

RECEIVED
NOV 25 2003
Department of Water Resources

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

In Re SRHA

SUBCASE NO: 35-4179A

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the claimants and elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Carl R. Christensen
Carl R. Christensen
Carl R. Christensen Bypass Trust, Trustee
11-25-03
Date

OBJECTOR:

David Gehlert
David Gehlert, US DOJ
Attorney for BOR
11/25/03
Date

IDWR CONCURRENCE:

Roxanne Brown
for Roxanne Brown
Senior Water Resource Agent, IDWR
11-26-03
Date

Susan Hamlin Nygard
Susan Hamlin Nygard (As to Form)
Attorney for IDWR
11/26/03
Date

Sent By: WATER RESOURCES;

2083275400;

Nov-14-03 12:56PM;

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11/14/2003

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

RIGHT NUMBER: 35-4179A

NAME AND ADDRESS: CARL R CHRISTENSEN
CHRISTENSEN BYPASS TRUST
1850 N ANDREW LANE
KIMA ID 81614

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.040 CFS
284.000 APY

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.

PRIORITY DATE: 04/01/1955

POINT OF DIVERSION:

T055 R32E S6 N44W4N Within BINGHAM County
T055 R32E S6 S44W4E Within BINGHAM County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.040 CFS 284.00 APY

PLACE OF USE:

IRRIGATION Within BINGHAM County

T055 R32E S05	N45W	11.0	T055 R32E S05	N45W	38.0
T055 R32E S05	S45W	39.0	T055 R32E S05	E45W	4.0
T055 R32E S06 Lot 1 N45W		1.0	T055 R32E S06 Lot 2 N45W		28.0
T055 R32E S06	S45W	4.0	T055 R32E S06	S45E	40.0
T055 R32E S06	S45E	40.0	T055 R32E S07	N45W	40.0
T055 R32E S07	N45W	40.0	T055 R32E S07	N45W	40.0
T055 R32E S07 Loc 1 N45W		40.0	T055 R32E S07 Loc 2 N45W		40.0
T055 R32E S07	N45W	40.0	T055 R32E S08	N45W	14.0
T055 R32E S08	N45W	14.0	T055 R32E S08	S45W	20.0
T055 R32E S08	S45W	1.0			

542 ACRES TOTAL

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 35-2809 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(e), Idaho Code.

C.R.E.

Deke

CT

DL

CERTIFICATE OF MAILING

I certify that on 11/26, 2003, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

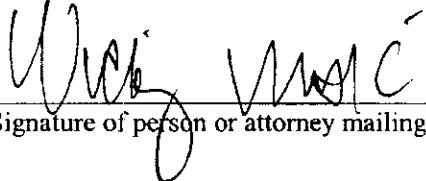
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Carl R. Christensen
Christensen Bypass Trust
1850 N. Andrew Lane
Kuna, ID 83634

United States Department of Justice
Environmental & Natural Resources Division
550 W Fort St, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
WATER RESOURCES
2083275400
Nov-26-03 2:58PM

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258	11/26 2:56PM	1'33"	12087362121	Send	6/ 6	EC144	Completed

Total 1'33" Pages Sent: 6 Pages Printed: 0



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

November 26, 2003

VIA FACSIMILE

Ms. Diana Delaney
Chief Deputy Clerk
SRBA Court
253 1st Ave. N
P.O. Box 270
Twin Falls, ID 83403-0270

Post-Net Fax Note	7871	Date	11/26/03
To	SRBA	From	Vicki M.
Co./Dept		To	
Phone #		Phone #	208-736-7413
Fax #		Fax #	

Re: Subcase Nos. 18-2009 and 18-4179A
SESS enclosed

Dear Diana,

Enclosed for filing with the Court are the SESS referenced above. Due to them being faxed a few times, the recommendations are barely legible here so I will enclose legible copies with the originals to be mailed. If you have questions regarding these enclosures, please call me at the IDWR state office at (208) 327-7028.

Sincerely,

Vicki M. Delaney
Paralegal
Idaho Department of Water Resources

Enclosures

Natural Resources Division - Water Resources Unit
301 North Oregon St., Boise, Idaho 83706-22
Telephone: (208) 327-7000, TDD: (208) 327-7000
Hearings Room FAX: (208) 327-5400