

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: A29-02070
Date Received: 4/13/1989
Receipt No: 606832
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LITTLE RED HEN, INC. 208-232-1847
Address: C/O THOMAS J. MCDEVITT, PRES.
P.O. BOX 4260
POCATELLO, ID 83205

2. Date of Priority: MAY 09, 1908

3. Source: UNNAMED STREAM Trib. to: JOHNNY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	34E	13	SW	SW	SW		BANNOCK

5. Description of diverting works:
PIPELINE FROM SPRING TO SPRINKLERS TO IRR. PASTURE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING OF 50 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	34E	13	SW	SE		IRR	5.0
			SE	SE		IRR	1.0

Section Acres 6.0

A29-02070

Page 1

Date: 04/13/89

MICROFILMED

NOV 13 1992

A2902070

10. Place of Use: Continued

Total Acres 6.0

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: LICENSE
 Water Right Number: 3651

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NOV 13 1992

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 Y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of Little Red Rock Co., that I have signed the foregoing document in the space below as President of Little Red Rock Co. and that the statements contained in the foregoing document are true and correct.

Thomas J. McIntosh
Signature of Authorized Agent

President, Little Red Rock Co.
Title and Organization

13 April 1989
Date

State of Idaho)
County of Bonneville) SS.

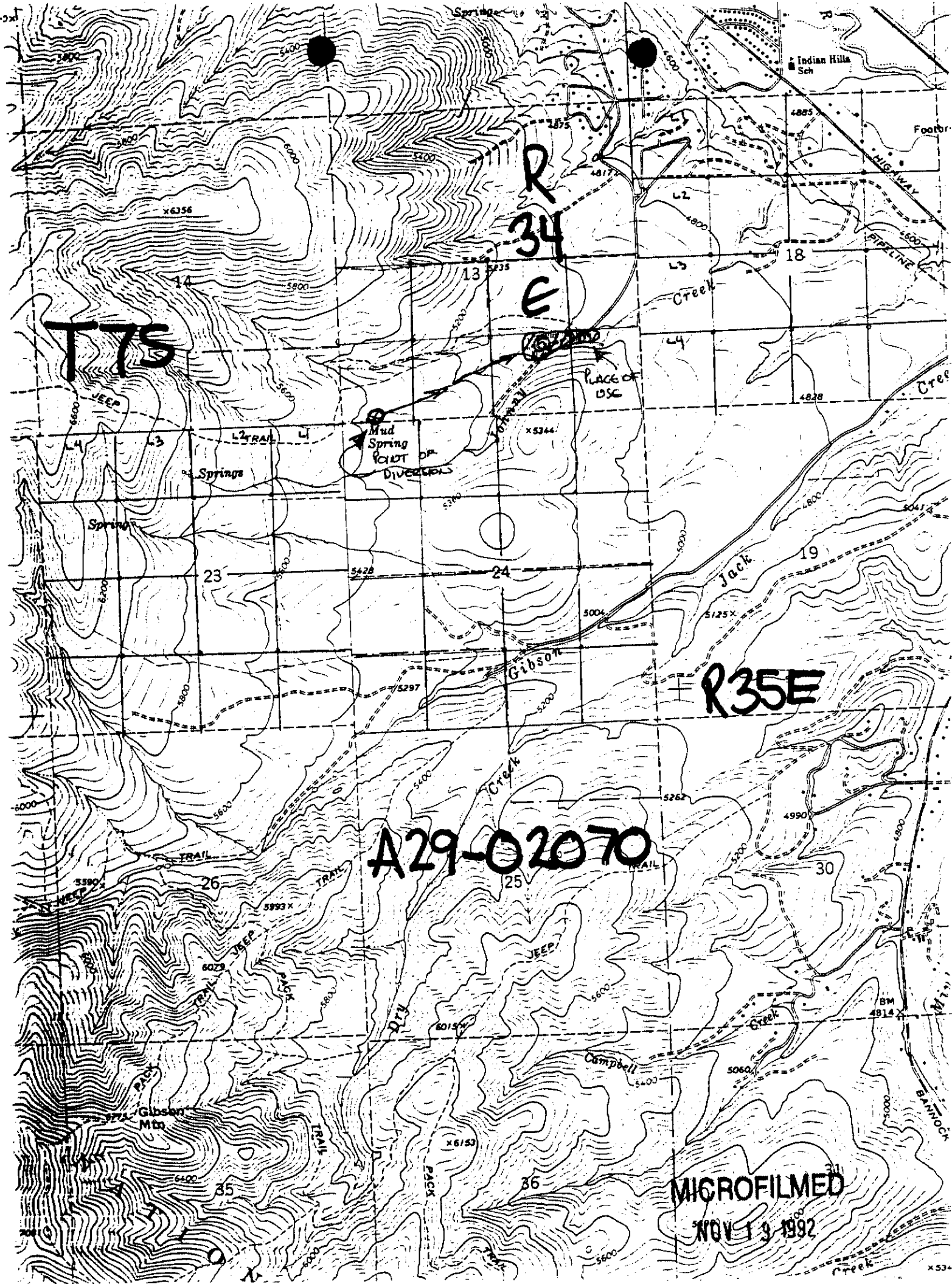
Subscribed and sworn (or affirmed) before me this 13 day
of April 19 89

[Signature]
Notary Public

Seal

Residing at 2401 Fall St

My Commission Expires 22 Aug 1994



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NOV 13 1992

Log for claim A29-02070

Spatial Dynamics BTD

8/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s34e	13	SWSE	5	4.4	
07s34e	13	SESE	1	1.5	
Totals:			6	5.9	

Unnamed Stream
Bannock County
.12 of 1 second foot
Irrigation and domestic use
Priority 5-9-1908

S T A T E _ _ O F _ _ I D A H O

Water License No. 3651

WHEREAS, On the 9th day of May, A.D. 1908, ALBERT M. CHRISTOFFERSON, of Pocatello, County of Bannock, State of Idaho, duly made application (No. 5171) to me for a permit to use .4 of 1 cubic foot per second of the waters of an UNNAMED STREAM, County of Bannock, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 16th day of May, A.D. 1908 , Permit No. 3651, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 16th day of May, A.D. 1909, and for the application to beneficial use of said water on or before the 16th day of May, A.D. 1910, and

WHEREAS, On the 12th day of April, A.D. 1909, ALBERT M. CHRISTOFFERSON, the holder of said permit duly made proof of the completion of adequate works for the diversion of .4 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 3651, dated July 9, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .4 of 1 cubic foot per second of said waters, with date of priority of May 9, 1908, and

WHEREAS, On the 16th day of May, A.D. 1910, ALBERT M. CHRISTOFFERSON, the holder of said permit duly made proof of the application to beneficial use of .12 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to ALBERT M. CHRISTOFFERSON, of Pocatello, County of Bannock, State of Idaho, the holder and owner of said Permit No. 3651, a perpetual right, dating from May 9, 1908, to the use of .12 of 1 cubic foot per second of the waters of an UNNAMED STREAM, in the County of Bannock, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point about the middle of the southwest quarter of southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of section 13, township 7 South of Range 34 East of the Boise Meridian, and conducted to and upon (5 acres in the southwest quarter of southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and 1 acre in southeast quarter of southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of section 13, Township 7 South of Range 34 East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this second day of September,

A.D. Nineteen hundred and ten.

(SEAL)

D.G. Martin

State Engineer

Recorded September 2, 1910.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Albert H. Christofferson

Postoffice address: Pocatello,

County: Bannock State: Idaho

2. The quantity of water claimed is 2/5 cubic foot per second.

3. Source of water supply: Unnamed stream.

County of Bannock.

4. Location of point of diversion: at a point about the middle of SW4 SW4 Sec. 15 Tp. 7 S. R. 74 N.W. 1.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 20 acres.

(b) In the following legal subdivisions: SW4 SW4 & SE4 SW4 Sec. 15 Tp. 7 S. R. 74 N.W. 1.

6. Estimated cost of works: Fifty dollars.

7. Description of works for diversion:

I. Kind of works: Dam and ditch.

II. Dimensions of works:

(a) Height of dam 2 feet, length of dam at top 10 feet, length of dam at bottom 6 feet.

Material used in construction: earth

(d) Conduit ditch, width at bottom 1 foot, width at water line feet, depth of water 1/3 feet. Average grade per mile is 100 feet. Length of conduit is 1/2 miles, and it crosses the following quarter sections: SW4 SW4 & SE4 SW4 Sec. 15 Tp. 7 S. R. 74 N.W. 1. to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is 1 year.

9. Time required for the complete application of the water to the proposed use is 1 additional year.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Albert H. Christofferson,

Applicant.

By--R. Rinearsen....Agent.

The number of the permit is 3651.

Date of first receipt of application 9.00 a.m. May 9, 1908.

Recorded in Book 10 Page 3651 Approved May 16, 1908.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before July 15, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit has no control.

One-fifth of the work above specified to be completed on or before November 16, 1908.

The whole of said work to be completed on or before May 16, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to May 16, 1910.

Witness my hand this sixteenth day of May, 1908.

Jas Stephenson, Jr.,

State Engineer.

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A F F I D A V I T

STATE OF IDAHO)
) SS.
COUNTY OF BANNOCK)

Albert M. Christofferson on lawful agency being duly sworn, says:

I am the identical Albert M. Christofferson, of Pocatello, County of Bannock, and State of Idaho, who made application for Permit to appropriate the waters of a unnamed stream in the County of Bannock, State of Idaho, and that on the 16th day of May 1908, Permit No. 3651 was issued:

That the point of diversion has not been changed, but that an error was made in the description of the said point of diversion in the application for said Permit No. 3651:

That the lands are the same as was intended to be covered in the application for said Permit No. 3651, but, an error was made in describing the land intended to be irrigated in said application for Permit:

That since I made said application for Permit, I have had the lands surveyed by a competent surveyor, and have also, had the exact point of diversion located and that the land described and point of diversion are as set out in the proof of completion works made by me on April 12, 1909:

And that this permit does not interfere with any other right on said unnamed stream, and that the land intended to be irrigated is described as being the SE 3/4 section thirteen (13) T. 7 S. R. 34 S.B.M.

Albert M. Christofferson

Subscribed and sworn to, before me this 15th day of May 1909.

Ezra J. Merrill
Notary Public.

(SEAL)

Received and filed for record in the office of the State Engineer at Boise, Idaho, at

9.00 a.m. May 20, 1909. Jas. Stephenson, Jr.,
State Engineer.

Blank notice of proof of completion of works mailed applicant, Feb. 1, 1909.

Notice received March 9, 1909, showing April 12, 1909 as date and Pocatello, Idaho as place of proof.

Notice for publication mailed Pocatello Tribune, March 9, 1909.

Deposition blanks mailed applicant March 9, 1909.

W. A. Samms authorized March 17, 1909 to make examination of works.

Affidavit of publication received April 14, 1909.

Report of engineer received April 16, 1909.

Deposition of holder and witnesses and fees received April 2, 1909.

Affidavit as to point of diversion and lands irrigated received May 20, 1909.

Certificate issued July 9th, 1909.

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PERMIT NO. 3651.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that Albert M. Christofferson, of Pocatello, County of Bannock and State of Idaho, the holder of Permit No. 3651, issued upon application No. 5171 bearing date of priority of May 9, 1908, authorizing the diversion of .4 of 1 second foot of the waters of an un-named stream, County of Bannock, State of Idaho for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .4 of 1 second-foot of the waters of an un-named stream; that the point of Diversion of said waters is at a point in the Southeast quarter of the Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 15, Township 7 South, Range 34 East Boise Meridian; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and Southeast quarter of the Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 13, Township 7 South Range 34 East, Boise Meridian.

Witness my hand this ninth day of July, A.D.1909.

Jas Stephenson, Jr.

State Engineer of the State of Idaho.

License issued for ¹² 1.12 second feet

RECEIVED

AUG 18 1910

Report of Engineer

OFFICE OF STATE ENGINEER

1. State name of applicant and number of permit: Albert Christofferson - Permit 3651
2. State source of water supply: Unnamed stream
3. Location of point of diversion: SW 1/4 Sec. 13, Tp. 7 S., R. 34 E.B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 1 foot
- (b) Width at water line: 1.5
- (c) Depth of water: .5
- (d) Grade per mile: 1.00

6. State whether or not water has been turned into works of diversion and if so, to what extent:

There is now about 1/10 of one second foot of water in ditch. There has been more earlier in season.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

S. 2 of S. E. 4 Sec 13 Tp. 7 S. R. 34 E. B. M.
about 5 acres in S. W. 4 of S. E. 4 and 1 acre
in S. E. 4 of S. E. 4 Sec 13 Tp. 7 S. R. 34 E.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: _____

STATE OF IDAHO,

County of _____ } ss.

H. Webster
Water Commissioner
1st Div.

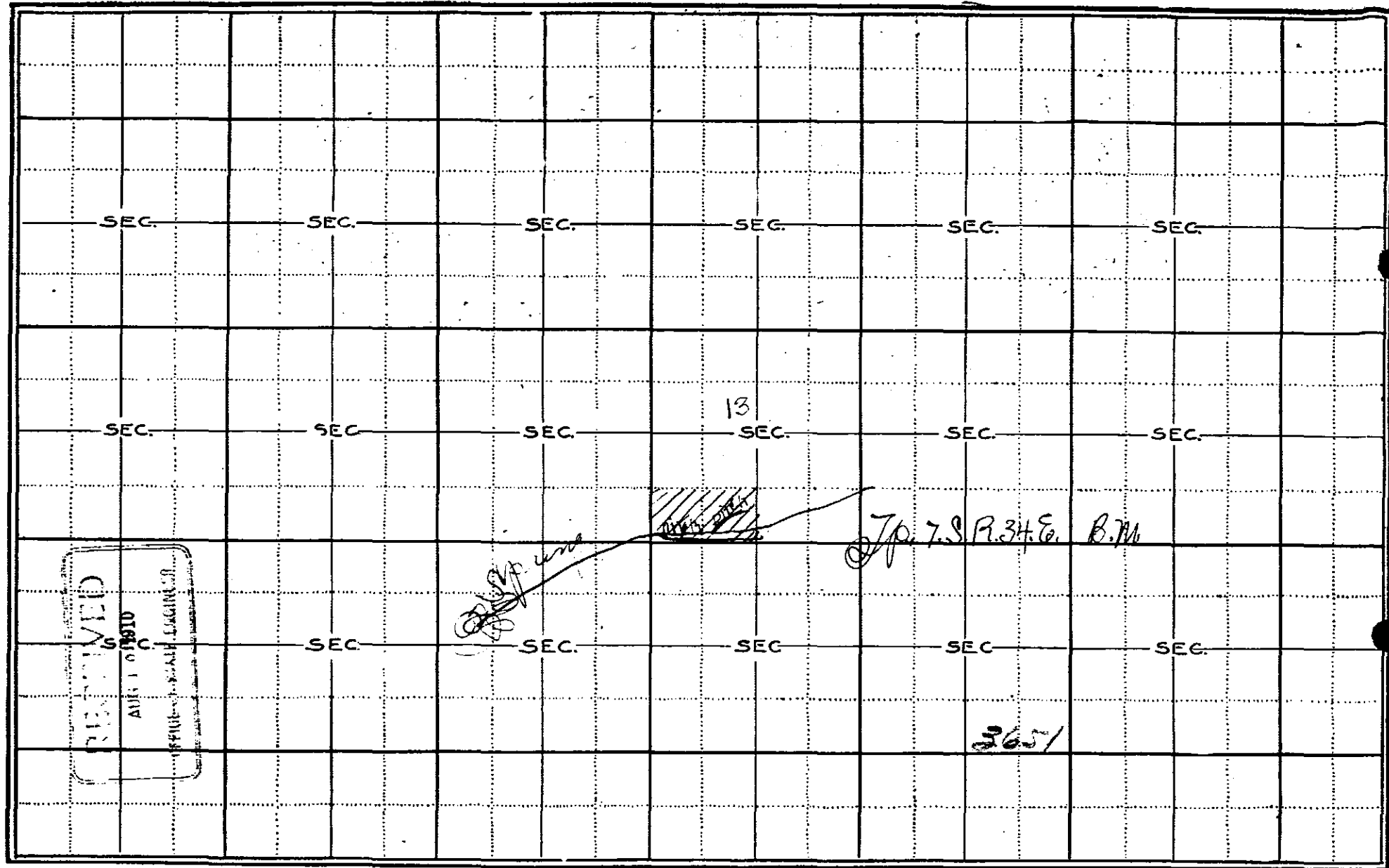
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 190_____.

My Commission Expires _____

Notary Public.

3651



AJ5809NP
No. A29-02070

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 107

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITTLE RED HEN INC C/O THOMAS J MCDEVITT PRES PO BOX 4260 POCATELLO ID 83205 (208) 232-1847	05/09/1908	IRRIGATION	03-15 11-15	0.120 CFS	
TOTAL DIVERSION:					0.120 CFS	
CONSUMPTIVE USE:						18.00 AFA

Water Source: UNNAMED STREAM

Tributary to: JOHNNY CREEK

Stage: LICENSE

Point(s) of Diversion: T07S R34E S13

SWSWSW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
07S	34E	13	:																	:		
																			05	01	:	6.0
																			TOTAL ACRES		:	6.0

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING OF 50 RANGE CATTLE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/13/89 VERNER 06/02/94 COX 03/29/95 POST-STD