



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: 35-2009

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.

Ernest Carlson.

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:

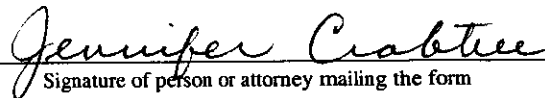
Each party in the subcase, or attorney of record
N/A

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

07/18/2003

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

RIGHT NUMBER: 35-2009
NAME AND ADDRESS: CARL R CHRISTENSEN
1321 S 2300 W
STERLING ID 83210
CHRISTENSEN BYPASS TRUST
1321 S 2300 W
STERLING ID 83210

SOURCE: SPRING TRIBUTARY: SNAKE RIVER

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Point of injection and point of redirection are from an unnamed drain.

QUANTITY: 1.600 CFS
320.00 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/02/1908

POINT OF DIVERSION: T05S R31E S2 NWSESW Within BINGHAM County
T05S R31E S2 NWSESW Injection Within BINGHAM County
T05S R32E S6 NWNWSW Lot 6 Rediversion Within BINGHAM County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS <u>320.00 AFY</u>
<u>STOCKWATER</u>	<u>01/01 12/31</u>	<u>0.140 CFS</u> <u>14.60 AFY</u>

PLACE OF USE:

IRRIGATION Within BINGHAM County

T05S R32E S05	NESW	31.0	T05S R32E S05	NWSW	38.0
T05S R32E S05	SWSW	39.0	T05S R32E S05	SESW	6.0
T05S R32E S06 Lot 1 NENE		1.0	T05S R32E S06 Lot 2 NWNE		28.0
T05S R32E S06	SWNE	4.0	T05S R32E S06	SWSE	40.0
T05S R32E S06	SESE	40.0	T05S R32E S07	NENE	40.0
T05S R32E S07	NWNE	40.0	T05S R32E S07	NENW	40.0
T05S R32E S07 Lot 1 NWNW		40.0	T05S R32E S07 Lot 2 SWNW		40.0

07/18/2003

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

<u>T05S R32E S07</u>	<u>SEnw</u>	<u>40.0</u>	<u>T05S R32E S08</u>	<u>NENw</u>	<u>16.0</u>
<u>T05S R32E S08</u>	<u>NWNw</u>	<u>38.0</u>	<u>T05S R32E S08</u>	<u>SWNw</u>	<u>20.0</u>
<u>T05S R32E S08</u>	<u>SEnw</u>	<u>1.0</u>			

STOCKWATER same as IRRIGATION

542 ACRES TOTAL

This right is limited to the irrigation of 80 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:

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

Use of this right is combined with water from Aberdeen-Springfield Canal Co.

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 this transfer within one (1) year of the date of this approval.

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

WATER RIGHT NO. 35-2009
As Modified by Transfer No. 70513

In accordance with the approval of Transfer No. 70513, Water Right No. 35-2009 is now described as follows.

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

Priority Date: March 02, 1908

Source: SPRING

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	1.60 CFS	320.0 AF
STOCKWATER	01/01 to	12/31	0.14 CFS	14.6 AF
			1.60 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING	NWSESW	Sec. 2	Twp 05S	Rge 31E	BINGHAM County
SPRING	NWSESW	Sec. 2	Twp 05S	Rge 31E	BINGHAM County (Injection)
SPRING	NWNWSW	Sec. 6	Twp 05S	Rge 32E	BINGHAM County (Rediversion)

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
			L1	L2															
05S	32E	7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
							L1	L2											
05S	32E	8					16.0	38.0	20.0	1.0									75.0

Total Acres: 542

CONDITIONS OF APPROVAL

1. 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.
2. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

WATER RIGHT NO. 35-2009
As Modified by Transfer No. 70513

CONDITIONS OF APPROVAL

5. Use of this right is combined with water from Aberdeen-Springfield Canal Co.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Point of injection and point of redirection are from an unnamed drain.
8. 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.
9. 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.
10. 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.
11. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
12. 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.
13. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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