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Documents

In File

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: A65-21784
Date Received: 4/19/1990
Receipt No: W012195
Received By: RAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARC CHRISTOPHER 208-642-2214
Address: 739 S 12 ST
PAYETTE ID 83661
AND/OR
Name: PENNY CHRISTOPHER 208-642-2214
Address: 739 S 12 ST
PAYETTE ID 83661

2. Date of Priority: APR 30, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	03W	3	SE	NW			PAYETTE

5. Description of diverting works:
WELL, 30', 1 HP PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	03W	3	SE	NW		DOMEST	

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Identification No. AGS-21784Date Received 4-19-90Receipt Number W012195

RECEIVED **NOTICE OF CLAIM**
TO A
WATER RIGHT

APR 19 1990

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) MARC AND/OR PENNY CHRISTOPHER Phone (208) 642-2214Mailing Address 739 SIZEL ST PAYETTE ID Zip 836612. Date of Priority (Only one per claim) 4/30/79 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 8 N Range 3 W
Section 3, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of PAYETTE

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. WELL, 30 ft DEEP, 1 hp pump, PIPE to HOUSE

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 HOUSEHOLD

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 8N Range 3W
Section 3, 1/4 of 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Payette
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.
(☒) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) Tony Christensen Date 4/18/90

Date _____

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

of _____, 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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Payette) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 18th day of April 19 90

SEAL

Notary Public Colleen Dapple
Residing at Lewistown, Id.
My Commission Expires 1-27-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

I have attached the
description of our property
since I was confused
about how to put what
where on items 4 & 10.

Marc or Penny Christopher

In Twp. 8 N. R. 3 W., B.M., Payette County, Idaho:

In Sec. 3: A tract of land in the E $\frac{1}{2}$ NW $\frac{1}{4}$ described as follows:

Beginning at the Northwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 66 feet to the TRUE POINT OF BEGINNING;

thence East 200 feet;

thence North 92 feet;

thence West 200 feet;

thence South 92 feet to the point of beginning.

SUBJECT to the right of way for 12h Street off the West
side thereof.

MARC OR PENNY CHRISTOPHER

7 OCT 1974
303 12 100

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Christopher CLAIM IDENT. NO. AL65-21784

DATE RECEIVED	RECEIPT #	FEE PAID	FEE REQ'D	YES	NO	Required Info?
<u>4-19-90</u>	<u>W012195</u>	<u>\$25⁰⁰</u>	<u>\$25⁰⁰</u>			
1. Is the name and address complete with zip code?				☒	☐	*
2. Is a priority date entered?				☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.				☒	☐	*
3. (a) Is a source entered?				☒	☐	*
(b) Is a tributary to entered? (if required)		<u>N/A</u>	☒	☐	☐	
4. Is the legal description of the p.d. sufficient?				☒	☐	*
5. Is there a description of the diverting works?				☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.				☒	☐	*
Is the period of use included?				☒	☐	
Is a quantity claimed for each use?				☒	☐	*
7. Is a total quantity claimed entered?				☒	☐	
8. If required is a consumptive use entered?		<u>N/A</u>	☒	☐	☐	
Is the consumptive use correct?		<u>N/A</u>	☒	☐	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?				☒	☐	*
If multiple domestic, is single ownership indicated?		<u>N/A</u>	☒	☐	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?				☒	☐	*
11. Is (are) the county(ies) entered?				☒	☐	
12. Is the ownership of p.u. checked?				☒	☐	
13. Are other water rights listed or "none" indicated?				☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)		<u>N/A</u>	☒	☐	☐	
15. Is the basis of the claim indicated?				☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?		<u>N/A</u>	☒	☐	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.						
If no, was water right no. found?				☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?		<u>N/A</u>	☒	☐	☐	
(If yes, attach a proof report & complete number change)						
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.						
18. If the claimant requested a monthly docket sheet, was the fee paid?		<u>N/A</u>	☒	☐	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?				☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?				☒	☐	*
21. Was this claim filed on time?				☐	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)						
If no, was an extension of time filed & approved?				☐	☐	*
22. Is the fee enclosed correct?			<u>Exempt</u>	☐	☐	

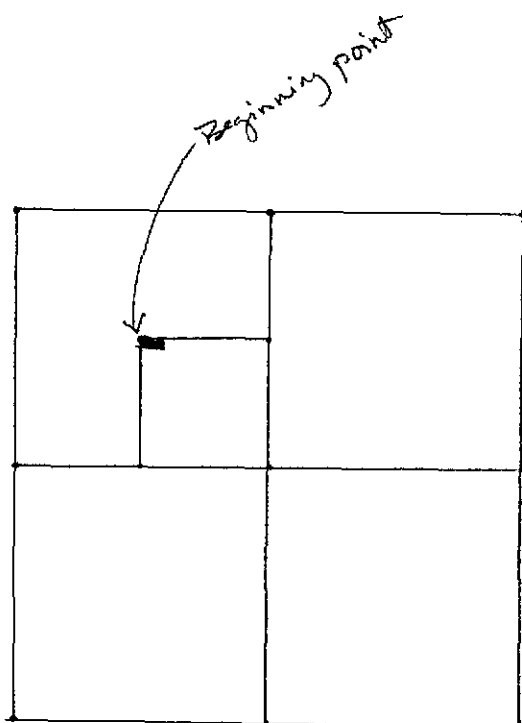
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23. Can this claim be data entered?		_____	_____
24. Was claim modified?		_____	_____
Claimant is being notified of modifications:		_____	_____
25. Is this claim being rejected and returned to claimant?		_____	_____
26. Was the claim returned to IDWR?		_____	_____
If no, has a refund been recommended?		_____	_____
27. Is the claim now complete?		_____	_____

Review completed by: hlt Date 2-9-95

Claim data entered by: _____ Date _____

Comments: Per legal description attached to claim - 8N 3N 3 SENW



0

RECEIVED
SEP 26 2001
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

MARC CHRISTOPHER
PENNY CHRISTOPHER
739 S. 1000 E.
BOISE, ID 83720-0098
P.O. BOX 83720
BOISE, ID 83720-0098
P.O. BOX 83720
BOISE, ID 83720-0098

TO

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

65-21784

U.S. DEPARTMENT OF AGRICULTURE

SEP 26 2001

RECEIVED

ADDRESS SERVICE
UNITED STATES
POSTAL SERVICE

POSTAGE
PAID
PERMIT NO. 100
BOISE, ID
FIRST CLASS
NOV 1 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 10, 2001

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in Basin 65 for the Payette River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have 120 days in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Emmett, Payette, Weiser, Idaho City, and Cascade, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed the first part of next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

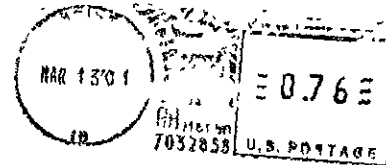
Karl J. Dreher
Director

Enclosures

1577

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO RETURN

RECEIVED

MAR 15 2001

WATER RESOURCES
WESTERN REGION

65-21784

MARC CHRISTOPHER

PENNY CHRISTOPHER
739 S 12 ST
PAYETTE, ID

Sent again
3-16-01

1755 Killebrew Dr
Payette

AJ0749NP
No. R65-21784

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/25/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARC CHRISTOPHER	04/30/1979	DOMESTIC	01-01 12-31	0.040 CFS	1.2
C	PENNY CHRISTOPHER					1.2
	739 S 12 ST					
	PAYETTE ID 83661					
	(208) 642-2214					
				TOTAL DIVERSION:	0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08N R05W S03

SENW

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	05W	3	:																	:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- 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.
- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
 - DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
 - GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comm: Chr. stopher no longer owns property. New owners not known. Appears to be on BCM land. BCM objection should solve this.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Marc Christopher
739 S 12 ST
PAYETTE ID 83661

Dear Mr. Christopher:

Our office is in the process of reviewing claims for recommendation to the Snake River Basin Adjudication Court for decree. In reviewing your claim number 65-21784 it appears that the place of use listed on your claim is on BLM land. Perhaps there was an error in the place of use descriptions or maybe the maps I refereed to are incorrect. Could you please provide documentation of ownership such as a warranty deed or some other similar document that includes a legal description of the property? I want to be sure I have the correct property description on the claim. Thank you for your help.

Sincerely,

Scott D. Van Hoff
Sr. Water Resource Agent

4-13-00
Telephone call from claimant
Sold land 7 years ago, not on Gov. land, is in city limits of
Payette, new owners not known, correct property description not
known S.V.H.
Map shows 1215 address corresponds to
82 5 W sec 3 E 1/4 NW 1/4

AJ5856NP

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

DATE: AUG-26-1997

PAGE: A-585

RIGHT NUMBER: 65-21784

NAME & ADDRESS: MARC CHRISTOPHER
PENNY CHRISTOPHER
739 S 12 ST
PAYETTE ID 83661

new @ 1755 Kelleher

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 04/30/1979

POINT OF DIVERSION: T08N R03W S03 SENW Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within PAYETTE County
T08N R03W S03 SENW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by _____ Date: _____

Verification Source: _____