



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 21, 2003

CARL CHRISTENSEN
1321 S 2300 W
STERLING ID 83210

RE: Transfer #70513 for water right(s) 35-2009, ~~35-4179A~~ and Notice
of Completed Administrative Proceeding (NCAP)

Dear Mr. Christensen:

On July 7, 2003, the Idaho Department of Water Resources (IDWR) approved Transfer #70513, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Rights: 35-4179A

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 70513

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 22, 2003


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 25, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
CARL CHRISTENSEN
1321 S 2300 W
STERLING ID 83210

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

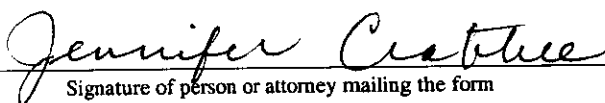
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.

Rights 35-7990, 35-4179A, 35-4179B and 35-2009 when combined are limited to the irrigation of 232 total acres within the place of use described above in a single irrigation season.

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Rights 35-4179B, 35-8631 and 35-12863 are also diverted through the point of diversion described above.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by transfer 70513 by July 8, 2004.

Failure of the right holder to comply with the conditions of transfer 70513 is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 35-4179A
As Modified by Transfer No. 70513

In accordance with the approval of Transfer No. 70513, Water Right No. 35-4179A is now described as follows.

Right Holder: CARL R CHRISTENSEN Or
 CHRISTENSEN BYPASS TRUST
 1321 S 2300 W
 STERLING ID 83210

Priority Date: April 01, 1955

Source: UNNAMED DRAIN

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.04 CFS	284.0 AF
			1.04 CFS	284.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAIN	NWNWSW	Sec. 6	Twp 05S	Rge 32E	BINGHAM County
UNNAMED DRAIN	SWNWSE	Sec. 6	Twp 05S	Rge 32E	BINGHAM 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	
05S	32E	5									31.0	38.0	39.0	6.0					114.0
05S	32E	6	1.0	28.0	4.0											40.0	40.0		113.0
			L 1	L 2															
05S	32E	7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
							L 1	L 2											
05S	32E	8					16.0	38.0	20.0	1.0									75.0

Total Acres: 542

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Right 35-4179A shall not exceed 1.04 cfs, nor total annual volume of 284 af.
2. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 35-4179A
As Modified by Transfer No. 70513

CONDITIONS OF APPROVAL

6. Rights 35-7990, 35-4179A, 35-4179B and 35-2009 when combined are limited to the irrigation of 232 total acres within the place of use described above in a single irrigation season.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. Rights 35-4179B, 35-8631 and 35-12863 are also diverted through the point of diversion described above.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 8 day of July, 20 03

for  _____
Chief, Water Allocation Bureau