

11/27/2002

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

RIGHT NUMBER: 29-10608
NAME AND ADDRESS: GEORGE T CRIST
2382 APPLE LN
POCATELLO ID 83402

NORENE CRIST
2382 APPLE LN
POCATELLO ID 83402

SOURCE: MINK CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.024 CFS

USE OF THIS RIGHT WITH THE IRRIGATION PORTION OF RIGHT NO. 29-07680 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.032 CFS.

PRIORITY DATE: 12/31/1907

POINT OF DIVERSION:

T07S R35E S20 SWNESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.024 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S20 NESW 1.2

1.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-07680 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.2 ACRES IN A SINGLE IRRIGATION SEASON.

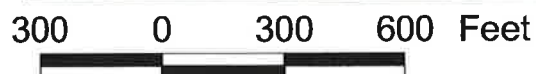
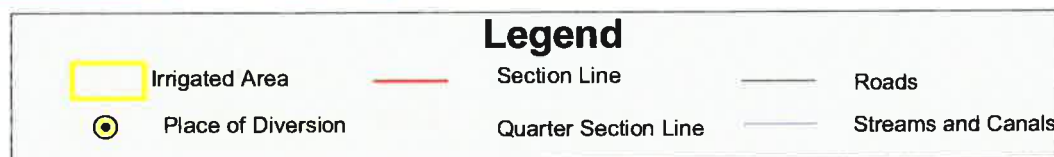
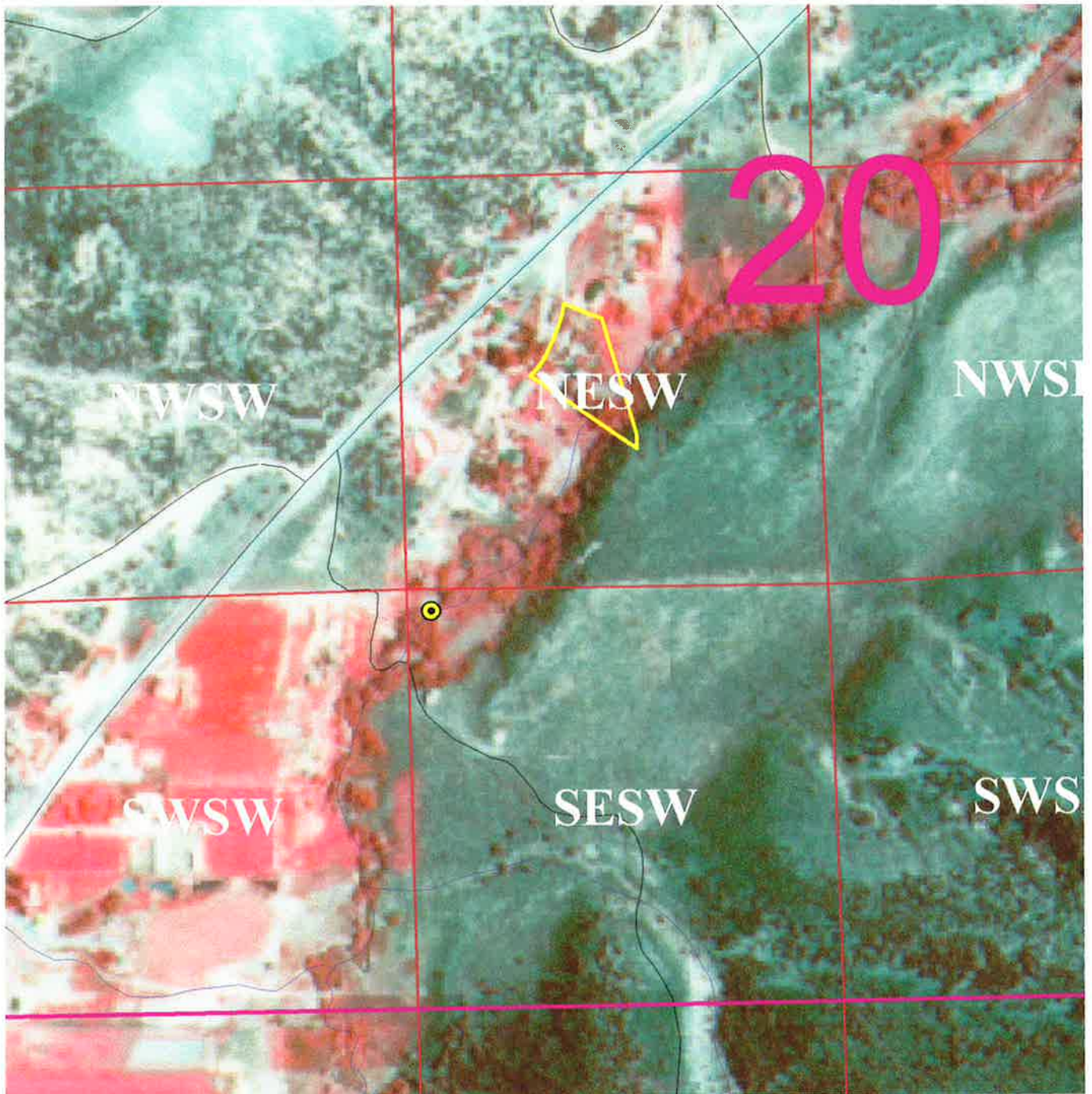
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Decreed

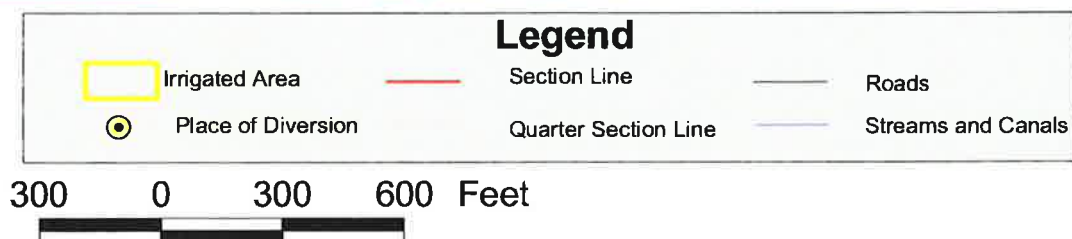
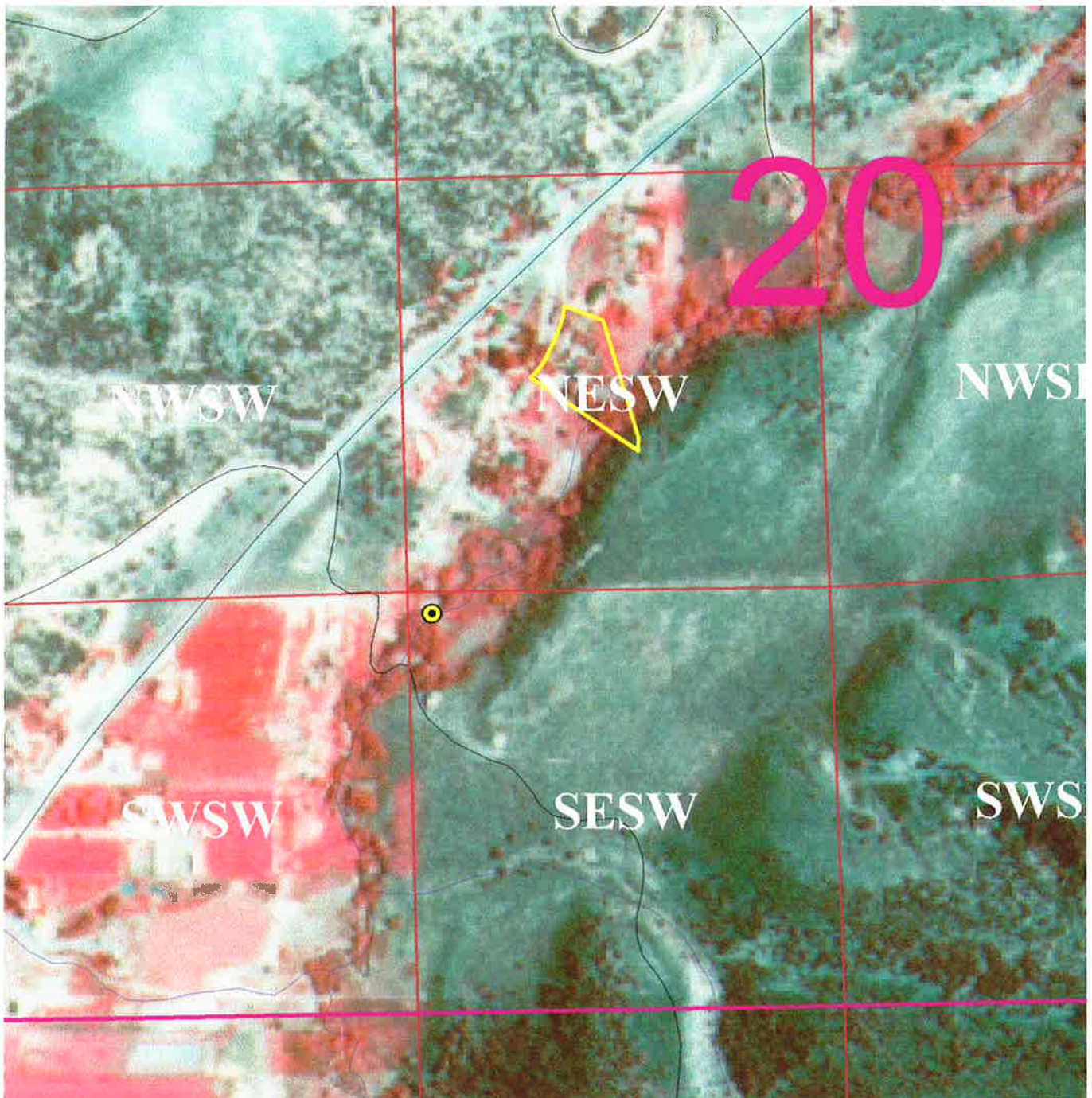
Water Right Claim Number A29-10608
Township , 7S35E

09/12/2000



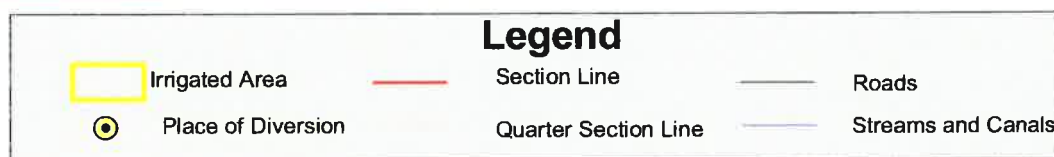
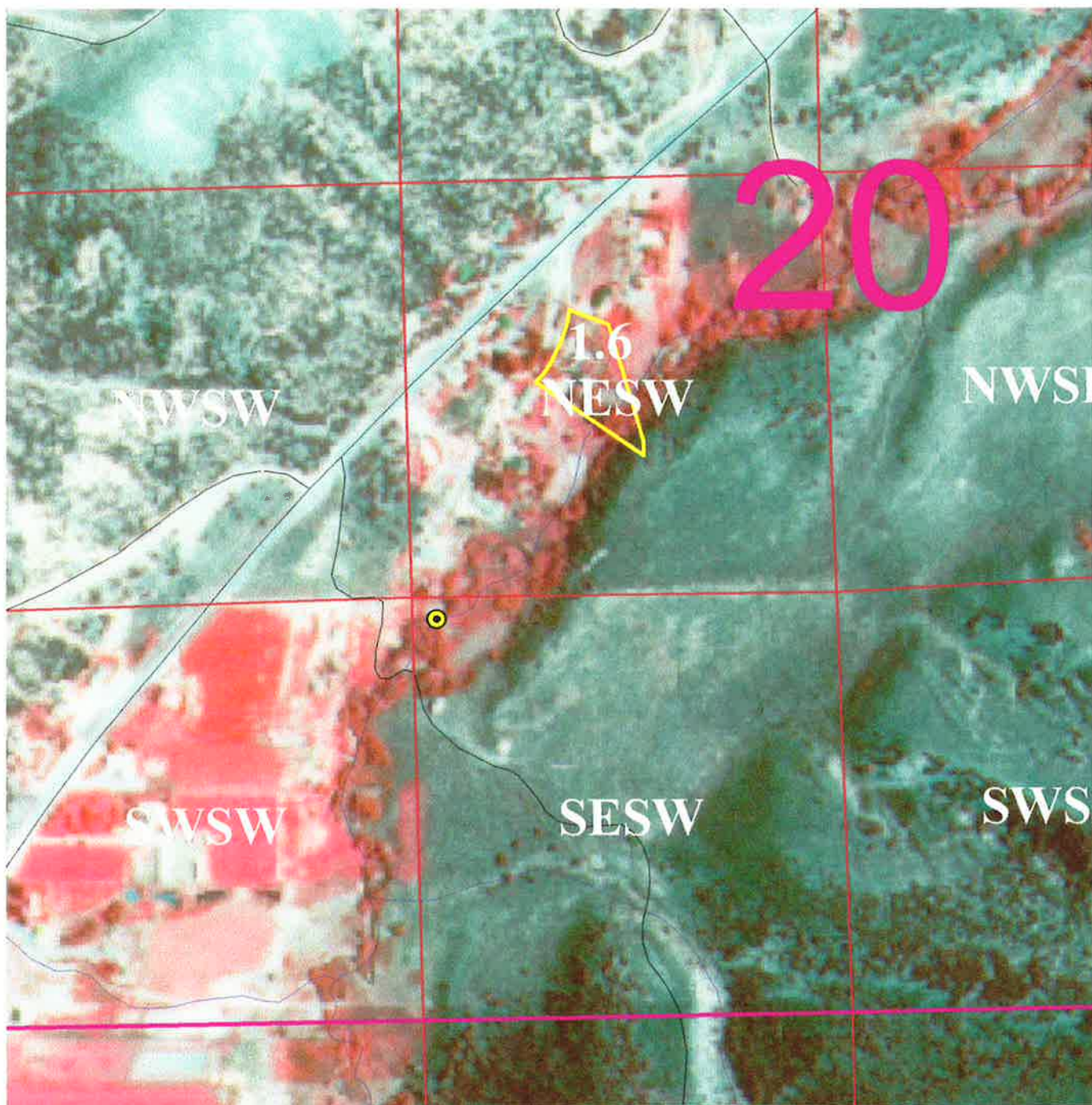
Water Right Claim Number A29-10608
Township , 7S35E

09/12/2000



Water Right Claim Number A29-10608
Township , 7S35E

09/12/2000

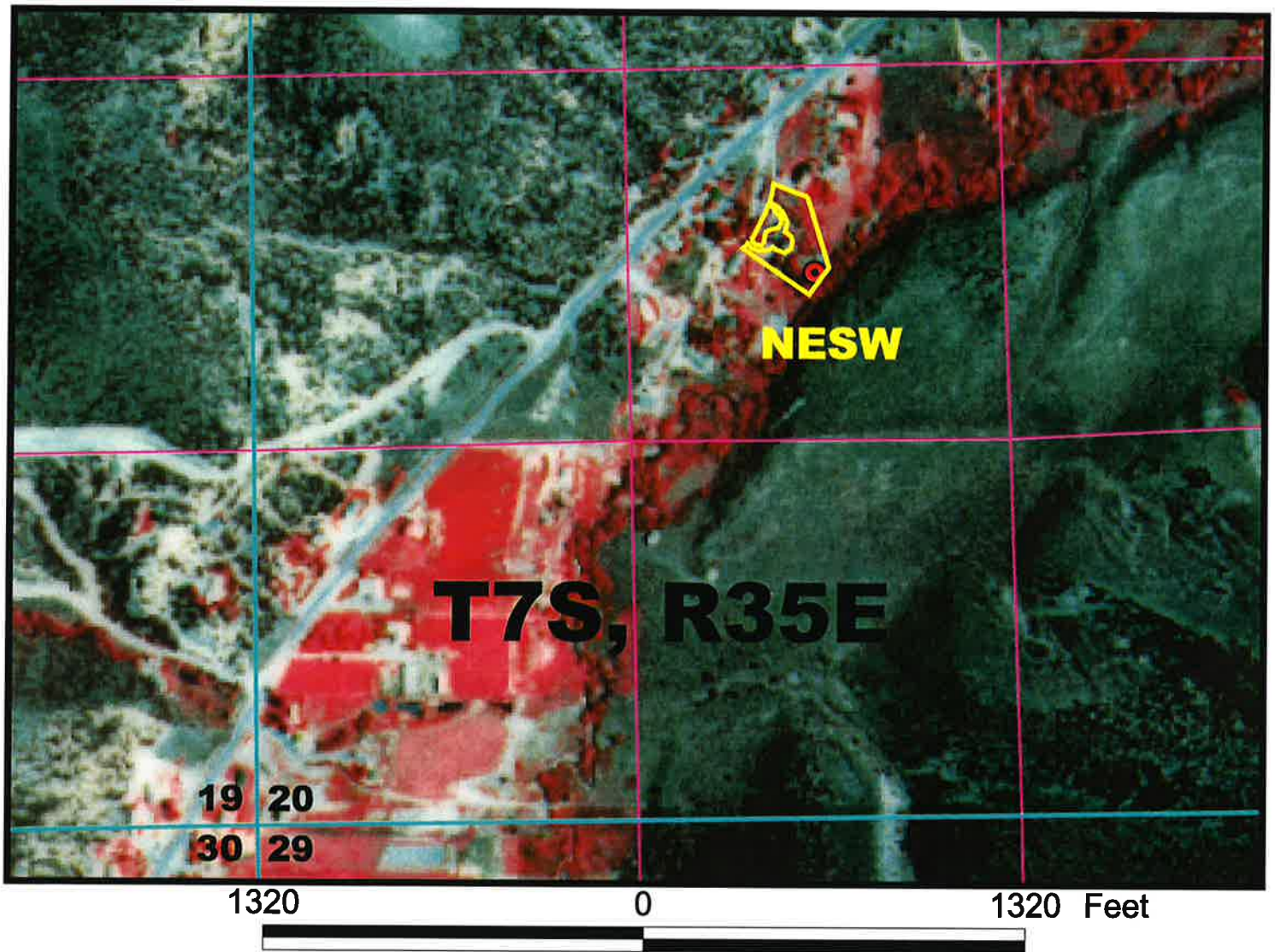




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-10608



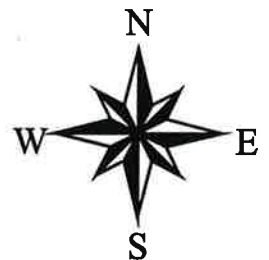
Total Irrigated Acres: 1.2

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10608 V1

WATER RIGHT NUMBER: 29-10608 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE T CRIST 2382 APPLE LN POCATELLO, ID 83402 (208)233-8865
Current Owner	NORENE CRIST 2382 APPLE LN POCATELLO, ID 83402 (208)233-8865

Priority Date: 12/31/1907

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MINK CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 09/15	0.024 CFS	
	<u>Total Diversion:</u>	0.024 CFS	

Location of Point(s) of Diversion

MINK CREEK	SW1/4NE1/4SW1/4	Sec. 20, Twp 07S, Rge 35E, B.M.
BANNOCK 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	
07S	35E	20									1.2								1.2

Total Acres: 1.2

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 THIS RIGHT WITH THE IRRIGATION PORTION OF RIGHT NO. 29-07680 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.032 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-07680 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.2 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10608 V1

3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 11/27/2002 Should be Decreed Basis

Comment: Claimed as beneficial use. Should be claimed as part of Decreed right 29-00276. Amended claim solicited without success. Treat as Decreed right with JR priority date as claimed.

2. csaxton 11/27/2002 POD

Comment: Decreed POD location defines 160 acre tract. Recommended POD located within that 160 acres. No C03.

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	11/27/2002 2:44:26 PM	csaxton			Active
Priority Date	11/27/2002 2:45:23 PM	csaxton			Active
POD	11/27/2002 2:46:51 PM	csaxton			Active
Source	11/27/2002 2:48:49 PM	csaxton			Active
POU	11/27/2002 2:49:01 PM	csaxton			Active
Use	11/27/2002 2:50:53 PM	csaxton			Active
Season	11/27/2002 3:24:21 PM	csaxton			Active
Quantity	11/27/2002 3:25:24 PM	csaxton			Active
Summary			11/27/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-10608 V1

Contacts	11/27/2002 2:44:27 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Spoke with claimant on 8/14/02 during FE for 29-00276E.
Priority Date	11/27/2002 2:45:25 PM	csaxton	(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? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/27/2002 2:46:52 PM	csaxton	(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?
POD	11/27/2002 2:47:11 PM	csaxton	Edited point location
POD	11/27/2002 2:47:27 PM	csaxton	Edited PLS
Source	11/27/2002 2:48:51 PM	csaxton	(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	11/27/2002 2:49:02 PM	csaxton	(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? (Yes) 14. Is a POU remark and/or condition required?
POU	11/27/2002 2:49:51 PM	csaxton	Edited shape boundary
Use	11/27/2002 2:50:54 PM	csaxton	(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 29-10608 V1

Season	11/27/2002 3:24:22 PM	csaxton	(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? (Yes) 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) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	11/27/2002 3:25:25 PM	csaxton	(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? (No) 8. Does the parent right have an annual diversion volume limit? (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? (Yes) 12. Is a Quantity remark or condition required?
Summary	11/27/2002 3:28:17 PM	csaxton	(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?
POU	11/27/2002 2:50:07 PM	csaxton	Edited PLS

02/08/2003

NOTICE OF ERROR
REPLY

Craig

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: 29-10608

GEORGE T CRIST
2382 APPLE LN
POCATELLO ID 83204
Telephone Number: (208)233-8865

NORENE CRIST
2382 APPLE LN
POCATELLO ID 83204
Telephone Number: (208)233-8865

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:

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

DATE:

02/20/03

SIGNATURE:

George T. Crist

Please print your name:

GEORGE T. CRIST

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

RECEIVED

FEB 28 2003

Department of Water Resources
Eastern Region

11-27-02 : No Claimant Contact Concerning Sept 5 2002 Letter.

- : Claimed as B-use but should Be decreed
Treat as Portion of Decreed Right 29-00276.
- : Priority date must be recommended as claimed
since no Amend Claim.
- : No priority Evidence Submitted but am not
requiring any because if claimed as decreed
right - none would be needed.
- : Rec. Period of use as decreed
- : POD + POA claimed in Wrong QQ but since
Claimant doesn't own Property in that QQ, figure
a mistake in claim.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-10608

WATER RIGHT NUMBER: 29-10608

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE T CRIST ✓ 2382 APPLE LN POCATELLO, ID 83402 (208)233-8865
Current Owner	NORENE CRIST ✓ 2382 APPLE LN POCATELLO, ID 83402 (208)233-8865

Priority Date: 12/31/1907 *ok but should be "8/7/1907"*
 Basis: Beneficial Use *ok but should be "Decreed"*
 Status: Active ✓

<u>Source</u>	<u>Tributary</u>
MINK CREEK ✓	PORTNEUF RIVER ✓

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15	11/15	0.100 CFS	0.024
	4/15	9/15		
	<u>Total Diversion:</u>		0.100 CFS	0.024

as decreed

<u>Location of Point(s) of Diversion</u>	
MINK CREEK	SE1/4SW1/4 ✓
BANNOCK County	SW NE ✓
	Sec. 20, Twp 07S, Rge 35E, B.M. ✓

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	35E	20	1.2			2.0	2.0

Total Acres: 2.2

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Claim Received Date: 3/16/1990
 State or Federal: S
 Owner Name Connector: OR
 Mitigation Plan: False

SØ2
E11
EØ1
C18

11/26/2002

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

RIGHT NUMBER: 29-7680

NAME AND ADDRESS: APPLE ACRES SUBDIVISION
C/O DAVID R FISCHEL
2446 N MINK CREEK RD
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
5.900 AFY

*Diversion Rate
amount Protected
0.03 cfs for 1/4
split 4 ways
for 4 homes
is 0.0075
per home → up to 1.5 in per acre*

USE OF THIS RIGHT WITH RIGHT NO. 29-00276C IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF ~~0.06~~ CFS. *0.008* *0.034*

USE OF THIS RIGHT WITH RIGHT NO. 29-00276E IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF ~~0.05~~ CFS. *0.008* *0.020*

USE OF THIS RIGHT FOR IRRIGATION PURPOSES WITH RIGHTS LISTED BELOW IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~0.08~~ CFS. COMBINED RIGHT
NOS.: 29-00276C, 29-00276E, 29-07680. *0.008* *0.086*

PRIORITY DATE: 12/09/1982

POINT OF DIVERSION:

T07S R35E S20 NWNESW Within BANNOCK County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.100 CFS 2.40 AFY
IRRIGATION	03/15 11/15	0.030 CFS 3.50 AFY

Domestic use is for 4 homes.

PLACE OF USE:

IRRIGATION Within BANNOCK County

T07S R35E S20 NESW 1.0

DOMESTIC same as IRRIGATION

1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00276C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF ~~3.7~~ ACRES IN A SINGLE
IRRIGATION SEASON. *1.7*

USE OF THIS RIGHT WITH RIGHT NO. 29-00276E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF ~~2.0~~ ACRES IN A SINGLE
IRRIGATION SEASON. *1.0*

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF ~~3.2~~ ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00276C, 29-00276E,
29-07680. *3.7*

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.

11/26/2002

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

EXPLANATORY MATERIAL: License

PARCEL NO(S): RRAPA000300, RRAPA000400, RRAPA000500,
RRAPA001100.

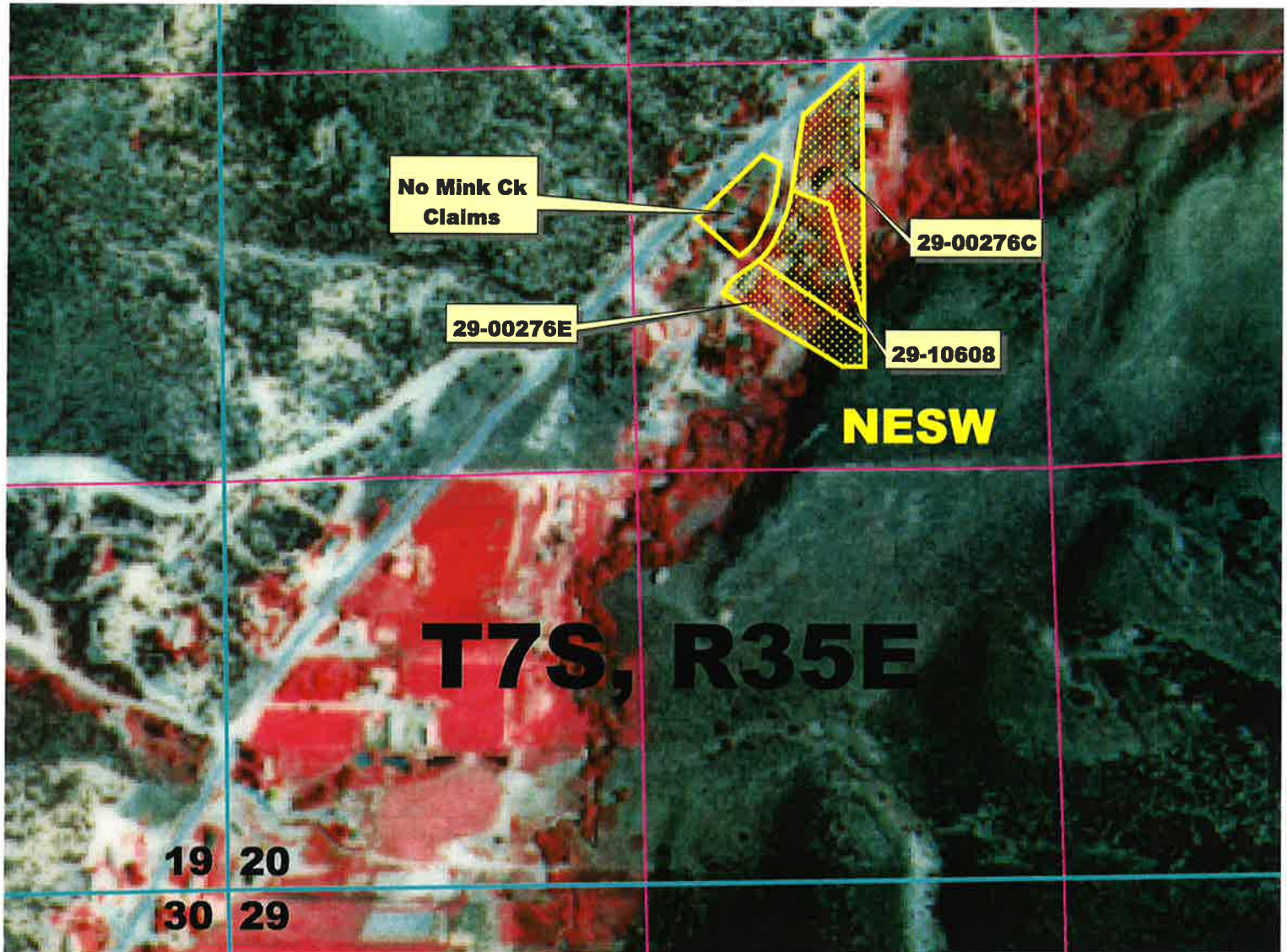
Place of use is located within Lots 1; S5 lot 2 and 3; lot 2 less 5; lot
9; Apple Acres Subdivision.

Split history for Decreed Right 29-00276

WR		Claimed		Recommend
29-00276 0.4 22	TR 2032	29-00274A Galloway	29-00276C Fishcel	
		0.24	0.075	0.034
		not specified	2.5	1.7
		so ... 15.4		
			29-00276D Myler	
		29-00276B	0.02	0.012
			1	0.6
			29-00276E Hickman	
			0.03	0.02
			1.5	1
			29-10608 Crist	
			0.1	0.024
			2	1.2
			29-00276B Busby	
			0.13	0.02
			6.6	1.1
Sum of claimed CFS =		0.355	Sum CFS=	0.11
Sum of claimed Acreage =		13.6	Sum Acre=	5.6
			Un-accounted for CFS=	0.29
			Un-accounted for Acres=	16.4

Overlap map of 29-00276C, 29-00276E 29-10608 and 29-07680.

Reference Map



Point of Diversion

Irrigated Acres:



Licensed Parcels/POU for Ground water



Parcels with Mink Creek water Overlap



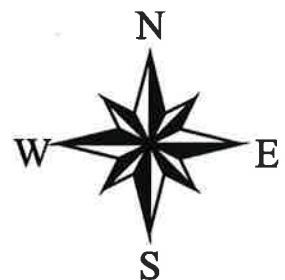
Bannock Co Tax Lot Data - N/A



Section Lines



Quarter Quarter Lines



Prepared By: Craig Saxton
November 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 5, 2002

GEORGE T CRIST
NORENE CRIST
2382 APPLE LANE
POCATELLO ID 83402

RE: Snake River Basin Adjudication (SRBA) claim 29-1068

Dear Mr. and Ms. Crist:

The Idaho Dept. of Water Resources is currently in the process of reviewing SRBA claims in your area. I stopped by your home on 8/28/02 with the intent to gather information for a claim filed by Dennis Hickman. However, in our discussion, it was determined that you had filed a claim for the use of Mink Creek water as well.

When I got back to the office I searched for your SRBA claim. After looking at your claim I believe I found some errors in the filing of the claim that would be to your benefit to amend.

In 1994, you originally filed SRBA claim 29-10608 based on beneficial use. At that time, you claimed a priority date of 12/31/07. However I believe your property is part of an irrigated place of use that is described under decreed right 29-00276 with the priority date of 8/7/07. I feel it would be to your advantage to amend your claim to represent a portion of the originally decreed water right with the earlier priority date.

In addition, it appears that the claimed place of use and point of diversion were listed in the wrong 40 acre tract.

For your convenience, I am enclosing and amended claim. Note that the changes made are highlighted in yellow. Please look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to this office.

Please feel free to contact me with any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

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 29-10608
Date Received: 3/16/1990
Receipt No: E012396
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

GEORGE T CRIST Phone: (208)233-8865

2382 APPLE LN
POCATELLO ID USA 83402

NORENE CRIST Phone: (208)233-8865

2382 APPLE LN
POCATELLO ID USA 83402

2. Date of Priority: 8/07/1907

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	Type
07S	35E	20	NE 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	3/15	11/15	0.1	

7. Total Quantity Appropriated is:
0.1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	35E	20	NE	SW	IRRIGATION	2
					Section Acres	2
					Total Acres	2

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: Decreed

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)
) SS.
 County of _____)

Subscribed and sworn (or affirmed) before me this
 of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 10608
POD ID 394632
Quad Pocatello South
Claim Type S
Easting 631547
Northing 189596
GPSID A0012539

Diversion Description

Ditch pump in Mink Creek (Wayne 1.5 hp) used for lawn irrigation. 115/230 volt 4860 gph @15 psi. 2" pipe. Pump is located at toe of hill next to creek approximately 300 feet east of house at 2382 Apple Lane.

Assumptions

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

POD ID 394632 01.JPG

Photos

POD ID 394632-02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0.252286493860846

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 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity 0

☐ 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 1.5

Pressure Head (psi) 15

Elevation Head (ft) 2

Motor Mfg

Motor Serial #

Pump Type Ditch Pump

Pump Mfg Wayne

Pump Serial#

New Contact Information ☐

New Contact Comments

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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**".

JUN 15 2001

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	

DATE: 05/18/00
PAGE: 288

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 2N
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: HT

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.

JUN 15 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: A29-10608
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: _____

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 A29-10608Date Received 3-16-90Receipt Number E012396

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 LAKE Zip 832042. Date of Priority (Only one (1) per claim) HART NURSERY 19073. Source of water supply (a) MINK CREEKwhich is tributary to (b) PORTNEUF 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? BARNOCK

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

Scale: 2 inches equals 1 mile

SEE ENCLOSED PLAT NOT TO SCALE

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The lines are oriented horizontally and vertically, creating a central point where they meet. The grid is composed of 16 columns and 16 rows of these squares.

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) _____

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

Residing at

My Commission Expires

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	Δ	L	R	T
A	16°28'	109.78	381.17	55.21
B	33°31'	111.72	191.10	57.51
C	36°49'	116.04	191.10	57.58

LEGEND

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

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

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

NOT TO SCALE

SCALE 1"=100'

PUMP

Restrictive Easement

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, all 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. S/ J.G. Green S/ Edward L. Gordon S/ Jay B. Busby
S/ A.M. S/ NG S/ K.G. S/ G.M.B.
S/ Alexis Myler S/ Norma Green S/ Kayce Gordon S/ Goya 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. Sochenour
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, 726.0 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 Mink Creek Road; Thence S48°44'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 615.0 feet more or less to the point of beginning.

HEALTH DEP'T.

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 19th Day of March 1974

Leslie Bullif

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. Bullif 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 whizz 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. Bullif 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

DATE: 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

Plat