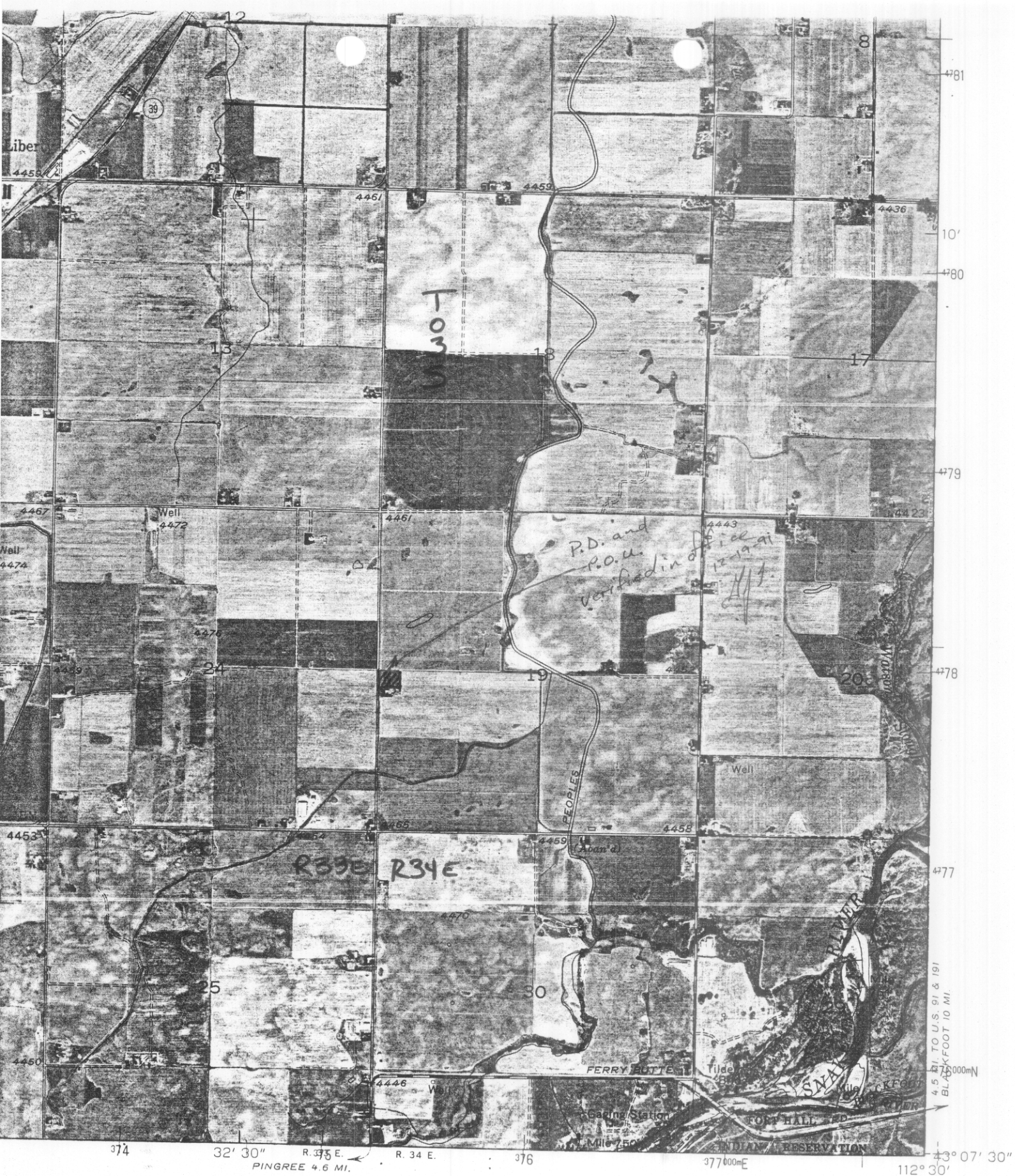




Be Obtained
ise Idaho

RECEIVED

JUN 24 1991

Department of Water Resources
Eastern District Office

357 South 1200 West
Pingree, Idaho. 83262
June 20, 1991

Dear Sir,

In compliance with your request for conformation of a priority date for Beneficial Use of water from a well used on our property located in Sec 19 Township 3 South of Range 34 East, please find enclosed two documents provided as proof of priority date;

1 - An Affidavit from Idaho Power Co. for 230 volts for three phase electric power for pumping, dated April 27, 1937.

2 - An Affidavit of a next door neighbor with personal knowledge of when Beneficial Use was first made.

Sincerely,

Robert H. Christensen

WITNESS

Rae Bankhead
Beauregard, Idaho
Expires 10/9/91

Notice Number
AJ580NP - A-35-04250

MICROFILMED

DEC 10 1992

RECEIVED

JUN 24 1991

Department of Water Resources
Eastern District Office

Since before 1937, I Leo Walters have
lived adjacent to the property located in Sec 19 Township 3
South of Range 34 East, and do here-by declare that water from
pump well right # A 35-04252 has been continually used for
Beneficial farm irrigation and stock watering since 1937.

Leo Walters

Rae Sanderson
Brayton, Idaho
Expires 10/9/91

Water Number
A 9580NP-A 35-04252

MICROFILMED

DEC 10 1992

RECEIVED

JUN 24 1991

APPLICATION

Department of Water Resources
Eastern District Office

April 27th, 1937

The undersigned, herein called the Consumer, hereby applies to the Idaho Power Company, its successors and assigns (herein called the Company) for the electric service described as 115 volts for residence lighting and refrigeration and 230 volts for three phase electric power for residence and pumping installation, service to be delivered at Consumer's residence located in Bingham County, Idaho, and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Pump and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Residence in Section 19 Township 3 South of Range 34 East, from May 20th, 1937 to May 20th, 1942. After the expiration of this contract, service hereunder shall be continued until 30 days' written notice to discontinue shall be given by either party.

The Consumer agrees to make a cash payment of \$100.00, and also agrees to make a minimum annual payment to the company of \$167.00 payable not less than 1/12th monthly on a net cumulative basis.

The Consumer is the owner of the above described property and agrees for himself, his heirs, administrators and assigns that all of the payments to become due under this agreement are a lien upon the above described property which lien shall be security for the payment and obligations therein contained and shall be enforceable as a mortgage lien or in any other manner prescribed by law for the enforcement of liens and is binding on the consumer, his heirs, executors and assigns and shall run with the land hereinbefore described.

The Company may discontinue to supply electric energy or terminate this contract at any time to prevent fraud, abuse or injury to its system, or on account of the consumer's failure to pay bills when due.

Witness-Stanley M. Brown

Accepted 5-13-37

IDAHO POWER COMPANY

By D. C. Brown, division manager

Kenneth M. Sproul

Clenna J. Sproul

Consumers

Acknowledged by Kenneth M. Sproul and Clenna J. Sproul, his wife, April 27th, 1937 before H.R. West, Notary Public for Idaho, residing at Pocatello, Idaho. Sealed.

Recorded- May 15th, 1937 at 10:40 a.m.-
in book "2" of Contracts at page 22 of-
the records of Bingham County, Idaho-

RELEASED ON THE MARGIN OF WHICH THE FOLLOWING IS A COPY

Idaho Power Company hereby releases and discharges this agreement and any and all rights to LIEN created thereby on the property therein described.

IDAHO POWER COMPANY, By D.C. Brown, Division Manager
Signed and acknowledged this Feb. 24, 1942

Jno. H. Falk, Ex-Officio Recorder Bingham County Idaho
By Kleta Andersen, Deputy.

FEB 7

Notary Number
A-2580/P A-35-04250

DEC 10 1937

17-Jun-1991

JERALDEAN A & ROBERT H CHRISTENSEN
357 S 1200 W
PINGREE ID 83262

RE: **Evidence of Priority**
NO. A35-04252

Dear Claimant:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by JULY 15, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

DEC 10 1992

JERALDEAN A & ROBERT H CHRISTENSEN
A35-04252

page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:rb

Enc. Brochure on "Evidence of Priority"
Proof Report

RECORDED
DEC 10 1962