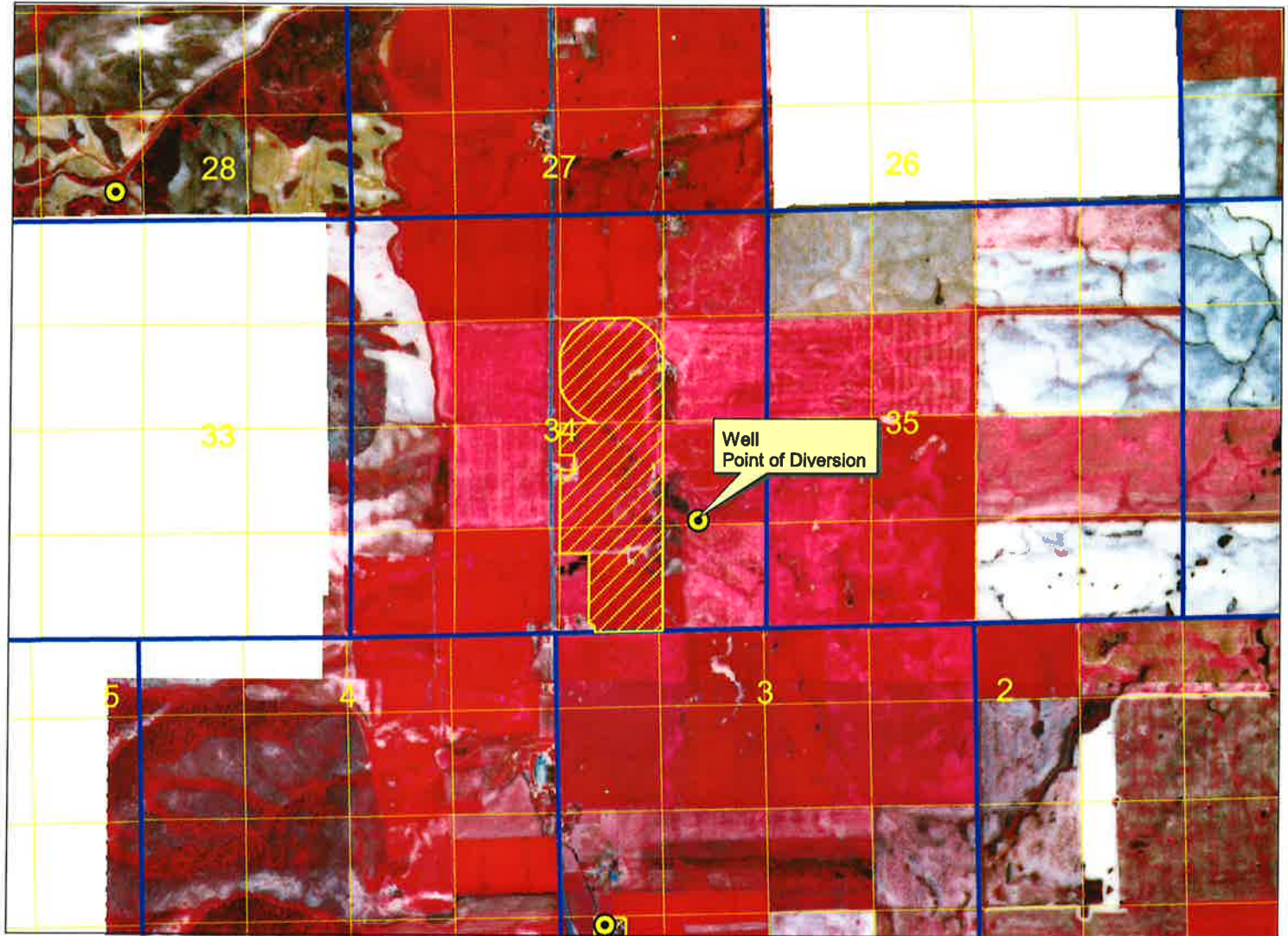
MAR 17 2003

Department of Water Resources
Eastern Region

APR 27 2003



State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-7352C



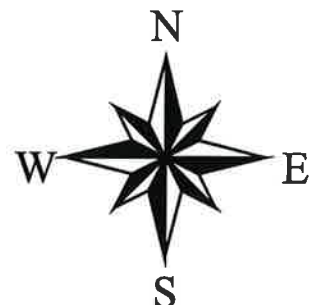
0.5 0 0.5 1 Miles

Irrigated Acres = 105

APR 27 2006

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

PROFILED



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7352C V1

WATER RIGHT NUMBER: 29-7352C V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MONTE YOST PO BOX 171 BANCROFT, ID 83217 (208)648-7704
Current Owner	GORDON RAY YOST 1681 LUND RD BANCROFT, ID 83217 (208)648-7886
Current Owner	SHERRY YOST 1681 LUND RD BANCROFT, ID 83217 (208)648-7886
Original Owner	PARLEY L SCHENK & SONS FARMS INC 1803 LUND RD BANCROFT, ID 83217 (208)648-7876
Current Owner	SHAUNA YOST PO BOX 171 BANCROFT, ID 83217 (208)648-7704

Priority Date: 11/08/1976

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>
IRRIGATION	04/01 to 11/01	1.270 CFS	324.00 AF
	<u>Total Diversion:</u>	1.270 CFS	324.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4SE1/4	Sec. 34, Twp 08S, Rge 39E, B.M.
CARIBOU County		

Place of Use

IRRIGATION

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			36.0												39.0	30.0	105.0

Total Acres: 105

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7352C V1

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:

1. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.72 CFS. COMBINED RIGHT NOS.:29-7419A, 29-7352A, & 29-7352C.

Comments: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: S
 Owner Name Connector: OR
 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	11/22/2002 10:51:03 AM	rwarner			Active
Priority Date	11/22/2002 11:23:46 AM	rwarner			Active
POD	11/22/2002 11:26:00 AM	rwarner			Active
Source	11/22/2002 11:26:13 AM	rwarner			Active
POU	11/22/2002 11:28:08 AM	rwarner			Active
Use	11/22/2002 4:31:52 PM	rwarner			Active
Season	11/22/2002 4:32:26 PM	rwarner			Active
Quantity	11/22/2002 4:47:08 PM	rwarner			Active
Summary			11/22/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/3/2003 2:15:39 PM	rwarner	Edited point location
POU	2/3/2003 2:18:17 PM	rwarner	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7352C V1

Use	11/22/2002 4:31:52 PM	rwarnar	(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?
Season	11/22/2002 4:32:26 PM	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? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/22/2002 4:47:07 PM	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? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Bancroft-Lund Decreed under WR 29-7352B
Summary	11/22/2002 4:50:33 PM	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? (Yes) 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?
Contacts	11/22/2002 10:51:04 AM	rwarnar	(No) 1. Do you want to schedule an appointment?

Comment for 1: desktop review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7352C V1

POD	11/22/2002 11:26:01 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	11/22/2002 11:26:14 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?
Priority Date	11/22/2002 11:23:47 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?
POU	11/22/2002 11:28:10 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? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-12-1991
PAGE: A-65

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-07352B	PARLEY L. SCHENK & SONS FARMS INC. 1803 LUND RD. BANCROFT ID 83217	11/08/1976	IRRIGATION	04-15 10-15	1.31 324.0	CFS AFY LICENSE
					TOTAL QUANTITY:	1.31 324.0
					CONSUMPTIVE USE:	270.0 AFY
POINT OF DIVERSION: T08S R39E S34 NESE						
PLACE OF USE: IRRIGATION						
T08S R39E S34 SWNE 39.0 NWSE 39.0 SWSE 30.0 108.0 ACRES TOTAL						
REMARKS: THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER ACRE. THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 29-07419 AND 29-07352A SHALL NOT EXCEED 7.14 CFS.						
29-07352A	JAY DELL JENKINS 1802 LUND RD. BANCROFT ID 83217	11/28/1976	IRRIGATION	04-15 10-15	.1 24.0	CFS AFY LICENSE
					TOTAL QUANTITY:	.1 24.0
					CONSUMPTIVE USE:	20.0 AFY
POINT OF DIVERSION: T08S R39E S34 NESE						
PLACE OF USE: IRRIGATION						
T08S R39E S34 SWSE 8.0 8.0 ACRES TOTAL						
REMARKS: THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER ACRE. THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT 29-07352B AND 29-07419 SHALL NOT EXCEED 7.14 CFS.						

WR5809NP
No. 29-07352C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PARLEY L SCHENK & SONS FARMS INC 1803 LUND RD BANCROFT ID 83217	11/08/1976	IRRIGATION	04/01 11/01	1.270 CFS	
TOTAL DIVERSION:					1.270 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R39E S34 NESE

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
08S	39E	34	:				36	:					:					:		39	30			:	105.0
																						TOTAL ACRES		105.0	

Pou County: CARIBOU

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-02540 29-07352A 29-07419A

Other Water Rights Listing Overlapping Place(s) of use:
29-07352A

Remarks: GEN THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A
DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0
AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER
ACRE.
THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT
29-07419A AND 29-07352A SHALL NOT EXCEED 6.72 CFS.

Dates:	App. Received:	Priority Date:	11/08/1976
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/12/1996 User-ID: RBODELL Subject: TRANSFER NO. 4757
CHANGE POINT OF DIVERSION AND PLACE OF USE

Date: 05/14/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4757
Transfer No. 4757 was filed to change & add points of diversion,
and change the place of use to reflect the installation of pivots
under all of Right Nos. 29-07080/07131 & 07358, and a portion of
Right Nos. 29-07419 (A & B) & 29-07352B (C & D), splitting each

WR5809NP
No. 29-07352C

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/27/01
PAGE: 6

Comments: Date: 05/14/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4757
right.

Audit: 01/12/96 RBODELL 05/14/96 PSKAGGS 05/14/96 PSKAGGS 05/15/96 PSKAGGS
02/06/98 CLEARFLD

MAY 7 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4757

WATER RIGHT NO(S). 29-07080/29-07131/29-07352D
29-07358/29-07419B

RECEIVED

MAY 20 1996

Department of Water Resources
Eastern District Office

This is to certify that: GORDON RAY YOST
1681 LUND RD
BANCROFT ID 83217

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 29-07080 : IRRIGATION Priority: 03/20/1972	04/15 to 10/15	* 2.53 CFS	918.0 AF
Right No. 29-07131 : IRRIGATION Priority: 05/23/1973	04/15 to 10/15	2.24 CFS	431.0 AF
Right No. 29-07352D : IRRIGATION Priority: 11/08/1976	04/15 to 10/15	0.04 CFS	9.0 AF
Right No. 29-07358 : IRRIGATION Priority: 01/05/1977	04/15 to 10/15	* 0.43 CFS	153.0 AF
Right No. 29-07419B : IRRIGATION Priority: 08/22/1977	04/15 to 10/15	0.38 CFS	99.0 AF
TOTAL:		** 5.19 CFS	1,610.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 10, Township 09S, Range 39E
NWNW , Sec. 10, Township 09S, Range 39E
CARIBOU County

TRANSFER NO. 4757
WATER RIGHT NO(S). 29-07080/29-07131/29-07352D
29-07358/29-07419B

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	39E	3	SESW 33.0			33.0
		9	NENE 19.5	SENE 19.5		39.0
		10	NENE 36.0	NWNE 36.0	SWNE 35.0	
			SENE 35.0	NENW 35.0	NWNW 38.0	
			SWNW 39.0	NESE 35.0	NWSE 35.0	
			SWSE 30.0	SESE 25.0		379.0
		15	NENE 30.0	NWNE 35.0		65.0
Total number of acres irrigated: ***						516.0

CONDITIONS OF APPROVAL AND REMARKS

1. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4757 shall not exceed 5.19 cfs, nor total combined annual volume of 1,610 af.
- *** 8. Right No. 29-07080 is limited to the irrigation of 306 acres in the place of use described above in a single irrigation season.
- *** 9. Right No. 29-07131 is limited to the irrigation of 123 acres in the place of use described above in a single irrigation season.
- *** 10. Right No. 29-07358 is limited to the irrigation of 51 acres in the place of use described above in a single irrigation season.
- *** 11. Right No. 29-07419B is limited to the irrigation of 33 acres in the place of use described above in a single irrigation season.
- *** 12. Right No. 29-07352D is limited to the irrigation of 3 acres in the place of use described above in a single irrigation season.

E27

Kob

QNT
E27pol 1
Kob

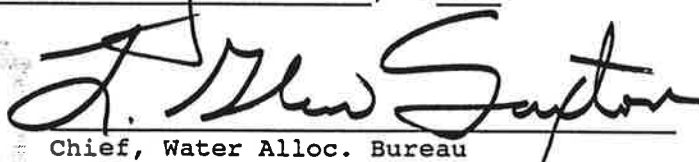
TRANSFER NO. 4757
WATER RIGHT NO(S). 29-07080/29-07131/29-07352D
29-07358/29-07419B

CONDITIONS OF APPROVAL AND REMARKS

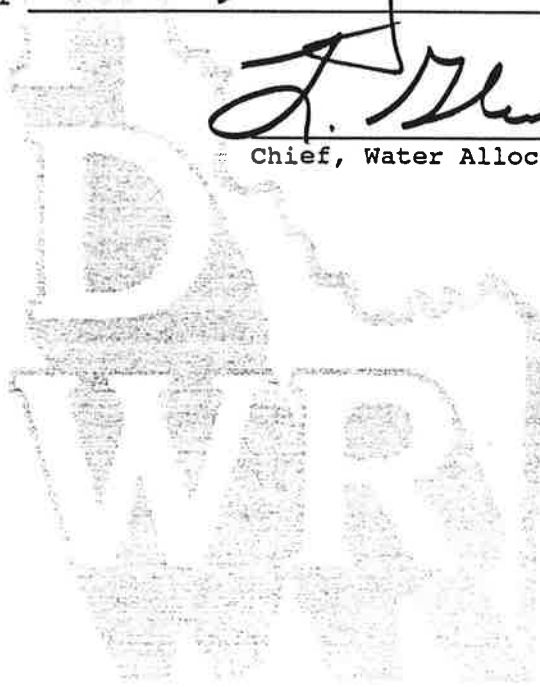
- * 13. Right Nos. 29-07080 and 29-07358 when combined shall not exceed a total combined diversion rate of 2.53 cfs.
14. Approval of Transfer No. 4757 also modifies the combined limits of the remaining unchanged portions of Right Nos. 29-07352B and 29-07419 and Right No. 29-07352A; Right Nos. 29-07352A, 29-07352C and 29-07419A when combined shall not exceed a total combined diversion rate of 6.72 cfs.

Dated this 15th day of

May, 1996


Chief, Water Alloc. Bureau

QNT EPI



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STATE OF IDAHO

Page _____ of _____

DEPARTMENT OF WATER RESOURCES

Transfer No. 4757

APPLICATION FOR TRANSFER OF WATER RIGHT

Department of Water Resources
Eastern District Office

PART 1

Name of applicant Gordon Ray Yost. Phone (208) 648-7886
Post Office address 1681 Lund Rd., Bancroft ID 83217

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes I am upgrading irrigation system replacing hard lines with pivots. The corners being dewatered will be consolidated onto SE SE 1/4 S10 and NW NE 1/4 S15. and after for this will allow for installation of a pivot on this land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>29-07352D</u>	<u>11-08-1976</u>	<u>0.04</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>
<u>29-07419B</u>	<u>8-22-1977</u>	<u>0.47</u>		
<u>29-07131</u>	<u>5-23-1973</u>	<u>2.24</u>		
<u>29-07080</u>	<u>3-20-1972</u>	<u>* 2.53</u>		
<u>29-0735B</u>	<u>1-05-1977</u>	<u>* 0.43</u>		

2. Total amount of water being transferred 5.28 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground water. tributary to _____

4. Point(s) of Diversion: * Right Nos. 29-07080 & 29-0735B when combined shall not exceed 2.53 c/s

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	10	9S	39E	Caribou	
		NW	NW					

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
9S	39E	3												33					33
		9	19.5			19.5													39
		10	36	36	35	35	35	38	39						35	35	30	25	379
		15	30	35															65

Total acres 516

PART 1

6. General Information:

a. Description of diversion system Two wells, common mainline, center pivots and hand lines.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? * Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. (Federal Land Bank.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Corners not irrigated by center pivots will be dry farmed.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-07419 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 8/22/1977

5. Water is used for the following purpose:

amount 7.00 for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 7.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	8S	39E	Caribou	
		SE	SE	34				

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	39E	34																39	39
		35									40	40	39	39					158
9S	39E	2																	27
		3	41 28	42 28	47 40	48 40	43 28	44 27	45 38	46 40									269

Total acres 49.3

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO. If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.47 for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	8S	39E	Caribou	
		SE	SE					

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
8S	39E	34																3	3
		35									5.0	5.0	4.0	4.0					18.0
9S	39E	3						4.4	4.5	4.6									12.0
								3.5	2.0	6.5									

Total acres 33.0

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 6.53 for Irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	8S	39E	Caribou.	
		SE	SE					

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
8S	39E	34																36	36.
		35									35	35	35	35					140
9S	39E	2						4.4											27
								2.7											
		3	4.1	4.2	4.7	4.8	4.3	4.4	4.5	4.6									257
			28	28	40	40	28	23.5	36	33.5									

Total acres 46.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. 4586 ^① 29-07080, ^② 29-07131, ^③ 29-07358 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Ground water tributary to _____

4. Date or priority ^① 3/20/1972 (29-07080) ^② 5/23/1973 (29-07131) ^③ 1/05/1977 (29-07358)

5. Water is used for the following purpose:

^① amount * 2.53 for Irrigation purposes from 4-15 to 10-15
^② (cfs/ac-ft) amount 2.24 for _____ purposes from _____ to _____
^③ (cfs/ac-ft) amount * 0.43 for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.77 cubic feet per second and/or 1502 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	10	9S	39E	CARIBOU	
		NW	NW					

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
9S	39E	3												33					33
		9	36			36													72
		10	36	36	35	35	35	38	39						35	35	30	31	375

Total acres * * 460

9. Describe any other water rights used for the same purpose as described above NONE:

SEE BACK OF PAGE FOR CONDITIONS/REMARKS REGARDING T4586.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-0735213 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Ground water. tributary to _____

4. Date or priority 11/08/1976

5. Water is used for the following purpose:

amount 1.31 for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.31 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	8S	39E	Caribou	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
8S	39E	34			39											39	30		108

Total acres 108

9. Describe any other water rights used for the same purpose as described above NONE.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO.

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.036 0.04 for Irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	8S	39E	CARIBOU.	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
8S	39E	34			23											2			3

Total acres 3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.27 for Irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

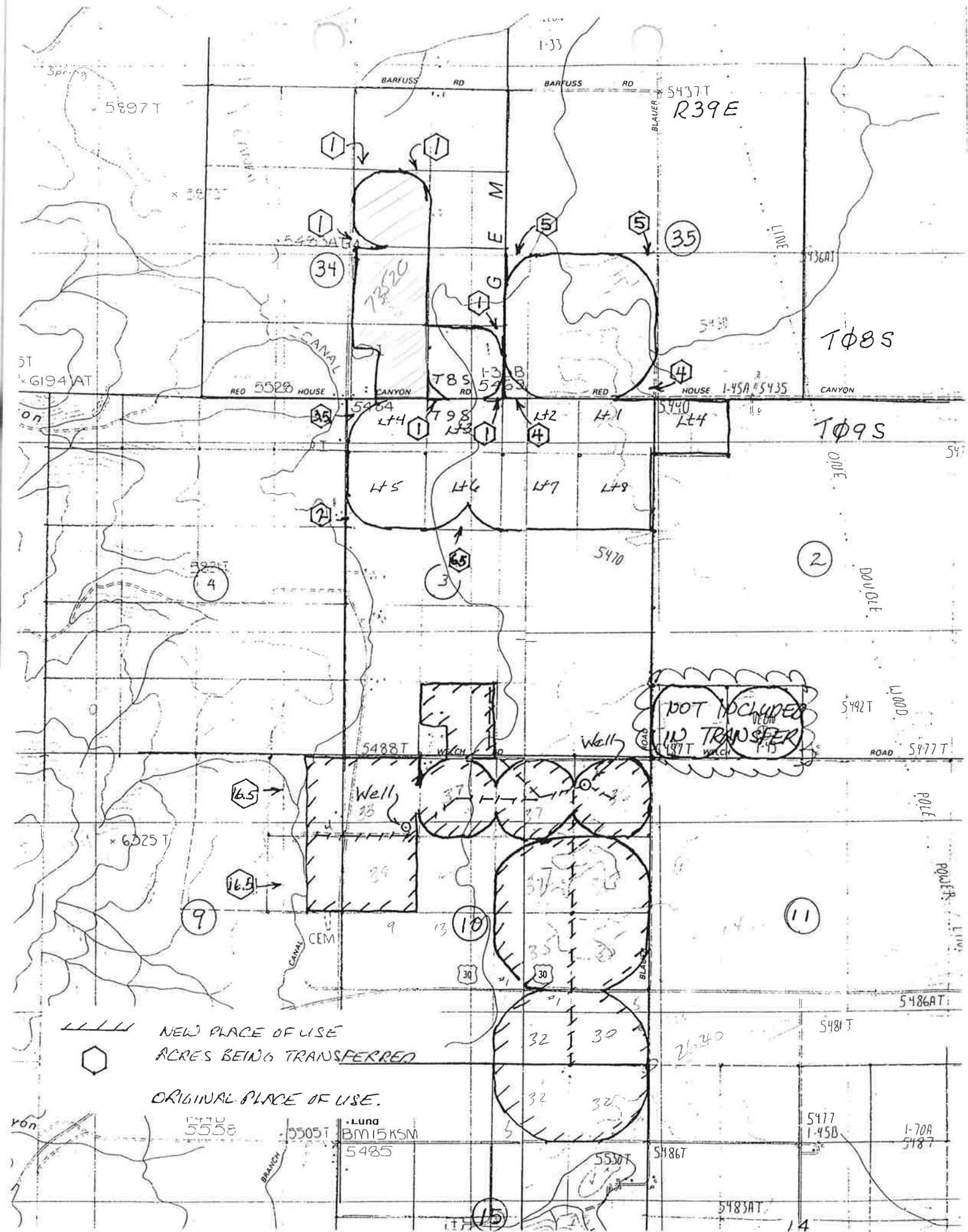
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	34	8S	39E	CARIBOU	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
8S	39E	34			36											39	30		105

Total acres 105



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this _____ day of Nov 8, 1995.


(Notary Public)

My commission expires 10-14-2000**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date 1-10-96 Protest filed by _____Prelim. check by _____ Fee "100 E021831

Receipted by _____ Date _____

Published in Caribou County Sun Copies of protest forwarded by _____Pub. dates 2-1-8-96 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Department of Water Resources
Eastern District Office

JAN 10 1996

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4586
WATER RIGHT NO(S). 29-07080/29-07131/29-07358

This is to certify that: GORDON RAY YOST
1681 LUND RD
BANCROFT ID 83217

648-7886

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 29-07080 : IRRIGATION	04/15 to 10/15	* 2.53 CFS	918.0 AF
Right No. 29-07131 : IRRIGATION	04/15 to 10/15	2.24 CFS	431.0 AF
Right No. 29-07358 : IRRIGATION	04/15 to 10/15	* 0.43 CFS	153.0 AF
	TOTAL:	* 4.77 CFS	* 1502.0 AF

DATE OF PRIORITY:

Right No. 29-07080 : 03/20/1972
Right No. 29-07131 : 05/23/1973
Right No. 29-07358 : 01/05/1977

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 10, Township 09S, Range 39E
NWNW , Sec. 10, Township 09S, Range 39E
CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	39E	3	SES	33		33
		9	NENE	36	SENE	36
		10	NENE	36	NWNE	36
			SENE	35	NENW	35
			SWNW	39	NESE	35
			SWSE	30	SESE	21
					SWNE	35
					NWNW	38
					NWSE	35
						375
						** 480

Total number of acres irrigated:

TRANSFER NO. 4586
WATER RIGHT NO(S). 29-07080/29-07131/29-07358

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4586 shall not exceed 4.77 cfs, the total combined annual volume of 1,502.0 af, nor the irrigation of 480 acres in a single irrigation season.
- *7. Right Nos. 29-07080 and 29-07358 when combined shall not exceed 2.53 cfs, and when combined with Right No. 29-07131 shall not exceed 4.77 cfs.
- **8. Right No. 29-07080 is limited to the irrigation of 306 acres in the place of use described above in a single irrigation season.
- **9. Right No. 29-07131 is limited to the irrigation of 123 acres in the place of use described above in a single irrigation season.
- **10. Right No. 29-07358 is limited to the irrigation of 51 acres in the place of use described above in a single irrigation season.

Dated this 28th day of

June

, 1995



Chief, Water Alloc. Bureau

MAY 7 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: **A29-07352C**
Date Received: 5/11/1999
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name:	MONTE YOST	208-648-7704
Address:	PO BOX 171 BANCROFT ID	83217
OR		
Name:	GORDON YOST	208-648-7886
Address:	PO BOX 2190 BANCROFT ID	83217
OR		
Name:	SHERRY YOST	208-648-7886
Address:	PO BOX 2190 BANCROFT ID	83217
OR		
Name:	SHAUNA YOST	208-648-7704
Address:	PO BOX 171 BANCROFT ID	83217

A2907352C



2. Date of Priority: NOV 8, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.270		

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

A.F.A.

A29-07352C

Page

1

Date: 05/24/99

PROFILED

APR 27 2000

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	39E	34	SW	NE		IRR	36.0
			NW	SE		IRR	39.0
			SW	SE		IRR	30.0

Section Acres 105.0

Total Acres 105.0

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:

14. Remarks:

THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT
29-07419A AND 29-07352A SHALL NOT EXCEED 6.72 CFS.

15. Basis of Claim: LICENSE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MONTE YOST PO BOX 171 BANCROFT ID 83217 (208) 648-7704	11/08/1976	IRRIGATION	04-01 11-01	1.27 CFS	
TOTAL DIVERSION:					1.27 CFS	

C GORDON YOST
C SHERRY YOST
PO BOX 2190
BANCROFT ID 83217
(208) 648-7886

C SHAUNA YOST
PO BOX 171
BANCROFT ID 83217
(208) 648-7704

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R39E S34 NESE

CARIBOU County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
08S	39E	34	:			36		:					:					:					:	
																				39	30	:	105.0	
																				TOTAL ACRES		:	105.0	

POU County: CARIBOU

Remarks: GEN THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT
29-07419A AND 29-07352A SHALL NOT EXCEED 6.72 CFS.

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

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