

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: A29-04188
Date Received: 6/19/1990
Receipt No: E013245
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. J. CHRISTENSEN 208-232-8659
Address: 4044 TECH FARM ROAD
POCATELLO, ID 83204

OR

Name: DIXIE CHRISTENSEN 208-232-8659
Address: 4044 TECH FARM ROAD
POCATELLO, ID 83204

2. Date of Priority: APR 01, 1940

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	7	SW		NW		BANNOCK

5. Description of diverting works:
PUMP & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.110		

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

8. Total consumptive use is 16.9 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2904188

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	7	SW	NW	2	IRR	7.0

Section Acres 7.0

Total Acres 7.0

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:
AC. IRR. ACRES=6.75.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

06/01/2001

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

RIGHT NUMBER: 29-4188

NAME AND ADDRESS: DIXIE CHRISTENSEN
W J CHRISTENSEN
4044 TECH FARM RD
POCATELLO, ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.12 CFS

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION: T07S R35E S7 NWSEW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.12 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R35E S7 LOT 2 SWNW 6.2

6.2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-4188

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DIXIE CHRISTENSEN
Current Owner	W J CHRISTENSEN
	4044 TECH FARM RD
	POCATELLO, ID 83204
	(208)232-8659

Priority Date: 04/01/1940
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
PORTNEUF RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.12 CFS		
Total Diversion			0.12 CFS		

Location of Point(s) of Diversion:

PORTNEUF RIVER NWSNW Sec. 07 Township 07S Range 35E BANNOCK County

IRRIGATION Use:
Acre Limit: 6.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	35E	7	2	SWNW	6.2									

Total Acres: 6.2

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.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	6/4/01	POU - Acreage	Shape for POU is drawn at 7 acres, but actual Irrigated Place of Use is 6.2 acres.
csaxton	6/4/01	POD	Point of diversion recommended in the SENW without requesting Amended Claim. This was done because the POD is very close to QQ bndy. Based my recommendation on GPS Data.

Dates:

Licensed Date:
Claim Received Date: 04/18/1990

Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	6/1/01 2:17:00 PM	csaxton			In Process
POD	6/1/01 2:19:24 PM	csaxton			In Process
POU	6/1/01 2:34:11 PM	csaxton			In Process
Priority Date	6/1/01 2:18:34 PM	csaxton			In Process
Quantity	6/1/01 2:46:08 PM	csaxton			In Process
Season	6/1/01 2:41:47 PM	csaxton			In Process
Source	6/1/01 2:32:11 PM	csaxton			In Process
Summary	6/1/01 5:09:27 PM		6/1/01 5:09:27 PM	csaxton	Complete
Use	6/1/01 2:32:39 PM	csaxton			In Process

Other Information:

Receipt Number(s): E013245
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	6/1/01 2:16:58 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Met with Claimant on 5/15/01 Edited point location
POD	6/1/01 2:30:43 PM	csaxton	1. (YES) The basis is beneficial use.
POD	6/1/01 2:19:23 PM	csaxton	4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: GPS Position From field Exam 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required. Edited PLS
POU	6/1/01 2:35:22 PM	csaxton	Edited shape boundary
POU	6/1/01 2:34:54 PM	csaxton	1. (YES) The POU is required.
POU	6/1/01 2:34:09 PM	csaxton	2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: Aerial Photography, Plat maps, field exam. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	6/1/01 2:18:33 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use. 10. (YES) The claim file contains sufficient evidence of priority date. 12. (YES) The claim is recommended.

Quantity	6/1/01 2:46:06 PM	csaxton	13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required. 1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Irrigation Use less than 0.2 cfs, no measurement needed per instruction from Dave Tuthill. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	6/1/01 2:41:43 PM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	6/1/01 2:32:09 PM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Field Exam 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	6/1/01 5:09:17 PM	csaxton	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	6/1/01 2:32:37 PM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

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:

Ident. Number

Date Received

Receipt Number

39576

A29-04188

4-16-90

EO 13245/90

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

APR 16 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) W.J. Christensen or
Dixie Christensen Phone (208) 232-8659

Mailing Address 4044 Tech Farm Rd. Pocatello, Idaho Zip 83204

2. Date of Priority (Only one (1) per claim) April 1940

3. Source of water supply (a) Portneuf River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 7S Range 35E Section 7,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: N.E. Corner of Lot 2 Section 7

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

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

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 5" Pump out of Portneuf River
to irrigation ditches & field 1263' x 240' more or less.

MICROFILMED

NOV 13 1992

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 1.11 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.11 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	35E	7							6.75										
									L#2										

Total number of acres irrigated 6.75

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

12. Do you own the property listed above as place of use? Yes ☒ 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:

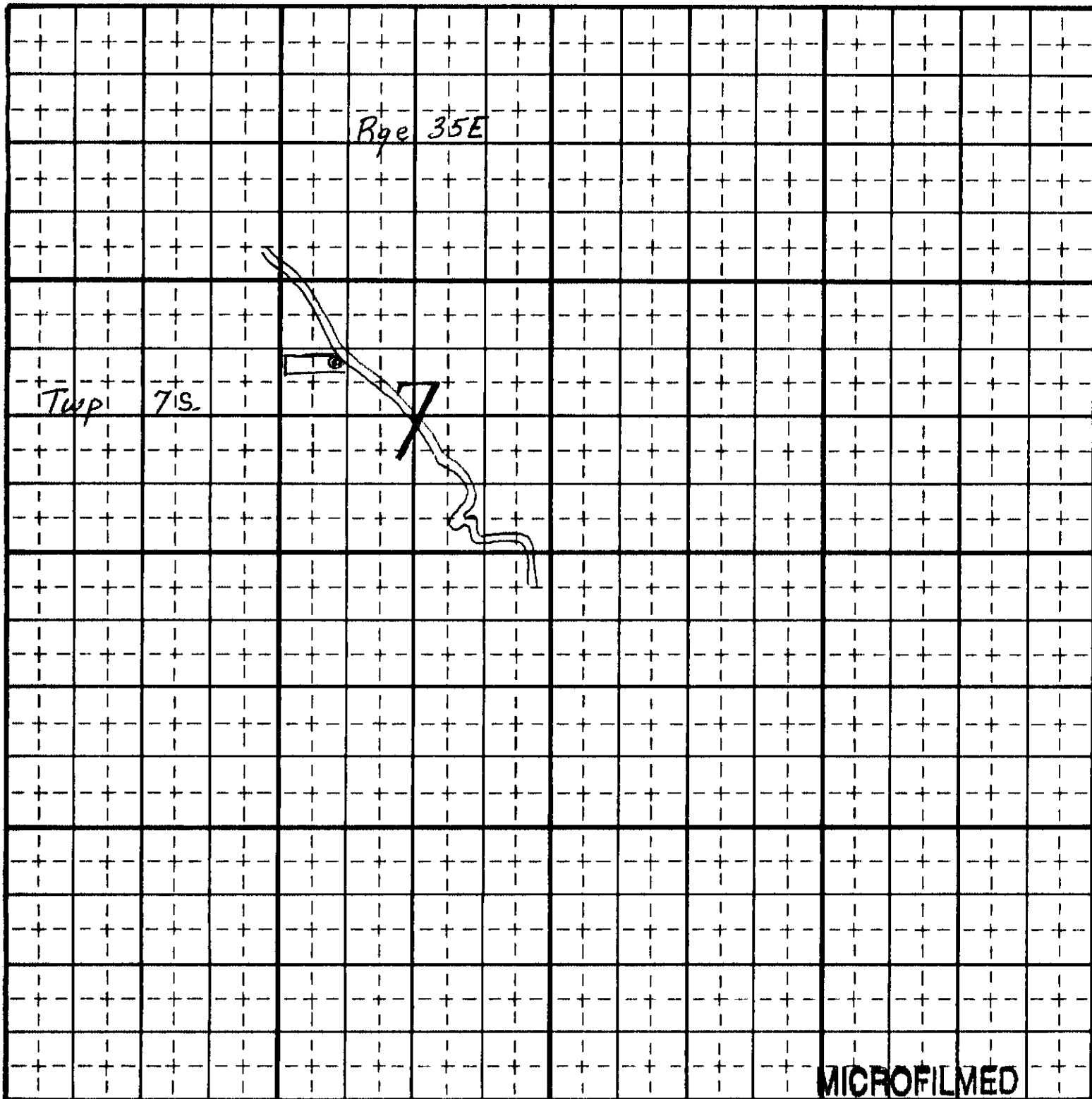
MICROFILMED

NOV 13 1992

Last Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile



NOV 13 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 29 4188

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) *W. J. Christensen* Date _____

Rupe Christensen Date 4-2-90

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ 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 2nd day of April 19 90

SEAL

Notary Public *Carter Fritschle*

Residing at Carter Fritschle, Notary Public

Residing at Eagle, Idaho

My Commission Expires March 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED

NOV 13 1992

Copies White-State, Yellow-Claimant

May 18, 2001

W J CHRISTENSEN
4044 TECH FARM ROAD
POCATELLO ID 83204

RE: NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Dear Mr. Christensen,

Enclosed is a copy of the Notice of Change of Ownership we spoke about on 5/15/01. I have taken the liberty of partially filling out the form. Please complete the areas highlighted in yellow. Please return the completed form along with a copy of the warranty deed showing that you know own the property as soon as possible. Please also include the priority evidence (statement) for 29-04185 that we spoke about at your home.

I apologize for the inconvenience, but I feel we are working out the necessary details that need to be taken care of in order to allow me to make a favorable recommendation to the court.

As always, feel free to call me at 525-7161 if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Brad C
232-9463

FCOA
start at summary

CLAIM NO. 29 - 4188

IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR

1. ☒ NAME - No change

☐ NEW OWNER: _____

(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)

☐ ADDRESS - No change

☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change

☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change

☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☐ PRIORITY DATE - No change

☐ CHANGE - Priority date to: _____

(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change

☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4

When Sed = _____

T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4

(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☐ PURPOSE AND PERIOD OF USE - No change

☐ CHANGE New purpose of use

New period of use

New amount(s)

_____ from _____ to _____ cfs _____ af

_____ from _____ to _____ cfs _____ af

_____ from _____ to _____ cfs _____ af

7. ☐ PLACE OF USE - No change

☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS POU Larger than Contour's Description. (See map)

CONDITIONS _____

Reviewer _____ Date _____

03/19/98

COMMUNICATION DOCUMENTATION

Claim No. 29-4188

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Craig Saxton, Dean Byington Date 5-15-01Contact Person(s) Bill ChristensenNature of Contact Walked up to us.Substance of Communication C/O from McIntosh "29-4185"
to Christensen, send him C/O forms1) McIntosh - Margaret moved to Boise. Rabbie for San Ramon
the Place Now. Need to contact Rabbie2) McIntosh Right split - Bill C. is going to provide priority
Evidence upon receiving C/O3) Party water used from ditch on E side of property for subsiding
dam. Removed in 200's and stopped that practice

29-4188

5615-101



Log for claim A29-04188

Spatial Dynamics LTD

9/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	7	SWNW	7	6.4	
Totals:			7	6.4	

5/17/01 Shape Made - Priority Good
Recommend as claimed. Reduce c/s

5/18/01 Photo Rectification 'off'. Shape drawn for this POL
is actually 6.23 Acres. Shape is drawn Bigger
For Consistency

5/30/01 Has been Watered in the last two years

AJ5809NP
No. A29-04188

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 185

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIXIE CHRISTENSEN	04/01/1940	IRRIGATION	03-15 11-15	1.110 CFS	
C	W J CHRISTENSEN					
	4044 TECH FARM RD					
	POCATELLO ID 83204			TOTAL DIVERSION:	1.110 CFS	
	(208) 232-8659			CONSUMPTIVE USE:		16.90 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S07

SWNW

BANNOCK County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
07S	35E	7	:																												7.0	
																												TOTAL ACRES	7.0			

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

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

29-10687 29-11405 29-11406 29-12037 29-12165 A29-07009 A29-07060 A29-07273 A29-10687 A29-11405
A29-11406 A29-12037 A29-12165

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

A29-07060

Remarks: GEN AC. IRR. ACRES=6.75.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 06/20/90 DCARLSON 07/20/94 THOMPSON 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that W. J. CHRISTENSEN & DIXIE CHRISTENSEN
(Name of Claimant)

4044 TECH FARM ROAD, POCA TELLO, IDAHO
(Mailing Address)

83201

Telephone No. 232-8659

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) APRIL 1940

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

PORTNEUF RIVER

tributary to

SNAKE RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpm, AF A)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	1.11 CFS	Use IRRIGATION	Period of Use From APRIL 15	To SEPT. 15
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 1.11 CFS TOTAL QUANTITY USED.
(cfs, gnd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ NW ¼, Sec. 7 Twp. 7 S Rge. 35 E B.M., County of BANNOCK

Additional points of diversion:

N. E. Corner of Lot 2 Section 7

8) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. **5" PUMP OUT OF PORTNEUF RIVER TO IRRIGATION DITCHES AND FIELD 1263' X 240'**

.. MORE OR LESS.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

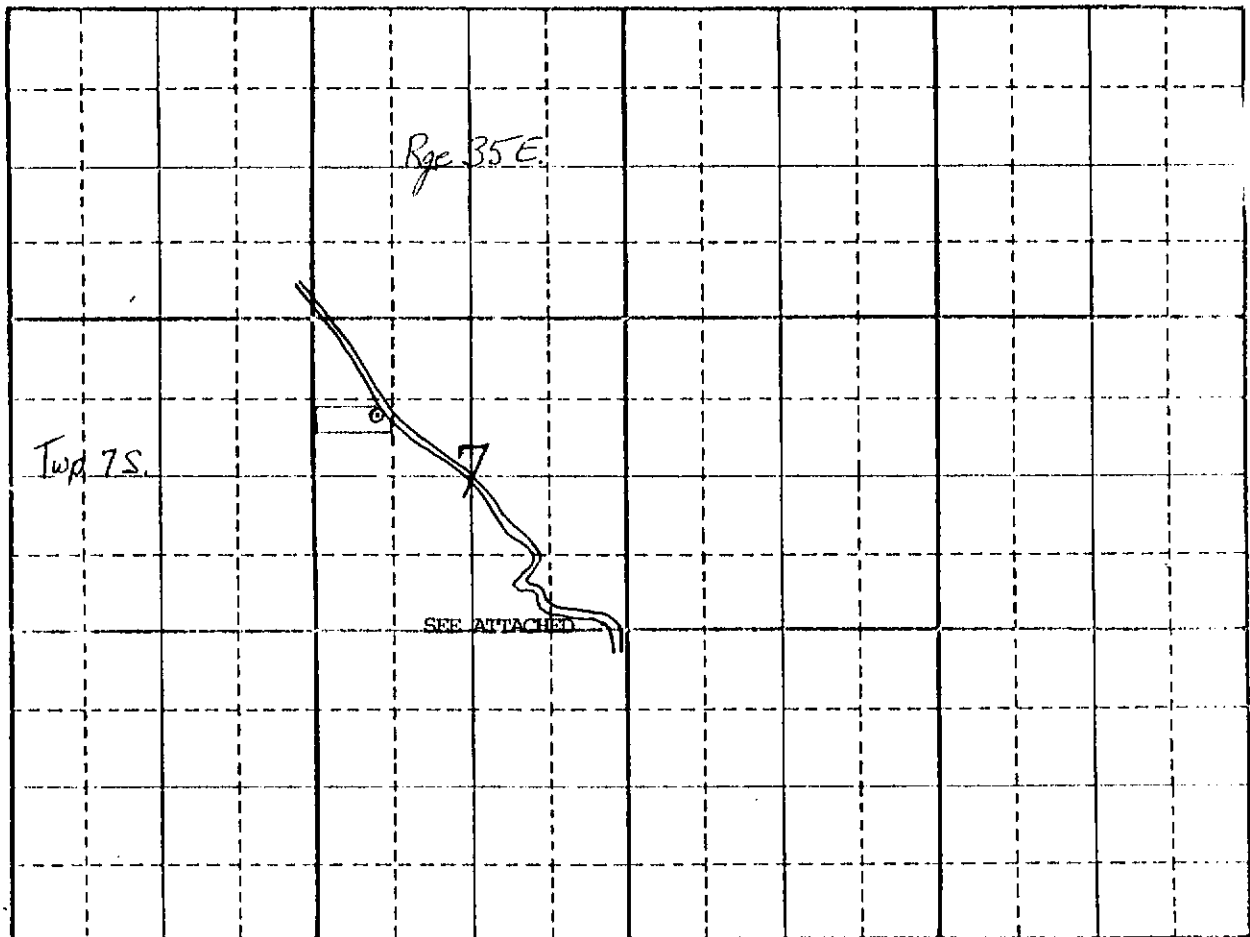
No. of acres 6.75

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

NOT
If you



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of BANNOCK)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of DECEMBER, 1980.

[Signature]
(Claimant)

[Signature]
Notary Public
Residing at POCATELLO, IDAHO

My commission expires 5/15/82

Received by [Signature] Date 12/29/80 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 1-25-81
\$30.00 fee received by [Signature] Date 1/28/81 # K0198
Published in Idaho State Journal
Dates 1/5 & 1/12/81

i-06-1995

Dear Mr. Dave Carlson,

In answer to your letter dated Jan. 3, 1995. I have reserched the Abstract of Title to said property, and submit the following information.

I hope this will help you set a PRIORITY DATE.

Page 3-April 17, 1916 United States of America to Susie Gibson (Fort Hall Indian)

September 18, 1926 Susie Gibson sold to W.F.Kasiska

November 23, 1926 W.F.Kasiska sold to D.L.Pope

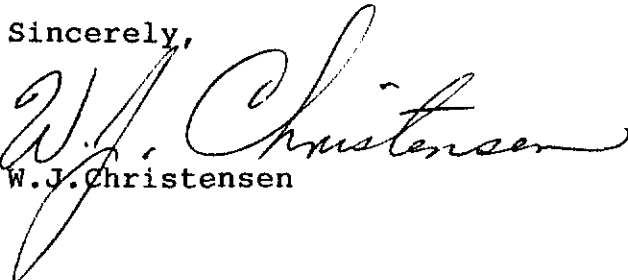
Page 21-July 14, 1930 D.L.Pope sold to Harmon F Raymond

Page 17- See Theo J. Turner's Affidavit

Page 23- January ²⁶ 30, 1937 Harmon F Raymond sold to E.W.Christensen

In 1956 E.W. Christensen's widow sold to W.J. Christensen.
January 30, 1937 See letter= Harmond F. Raymond sold to ^{E.W. W.C.} ~~W.J.~~ Christensen
half interest in pump, which I remember as an irragation pump in river.

Sincerely,


W.J. Christensen

RECEIVED

JAN 09 1995

Department of Water Resources
Eastern District Office

MICROFILMED

NOV 13 1998

AJ5809NP
No. A29-04188

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIXIE CHRISTENSEN	04/01/1940	IRRIGATION	03-15 11-15	1.11 CFS	
C	W J CHRISTENSEN					
	4044 TECH FARM RD			TOTAL DIVERSION:	1.11 CFS	
	POCATELLO ID 83204			CONSUMPTIVE USE:		16.90 AFA
	(208) 232-8659					

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R35E S07 SWNW

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	35E	7	:																	:	7.0
																				TOTAL ACRES	7.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: AC. IRR. ACRES=6.75.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

NOV 13 1990
MICROFILM

Pocatello, Idaho,
January 30, 1937.

I Harmon F. Raymond and wife Ella M. Raymond
herewith sell our half interest in water pump located on the
acreage sold to E. W. Christensen in which my brother holds
the other half interest.

Harmon F. Raymond
Ella M. Raymond.

MICROFILMED

NOV 13 1996

United States of America,

to

Susie Gibson

PATENT

Dated: April 17, 1916
 Filed: November 15, 1926
 at 4:12 P.M.
 Instrument No: 127387
 Recorded: Book 55 Deed
 Record Page 435

Recites:

That schedule of allotments approved by Secretary of Interior has been deposited in General Land Office, whereby it appears that Susie Gibson, Indian of Fort Hall Reservation, has been allotted following described land:

Lots one and two of Section Seven in Township Seven South of Range thirty-five East of Boise Meridian, Idaho, containing seventy-six and fifty-six hundredths acres, according to Official Plat of Survey of said land returned to General Land Office by Surveyor General.

In consideration of premises, and in accordance with provisions of Act of Congress of February 23, 1889 (25 Stat., 688), does give and grant unto said Susie Gibson and to her heirs, lands above described.

With provision that title hereby acquired shall not be subject to alienation, lease or incumbrance, either by voluntary conveyance of Grantee or her heirs, or by judgment, order or decree of any Court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for period of twenty-five years, and until such time thereafter as President may see fit to remove restriction.

And there is reserved from lands hereby granted, right of way thereon for ditches or canals constructed by authority of United States.

This patent is issued in lieu of one dated May 3, 1902.

(United States General
 Land Office Seal)

By President Woodrow Wilson,
 By M.P. LeRoy, Secretary

Recorded Patent Number 525090

L. Q. C. Lamar, Recorder of
 General Land Office

NOV 13 1930

Theo J. Turner.

AFFIDAVIT

Filed: April 25, 1936
at 11:47 A.M.
Instrument No: 183495
Recorded: Book 10 Miscel-
laneous Record Page 15

Bannock County, Idaho.

Theo J. Turner, of lawful age, a resident of Pocatello, Bannock County, State of Idaho, being first duly sworn upon oath deposes and says:
I am personally acquainted with Susie Gibson who received from United States of America a Patent covering an Indian allotment described as:

Lots one and two of Section seven Township seven South Range thirty-five East of Boise Meridian in Idaho

which Patent is found of record in Book 55 of Deeds page 435 of records of Bannock County, Idaho, and who later married Willie Williams, an Indian who as Susie Gibson's husband joined in the execution of that certain Deed to W. F. Kasiska, found of record in Book 55 of Deeds page 436 of records of Bannock County, Idaho;

That the said Susie Gibson, who was the widow of Tom Gibson, deceased married Willie Williams but continued to use the name of Susie Gibson;

That I have seen in the office of the Indian Superintendent at Fort Hall, Idaho, documents which show that Susie Gibson and Willie Williams were on September 18th, 1926, wife and husband;

That I was well and personally acquainted with D. L. Pope, grantee in that certain Deed found of record in Book 54 of Deeds page 416 of records of Bannock County, Idaho, whose name appears in connection with the title to the property described in said Deed as Daniel L. Pope;

That I was also well and personally acquainted with his wife, Mary J. Pope, who sometimes signed her name as M. J. Pope, and personally know that Daniel L. Pope and D. L. Pope insofar as transactions involving the property described as Lots one and two of Section seven Township seven South Range thirty-five East of Boise Meridian, in Idaho, refers to one and the same person; That the name Mary J. Pope and M. J. Pope, as it appears in connection with this title, also refers to one and the same person;

That I am also well and personally acquainted with W. F. Kasiska, grantee named in that certain Deed found of record in Book 55 of Deeds page 436 of records of Bannock County, Idaho, bearing date September 18, 1926, and personally know that on said date the said W. F. Kasiska was a single or unmarried man and that he was a single or unmarried man during all of the time he held title to or had an interest in the property described in said Deed.

BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

NOV 13 1936

D. L. Pope and M. J.
Pope, his wife,

to

Harmon F. Raymond,
and Ella M. Raymond,
his wife.

WARRANTY DEED

Dated: July 14, 1930
Filed: February 1, 1937
at 10:30 A.M.
Instrument No: 189382
Recorded: Book 73 Deed
Record Page 466
Consideration: \$750.00

Grant, bargain, sell, convey and confirm land in Bannock County,
Idaho:

Commencing at the SW corner of Lot 2 Section 7 Township 7 South
of Range 35 EBM, and running thence N. along the Wly boundary
line of said Lot 2 distance of 1023 feet; thence at right angles
to last described line and running in an Ely direction parallel
with the Sly boundary line of Lot 2 distance of 2 rods for
beginning point of following survey: thence continuing in an
Ely direction distance of 1225.65 feet more or less, to a point
where same intersects with Ely boundary line of Lot 2; thence
at right angles to last described line and running in a Nly direction
along the Ely boundary line of Lot 2 to a point where same
intersects with the Wly bank of the Portneuf River; thence
running in a NWly direction along Wly bank of the Portneuf
River to a point that is 1263 feet N. of the Sly boundary line
of Lot 2; thence running in a Wly direction and parallel with
the Sly boundary line of Lot 2 to a point that is 2 rods E of the
Wly boundary line of Lot 2 and 1263 feet N of the Sly boundary line
of Lot 2; thence at right angles to last described line and
running in a Sly direction parallel with the Wly boundary line of
Lot 2 distance of 240 feet more or less to a point of beginning
and containing an area of 6.75 acres more or less

Together with all water, water rights, ditches, canals appertaining
thereto.

Also water and ditch stock in any company or companies which may have
been organized and whose water or ditch stock may affect the above
described land.

\$1.00 I. R. S. attached and cancelled.

Covenants: Of quiet and peaceable possession and general warranty.

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BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

NOV 13 1930

Harmon F. Raymond and Ella
M. Raymond, husband and wife,

to

Evald W. Christensen and
Martha Christensen, husband
and wife.

WARRANTY DEED

Dated: January 26, 1937
Filed: February 1, 1937
at 10:31 A.M.

Instrument No: 189383
Recorded: Book 73 Deed
Record Page 467

Consideration: \$1.00

Grant, bargain, sell, convey and confirm land in Bannock County, Idaho:

Commencing at Southwest corner of Lot two, Section Seven Township Seven South of Range thirty-five EBM and running thence North along Westerly boundary line of said Lot two distance of 1023 feet; thence at right angles to last described line and running in Easterly direction parallel with Southerly boundary line of Lot two distance of two rods for beginning point of following survey: thence continuing in an Easterly direction distance of 1225.65 feet more or less to a point where same intersects with Easterly boundary line of Lot two; thence at right angles to last described line and running in Northerly direction along Easterly boundary line of Lot two to a point where same intersects with Westerly bank of Portneuf River; thence running in Northwesterly direction along Westerly bank of Portneuf River to a point that is 1263 feet North of Southerly boundary line of Lot two; thence running in Westerly direction and parallel with Southerly boundary line of Lot two to a point that is two rods East of Westerly boundary line of Lot two and 1263 feet North of Southerly boundary line of Lot two; thence at right angles to last described line and running in Southerly direction parallel with Westerly boundary line of Lot two distance of 240 feet more or less to a point of beginning and containing an area of 6.75 acres, more or less

Together with all water, water rights, ditches, canals appertaining thereto.

Also water and ditch stock in any Company or Companies which may have been organized and whose water or ditch stock may affect the above described land.

Covenants: Of quiet and peaceable possession and general warranty.

One Witness

Harmon F. Raymond (Seal)
Ella M. Raymond (Seal)

Acknowledged: Bannock County, Idaho, January 26, 1937: by Harmon F. Raymond and Ella M. Raymond, husband and wife; Before ~~Paul Croft~~ Notary Public in and for said County and State. Residence: Pocatello, Idaho.
(Notarial Seal)

BANNOCK TITLE-ABSTRACT COMPANY
PAGE NUMBER

NOV 13 1936