

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: **A47-15262**  
Date Received: 4/ 7/1992  
Receipt No: S014359  
Received By: KAC

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: **LEX CHRISTIANSEN**  
Address: 323 CRESTVIEW  
TWIN FALLS ID

83301

208-733-7360

2. Date of Priority: MAR 1, 1940

3. Source: SPRINGS  
UNNAMED STREAM  
WASTE WATER

Trib. to: ROCK CREEK  
ROCK CREEK  
ROCK CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 11S      | 18E   | 23      | NE     | SW     | SW     |     | TWIN FALLS |
|          |       |         | NW     | SW     | SW     |     | TWIN FALLS |
|          |       |         | NW     | SE     | SE     |     | TWIN FALLS |
|          |       |         | SW     | SE     | SE     |     | TWIN FALLS |

5. Description of diverting works:  
OPEN DITCH AS A COLLECTOR

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 1.020 |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

**MICROFILMED**

**MAR 16 1993**

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 11S      | 18E   | 22      | SW     | NW  |     | IRR           | 22.0  |
|          |       |         |        |     |     | Section Acres | 22.0  |
|          |       | 23      | SW     | NE  |     | IRR           | 13.0  |
|          |       |         | SE     | NE  |     | IRR           | 16.0  |
|          |       |         |        |     |     | Section Acres | 29.0  |
|          |       |         |        |     |     | Total Acres   | 51.0  |

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:  
NONE

14. Remarks:

THE SEASON OF USE IS FOR YEAR-ROUND TO ALLOW THE CLAIMANT TO USE  
THE WATER WHENEVER IT IS AVAILABLE AFTER THE WATER HAS BEEN USED  
FOR CLAIM A47-02479A.

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): Lex R. Christensen Date: 4-7-92  
\_\_\_\_\_  
Date: \_\_\_\_\_

MICROFILMED

MAR 16 1993

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 7 day  
of April 19 92

Kelly K. Christensen  
Notary Public

Seal

Residing at Kimberly  
My Commission Expires 3-2-98

MICROFILMED

MAR 16 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 29, 2004

LEX CHRISTIANSEN  
PO BOX 950  
TWIN FALLS ID 83301

RE: Snake River Basin Adjudication (SRBA)  
Notice of Claim No #47-15262  
Change of Address Notification

Dear Claimant:

Thank you for notifying us of your change in address on the water right claims referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Carrie Hahn  
Clerk

April 28, 2004

I am contacting you concerning an address change. I missed a very important meeting because the letter went to my old house and not to me. I need it changed from 323 Crestview Dr. to P.O. Box 950 in Twin Falls. My identification number is 47-15262. I am sorry that I missed the meeting and I appreciate your time to change this matter.

Lex Christiansen

47-15262  
47-8307  
47-8308

CHRISTIANSEN CONSTRUCTION CO  
P.O. BOX 930  
659 EASTLAND DR. S.  
TWIN FALLS, ID 83301  
208-734-4841  
208-734-4886 FAX

facsimile transmittal

To: Department of Water Resources Fax: (208) 736-3037  
From: Lex Christiansen Date: \_\_\_\_\_  
Re: Change of Address Pages: 1  
CC: \_\_\_\_\_  
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

If there is something that  
can make up for my absense  
I would appreciate it if you'd  
acknowledge me.



P.O. BOX H • 446 HIGHWAY 30 EAST

TELEPHONE 208-423-5555

KIMBERLY IDAHO 83341

*A47-15262*

May 15, 1992

Department of Water Resources  
220 Shoshone East  
Twin Falls, Idaho 83301  
Attn: Mel Schulte

Dear Mr. Schulte,

Please consider this letter a formal protest to Ken Mulberry Enterprises of Lex Christiansen's application of adjudication of water rights on 22 acres of the Yanke Farm south of Kimberly, ID.

Thank You,

A handwritten signature in cursive script, appearing to read "Ken Mulberry".

Ken Mulberry  
Ken Mulberry Enterprises

MICROFILMED  
MAR 16 1993

A47-15262

In 1979 and 1980 I, Doug Mathers, under the employment of Mathers Ranch rented the Tully Place from Mr. Blum the estate lawyer.

At that time I used waste water, seep water and spring water to irrigate pasture located south of Rock Creek and East of 3500 on 40 acres. I used waste water coming in from unknown source to water North East Corner of the same 40.

I also used waste water, seep water and spring water to irrigate 80 acres west side of Rock Creek and from Rick Beards' and seep.

Acknowledgment Certificate  
(The individual is personally known by the notary)

State of IDAHO,  
County of TWIN FALLS

On this 13th day of MARCH, 1995, before me STEVE CLELLAND a notary public, personally appeared Doug Mathers personally known to me to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (they) executed the same.

S  
E  
A  
L

Steve Clelland  
Notary Public  
My Commission Expires on 12/31/2000

1995

3-13-95

AFFIDAVIT

IN THE MATTER OF: )  
Claim #A47-15262 )  
\_\_\_\_\_)  
STATE OF IDAHO )  
COUNTY OF Twin Falls )

DON DEAN

BEING FIRST DULY SWORN,

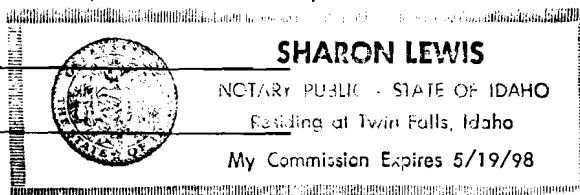
DEPOSES AND SAYS: I personally irrigated and cleaned feed  
ditches on property located in Twin Falls County, that property  
being in T11S R18E S22 and T11S R18E S23 within the quarters  
listed in the attached Adjudication Claim Profile Report.  
I began irrigating the above property in 1947. The water source  
that was used originated from groundwater springs, unnamed stream  
and waste water from claim #A47-02479A. Prior to the above  
date, my grandfather Edward McCarty irrigated with the same  
water since 1942. I have lived on the described area for the  
past 47 years and am still living there.

Don Dean  
(SIGNATURE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 13<sup>th</sup> DAY OF March,  
1995.

Sharon Lewis  
(NOTARY PUBLIC)

RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_



MICROFILMED  
DEC 1 1996

AFFIDAVIT

IN THE MATTER OF: )

Claim # 1947-15262 )

STATE OF IDAHO )

COUNTY OF Twin Falls )

I Lex R. Charleston BEING FIRST DULY SWORN,

DEPOSES AND SAYS: I have acquired this said  
property, since 1957 until present, with  
wast water, unruned stream & groundwater, and  
with waste water from Claim # 1947-02479A. We  
also recieve wast water off RedBoards, Charlie Bean  
EL Checketts, and the Sand Rock Place.  
This is a Ranch we use the water  
for the grass and to water the stock.  
Some of the water runs year round. I was told  
that this land was acquired with these waters since  
the land was deeded the McCarty Place

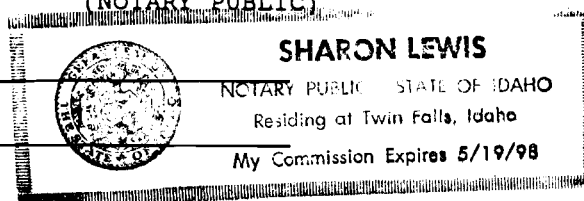
Lex R. Charleston  
(SIGNATURE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 13<sup>th</sup> DAY OF March,  
19 95.

Sharon Lewis  
(NOTARY PUBLIC)

RESIDING AT \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_



MICROFILMED  
DEC 1 1996



GOVERNOR  
Governor PHILIP E. BATT

R. KEITH HIGGINSON  
Director

January 10, 1995

A47-15262  
LEX CHRISTIANSEN  
323 CRESTVIEW  
TWIN FALLS ID 83301

RE: Evidence of Priority

\*\*\*\*\*  
\* RESPONSE DEADLINE \*  
\* MARCH 15, 1995 \*  
\*\*\*\*\*

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

**SPECIAL NOTE:** The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995  
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, 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.

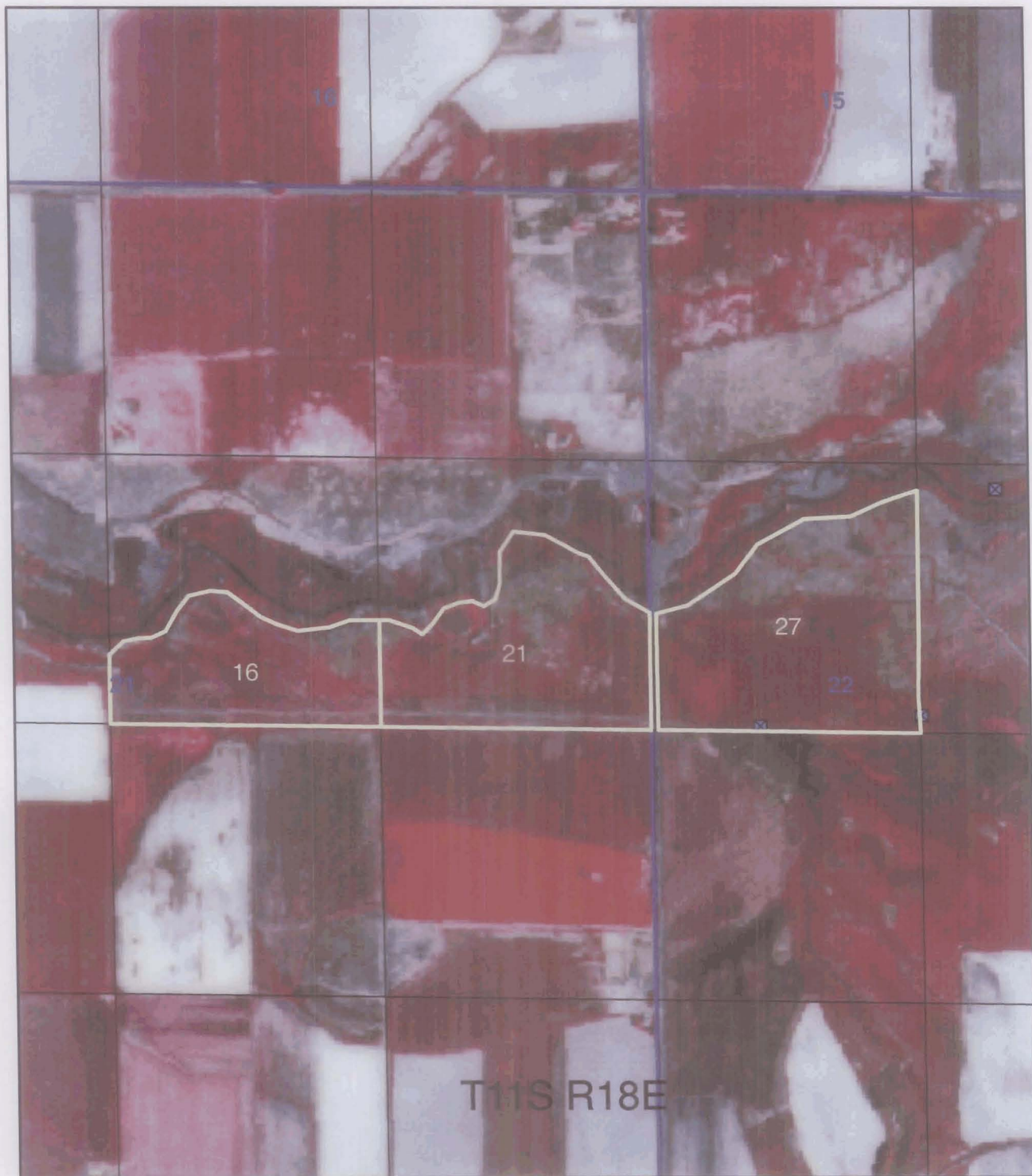
Sincerely,

Douglas Jones, P.E.  
Water Rights Supervisor

Enc.

MICROFILMED  
DEC 1 1996

IDAHO DEPARTMENT OF WATER RESOURCES



47-15262  
Amended Claim



D. Jones  
7/8/2009

COPY

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2009 JUN 25 AM 10 42

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

) Subcase No. 47-15262  
)  
)  
)  
)

Case No. 39576  
\_\_\_\_\_)

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**  
\_\_\_\_\_

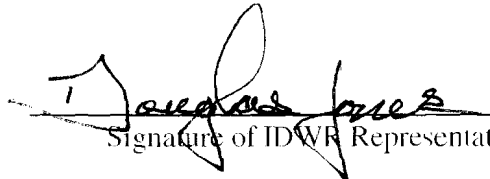
Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No  
\_\_\_\_\_

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: \_\_\_\_\_

6/25/09

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 10-25, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

Pamela Christiansen  
3175 N 3600 E  
Kimberly ID 83341

Kirk Christiansen  
PO Box 950  
Twin Falls ID 83303



Signature of person or attorney mailing the form

06/22/2000

IDAHO DRAINAGE POLYMER RECORDS  
RECOMMENDED WATER RIGHT ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 40-15263

NAME AND ADDRESS: NIKK L CHRISTIANSEN  
PO BOX 950  
TWIN FALLS ID 83303  
  
PAMELA J CHRISTIANSEN  
3175 N 3600 E  
KIMBEELY ID 83341

SOURCE: WASTE WATER TRIBUTARY: ROCK CREEK

QUANTITY: 0.360 CFS

PRIORITY DATE: 03/15/1947

POINT OF  
DIVERSION:  
  
T11S R18E S22 SWSW1/4 Within TWIN FALLS County  
T11S R18E S22 SWSW1/4 Within TWIN FALLS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 0.360 CFS       |

PLACE OF USE: IRRIGATION in TWIN FALLS County

T11S R18E S22 SW1/4 12.00

12 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITE AND EFFICIENT 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM Per Official Use



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

June 25, 2009

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

PAM CHRISTIANSEN  
3175 N 3600 E  
KIMBERLY ID 83341

RE: SRBA Claim(s) 47-15262

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosure

cc: Kirk Christiansen  
PO Box 950  
Twin Falls ID 83303

RECEIVED

JUN 21 2009

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
|                      | 44-15262                    |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

Pam Christiansen or Kirk L. Christiansen  
 Name Connector (Check one): ☐ and ☐ or, ☐ and/or

3175 N. 3600 E.

P.O. Box 950

Kimberly, Id. 83341

Twin Falls, Id. 83323

(208) 423-6210 (214) 457-3412

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number \_\_\_\_\_

| Water Use    | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      |                                                              |

**DESCRIPTION OF YOUR PORTION OF WATER RIGHT**

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number \_\_\_\_\_

| Water Use    | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
|--------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Irrigation   | _____                                                                      | _____                                                        |
| Stock        | _____                                                                      | _____                                                        |
| Domestic     | _____                                                                      | _____                                                        |
| Other _____  | _____                                                                      | _____                                                        |
| <b>Total</b> | _____                                                                      |                                                              |

7. Signature of New Owner(s) or Claimant(s) Pam J. Christian  
(include title if applicable) \_\_\_\_\_

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

|                       |            |                     |
|-----------------------|------------|---------------------|
| Received by _____     | Date _____ | Fee _____           |
| Received by _____     | Date _____ | Receipt No. _____   |
| Processed by _____ AJ | Date _____ | WR _____ Date _____ |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

**IDWR Northern Region**  
**1910 Northwest Blvd., Suite 210**  
**Coeur d'Alene, ID 83814-2615**  
**(208) 769-1450**

**IDWR Eastern Region**  
**900 N. Skyline Dr., Suite A**  
**Idaho Falls, ID 83402-1718**  
**(208) 525-7161**

**IDWR Western Region**  
**2735 Airport Way**  
**Boise, ID 83705-5082**  
**(208) 334-2190**

**IDWR Southern Region**  
**1341 Fillmore St., Suite 200**  
**Twin Falls, ID 83301-3380**  
**(208) 736-3033**

TWIN FALLS COUNTY

12:17:14 pm 01-28-2008  
2008-002086  
NO. PAGES: 3 FEE: \$9.00  
KRISTINA GLASCOCK  
COUNTY CLERK  
DEPUTY: CNICE

DOCUMENT BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION

\*\*\* SPACE ABOVE FOR RECORDER \*\*\*

# QUITCLAIM DEED

**KIRK CHRISTIANSEN**, an unmarried man, whose address is:

STACY ALLEN  
NOTARY PUBLIC  
STATE OF IDAHO

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
 Section 22: SW1/4NW1/4; NW1/4NW1/4

EXCEPT:

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho

Section 22: Part of the NW1/4NW1/4 and part of the NE1/4NW1/4 described as follows:

BEGINNING at the North 1/4 section corner of Section 22 said corner marked by a 1/2" rebar which shall be the POINT OF BEGINNING;

THENCE South 0°11'28" West along the 1/4 section line for 1319.45 feet to a 5/8" rebar at the SE corner of the NE1/4NW1/4;

THENCE North 89°16'37" West along the east line of the NE1/4NW1/4 for 20.00 feet to a point;

THENCE North 0°11'28" West parallel to the east line of the NE1/4NW1/4 for 208.71 feet to a point;

THENCE North 89°16'37" West for 208.71 feet to a 1/2" rebar;

THENCE South 0°11'28" East for 199.31 feet to a 1/2" rebar;

THENCE South 0°11'28" East for 8.20 feet to a point on the south line of the NE1/4NW1/4;

THENCE North 89°16'37" West along the south line of the NE1/4NW1/4 for 1098.92 feet to a 5/8" rebar at the SW corner of the NE1/4NW1/4;

THENCE North 0°07'52" West along the west line of the NE1/4NW1/4 for 199.39 feet to a 1/2" rebar;

THENCE South 80°33'44" West for 535.18 feet to a 1/2" rebar;

THENCE South 88°44'27" West for 799.40 feet to a P.K. Nail on section line;

THENCE North 0°04'18" West along section line for 1005.61 feet to a P.K. Nail, said nail lying South 0°04'18" East for 235.00 feet from the NW corner of Section 22;

THENCE South 89°17'15" East for 235.00 feet to a 1/2" rebar;

THENCE North 0°04'18" West for 235.00 feet to a P.K. Nail on section line;

THENCE South 89°17'15" East along section line for 2417.48 feet to the POINT OF BEGINNING.

SUBJECT TO: A county road right-of-way along the west and north sides.

AND EXCEPT:

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho

Section 22: A parcel of land located in the NW1/4NW1/4 and more particularly described as follows:

COMMENCING at the northwest corner of said Section 22;

THENCE South 0°04'18" East along the west boundary of Section 22 for a distance of 1241.61 feet to the TRUE POINT OF BEGINNING;

THENCE North 88°44'27" East for a distance of 799.54 feet;

THENCE North 80°32'48" East for a distance of 535.27 feet to a point on the east boundary of the NW1/4NW1/4 of Section 22;

THENCE South 0°05'04" East along the east boundary of the NW1/4NW1/4 of Section 22 for a distance of 17.67 feet to a point on the northerly rim of Rock Creek Canyon;

THENCE along the northerly rim of Rock Creek Canyon on approximately the following courses:

North 89°30'49" West 84.57 feet;  
 South 72°03'54" West, 278.18 feet;  
 South 76°43'12" West, 153.15 feet;  
 South 71°35'42" West, 120.30 feet;  
 South 79°48'01" West, 112.18 feet;  
 South 84°34'21" West, 133.75 feet;  
 South 51°51'51" West, 231.43 feet;  
 South 12°09'18" West, 235.44 feet;  
 South 45°09'14" West, 70.80 feet;  
 South 57°57'07" West, 77.85 feet;

THENCE leaving the northerly rim of Rock Creek Canyon, South 89°03'39" West for a distance of 101.31 feet to a point on the west boundary of Section 22;

THENCE North 0°04'18" West along the west boundary of Section 22 for a distance of 568.64 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: A 25.00 foot wide county road right of way along the westerly

boundary of the described parcel.

Together with: A 25.0 foot wide access easement for the purpose of ingress and egress, said easement is centered on the following described line:

COMMENCING at a point that is South 0°04'18" East, 13.64 feet from the northwest corner of the afore described parcel and being the point of beginning of said easement;

THENCE along the centerline of the easement on the following courses:

South 83°39'11" East, 81.16 feet;  
 South 53°54'03" East, 51.23 feet;  
 South 48°25'46" East, 39.05 feet;  
 South 37°37'10" East, 137.45 feet;  
 South 62°00'46" East, 36.03 feet;  
 South 89°17'53" East, 42.03 feet;  
 North 75°37'00" East, 41.30 feet to a point on the easterly boundary of the

afore described parcel and being the terminus of said easement.

AND ALSO EXCEPT:

Sec. 22, Township 11 South, Range 18 E.B.M., described as beginning at the northwest corner of said Section 22; thence east along the north boundary line of said Section a distance of 235 feet to a point; thence south parallel with the west boundary line of said Section a distance of 235 feet to a point; thence west parallel with the north boundary line of said Section a distance of 235 feet to a point; thence north along the west boundary line of said Section a distance of 235 feet to the point of beginning, consisting of approximately 1.7 acres, in the County of Twin Falls, State of Idaho

Steven D. Peterson P.C. [ISB No. 3563]

Attorney At Law

161 Fifth Avenue S., Suite 310

P.O. Box 5827

Twin Falls, Idaho 83303-5827

Telephone: (208) 733-5500

Facsimile: (208) 733-5553

Email: sdppc@spro.net

4 OCT 7 03 10 PM

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

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE  
OF LEX ROY CHRISTIANSEN,

Deceased.

Case No. CW-04-4970

**LETTERS OF ADMINISTRATION**

PAMELA J. CHRISTIANSEN is hereby appointed Personal  
Representative of the Estate of LEX ROY CHRISTIANSEN, deceased.

WITNESS: Magistrate of the District Court, County of Twin Falls, State of  
Idaho, with the seal of the Court affixed this 6 day of Oct, 2004.

4  
Magistrate

10/7/04

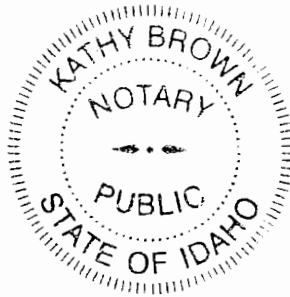
Tamara Halstead

STATE OF IDAHO                    )  
                                              ) ss.  
County of Twin Falls            )

I, PAMELA J. CHRISTIANSEN, hereby accept the duties of Personal Representative of the ESTATE OF LEX ROY CHRISTIANSEN, deceased, and do solemnly swear that I will perform, according to law, the duties of Personal Representative of the ESTATE OF LEX ROY CHRISTIANSEN, deceased.

Pamela J. Christiansen  
PAMELA J. CHRISTIANSEN

SUBSCRIBED AND SWORN to before me this 5<sup>TH</sup> day of October, 2004.



Kathy Brown  
NOTARY PUBLIC  
Residence: Twin Falls, ID  
Comm. Expires: 5-15-08

Consumer Affairs Department  
**lawyersTitle Insurance Corporation**  
P.O. Box 27567

TITLEFACT, INC.

1632 FOURTH AVENUE NORTH  
P.O. BOX 486  
TWIN FALLS, IDAHO 83303

29907FC

\*\*\*\*\*SPACE ABOVE FOR RECORDING\*\*\*\*\*

**WARRANTY DEED**

FOR VALUE RECEIVED RONALD C. YANKE AND LINDA L. YANKE, husband and wife  
hereinafter called the grantor, hereby grants, bargains, sells and conveys unto  
**LEX R. CHRISTIANSEN AND PAM CHRISTIANSEN, husband and wife**  
whose address is: 323 CRESTVIEW DRIVE, TWIN FALLS, IDAHO 83301 hereinafter  
called grantee, the following described premises, in TWIN FALLS, County, Idaho,  
to-wit:

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
Section 21: S1/2NE1/4

EXCEPT

COMMENCING at the Northeast corner of the SE1/4NE1/4 of Section 21;  
THENCE South along the East boundary line of said SE1/4NE1/4 a distance of 51  
feet to a point which is the REAL POINT OF BEGINNING;  
THENCE West parallel with the North boundary line of said SE1/4NE1/4 a distance  
of 125 feet;  
THENCE South parallel with the East boundary line of said SE1/4NE1/4 a distance  
of 115 feet;  
THENCE East parallel with the North boundary line of said SE1/4NE1/4 a distance  
of 125 feet;  
THENCE North along the East boundary line of said SE1/4NE1/4 a distance of 115  
feet to the REAL POINT OF BEGINNING.

Section 22: SW1/4NW1/4, NW1/4NW1/4

EXCEPT that part thereof described as follows:

BEGINNING at the Northwest corner of said Section 22;  
THENCE East along the North boundary line of said Section a distance of 235 feet  
to a point;  
THENCE South parallel with the West boundary line of said Section a distance of  
235 feet to a point;  
THENCE West parallel with the North boundary line of said Section a distance of  
235 feet to a point;  
THENCE North along the West boundary line of said Section a distance of 235 feet  
to the POINT OF BEGINNING.

Section 22: NE1/4NW1/4

EXCEPT that part thereof described as follows:

BEGINNING at a point 20 feet West of the Southeast corner of said NE1/4NW1/4;  
THENCE North 208.71 feet;  
THENCE West 208.71 feet;  
THENCE South 208.71 feet;  
THENCE East 208.71 feet to the POINT OF BEGINNING.

SUBJECT TO: Twin Falls County Highway Right of Way

EXCEPT:

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho

Section 22: Part of the NW1/4NW1/4 and part of the NE1/4NW1/4 described as  
follows:

BEGINNING at the North 1/4 section corner of Section 22 said corner marked by a  
1/2" rebar which shall be the POINT OF BEGINNING;  
THENCE South 0°11'28" West along the 1/4 section line for 1319.45 feet to a  
5/8" rebar at the SE corner of the NE1/4NW1/4;

THENCE North 89°16'37" West along the east line of the NE1/4NW1/4 for 208.71 feet to a point;  
 THENCE North 0°11'28" West parallel to the east line of the NE1/4NW1/4 for 208.71 feet to a point;  
 THENCE North 89°16'37" West for 208.71 feet to a 1/2" rebar;  
 THENCE South 0°11'28" East for 199.5 feet to a 1/2" rebar;  
 THENCE South 0°11'28" East for 9.30 feet to a point on the south line of the NE1/4NW1/4;  
 THENCE North 89°16'37" West along the south line of the NE1/4NW1/4 for 1095.63 feet to a 5/8" rebar at the SW corner of the NE1/4NW1/4;  
 THENCE North 0°07'52" West along the west line of the NE1/4NW1/4 for 199.23 feet to a 1/2" rebar;  
 THENCE South 80°33'44" West for 535.16 feet to a 1/2" rebar;  
 THENCE South 88°44'27" West for 799.40 feet to a P.K. Nail on section line;  
 THENCE North 0°04'18" West along section line for 1006.61 feet to a P.K. Nail, said nail lying South 0°04'18" East for 235.00 feet from the NW corner of Section 22;  
 THENCE South 89°17'15" East for 235.00 feet to a 1/2" rebar;  
 THENCE North 0°04'18" West for 235.00 feet to a P.K. Nail on section line;  
 THENCE South 89°17'15" East along section line for 2417.48 feet to the POINT OF BEGINNING.

SUBJECT TO: A county road right-of-way along the west and north sides.

TOGETHER WITH: An easement for ingress and egress described as follows:  
 BEGINNING at the north 1/4 section corner of Section 22, Township 11 South, Range 18 E., B.M. said corner marked by a 1/2" rebar which shall be the POINT OF BEGINNING;

THENCE South 0°11'28" East along the 1/4 section line for 1095.63 feet to a point;  
 THENCE North 89°16'37" West for 208.71 feet to a point;  
 THENCE South 0°11'28" East for 208.71 feet to a point on the south line of the NE1/4NW1/4;  
 THENCE South 89°16'37" East along the south line of the NE1/4NW1/4 for 20.00 feet to a 5/8" rebar at the SE corner of the NE1/4NW1/4;  
 THENCE South 89°13'44" East along the south line of the NW1/4NE1/4 for 25.00 feet to a point;  
 THENCE North 0°11'28" West for 1319.44 feet to a point on section line;  
 THENCE North 89°11'58" West along section line for 25.00 feet to the POINT OF BEGINNING.

AND EXCEPT:

Township 11 South, Range 18 E., B.M., Twin Falls County, Idaho  
 Section 22: A parcel of land located in the W1/2NW1/4 and more particularly described as follows:

COMMENCING at the northwest corner of said Section 22;  
 THENCE South 0°04'18" East along the west boundary of Section 22 for a distance of 1241.61 feet to the TRUE POINT OF BEGINNING;  
 THENCE North 88°44'27" East for a distance of 799.54 feet;  
 THENCE North 80°32'48" East for a distance of 535.27 feet to a point on the east boundary of the NW1/4NW1/4 of Section 22;  
 THENCE South 0°05'04" East along the east boundary of the NW1/4NW1/4 of Section 22 for a distance of 17.67 feet to a point on the northerly rim of Rock Creek Canyon;  
 THENCE along the northerly rim of Rock Creek Canyon on approximately the following courses:

North 89°30'49" West 84.57 feet;  
 South 72°03'54" West, 278.18 feet;  
 South 76°43'12" West, 163.15 feet;  
 South 71°36'42" West, 120.30 feet;  
 South 79°48'01" West, 112.18 feet;  
 South 84°34'21" West, 133.75 feet;  
 South 51°51'51" West, 231.43 feet;  
 South 15°09'18" West, 235.44 feet;  
 South 45°09'14" West, 70.80 feet;  
 South 57°57'07" West, 77.85 feet;

THENCE leaving the northerly rim of Rock Creek Canyon, South 89°03'39" West for a distance of 101.31 feet to a point on the west boundary of Section 22;

THENCE NORTH 0°04'18" West along the west boundary of Section 22 for a distance of 568.64 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: A 25.00 foot wide county road right of way along the westerly boundary of the described parcel.

AND SUBJECT TO: A 25.0 foot wide access easement for the purpose of ingress and egress, said easement is centered on the following described line:

COMMENCING at a point that is South 0°04'18" East, 13.64 feet from the northwest corner of the afore described parcel and being the point of beginning of said easement:

THENCE along the centerline of the easement on the following courses:

South 83°39'11" East, 81.16 feet:

South 55°54'03" East, 51.23 feet:

South 48°25'46" East, 39.05 feet:

South 37°37'10" East, 137.45 feet:

South 62°00'46" East, 36.03 feet:

South 89°17'53" East, 42.03 feet:

North 75°37'00" East, 41.30 feet to a point on the easterly boundary of the afore described parcel and being the terminus of said easement.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above, and except easements and encumbrances of record as of this date, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: JANUARY 22, 1991

Ronald C. Yanke

RONALD C. YANKE

Linda L. Yanke

LINDA L. YANKE

STATE OF IDAHO

County of Ada

On this 22nd day of January, 1991, before me, a Notary Public in and for said State, personally appeared RONALD C. YANKE AND LINDA L. YANKE, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

[Signature]  
Notary Public for Idaho

Residing in: Boise

Commission Expires: 7/12/95



984757  
TITLEFACT, Inc.  
2600  
JAN 23 1991  
In Proximity of  
LINDA L. YANKE  
and RONALD C. YANKE  
Boise, Idaho

08/30/2006

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

---

RIGHT NUMBER: 47-15262

NAME AND ADDRESS: LEX R CHRISTIANSEN  
PO BOX 950  
TWIN FALLS ID 83301

SOURCE: WASTE WATER

TRIBUTARY: ROCK CREEK

QUANTITY: 0.360 CFS

PRIORITY DATE: 03/15/1947

POINT OF DIVERSION:

T11S R18E S22 SWSWNW Within TWIN FALLS County

T11S R18E S22 SWSENW Within TWIN FALLS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 0.360 CFS       |

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T11S R18E S22 SWNW 18.00

18 ACRES TOTAL

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.

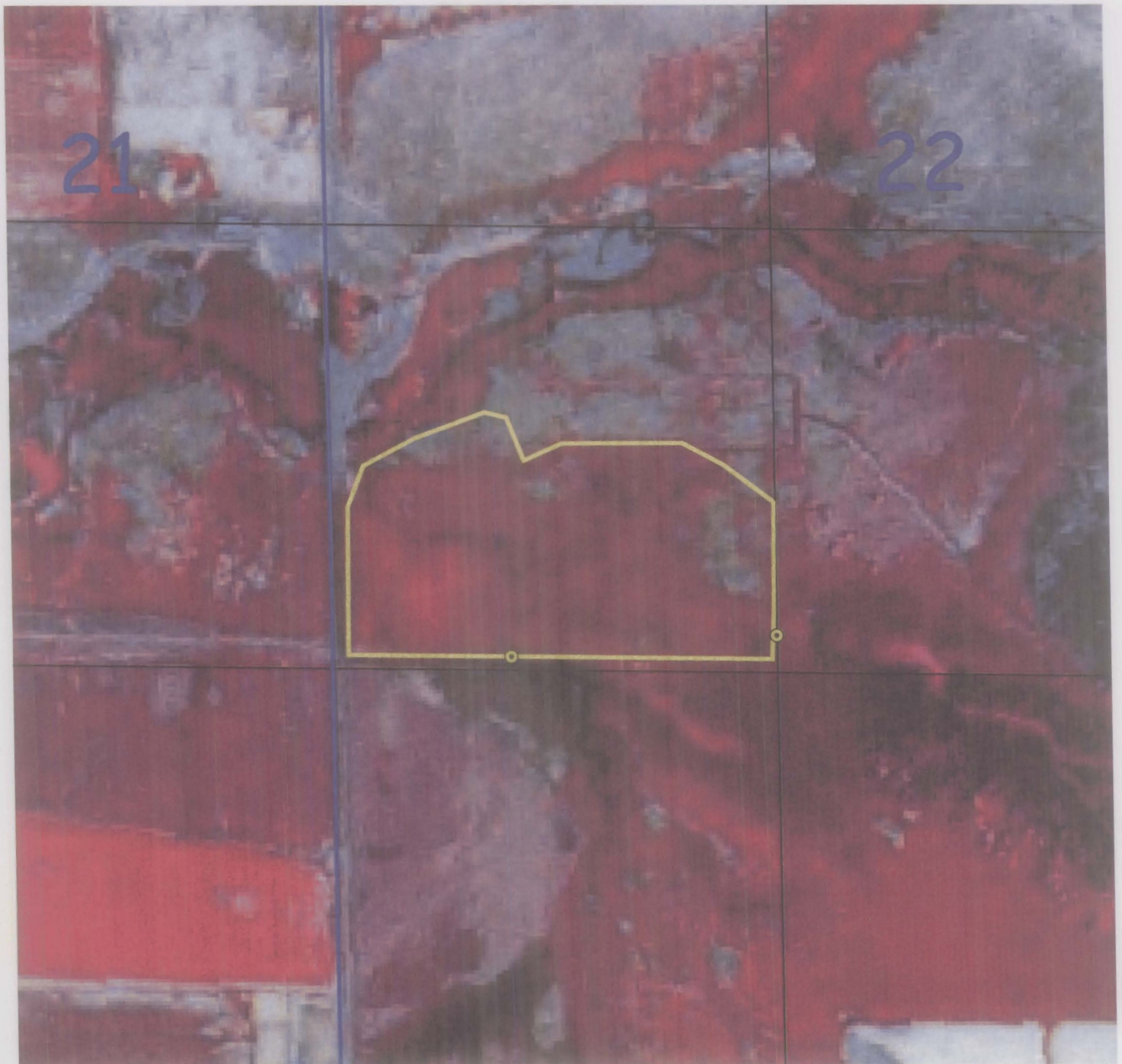
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

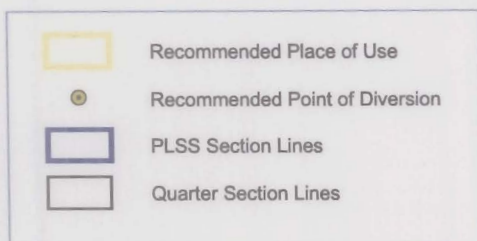
# Idaho Department of Water Resources

**Right(s): 47-15262**

**Recommended Place of Use  
TWP 11S RNG 18E S22  
Prepared May 23, 2006**



660 0 660 1320 Feet



**GIS Place of Use Presentation  
1987 NAPP Aerial Photography**

**Prepared by Amanda Kriwox**



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER

October 5, 2005

Pam Christiansen  
323 Crestview  
Twin Falls, Idaho  
83301

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM(S): 47-15262

Dear Mrs. Christiansen,

The Idaho Department of Water Resources (IDWR) is presently investigating water right claims in the Twin Falls County area in preparation for submittal of Director's Report recommendations to the SRBA Court in early 2006. We are in the process of evaluating SRBA claim 47-15262, a beneficial use claim for the irrigation of property located at 11S 18E S22 & 23 with 1.02 cfs of water from springs, an unnamed stream, and waste water. Lee Peterson met with Kirk Christiansen on September 7, 2005 to discuss this file and to gps the points of diversion. Lee's field report indicated that the only property identified in this 47-15262 claim that you presently own is in Section 22 and that the claimed points of diversion in Section 23 are no longer used and have been relocated to Section 22. In order for the Section 22 points of diversion to be recognized, you will have to come in to this office and amend your beneficial use claim.

Lee also indicated that a change of ownership of the water right claim should be done, as currently our records show this claim in the name of Lex Christiansen. Please submit to this office a change of ownership form with supporting documentation. If no change of ownership form is received, the SRBA recommendation for said water right will be in Lex's name.

If you have any questions, please feel free to call this office.

Sincerely,

Amanda Kriwox  
Water Resource Agent  
Idaho Department of Water Resources





POD 1

gps- Kirk1



POD 2

gps - Kirk2

Apparently the Christiansens are not using the claimed PODs in Section 23... these 2 PODs are in S22 @ the claimed POU. In order for these to be recognized, the claim will need to be amended.

This claim is on Tract 47-2137 POU but  
the water was sold to K. Mulberry prior  
to the POU being sold to J. Christiansen

Send to  
Steve Clelland  
at Southern

ATTORNEY WORK PRODUCT - CONFIDENTIAL

TO: LEGAL FILE and  
Steve Clelland, IDWR Southern Region

~~RECEIVED~~

DATE: May 6, 1991

MAY 06 1991

FROM: A. Rene' Martin  
Deputy Attorney General

Department of Resources  
Southern Region Office

RE: Ownership of water right between two claimants to change  
in ownership of same water right

Notices of change in ownership as required by Idaho Code § 42-1409(7) have been filed with IDWR by both Ken Mulberry and Lex R. Christiansen to the same claim to a water right, SRBA Claim No. A47-02137. Said water right is for .60 cfs for irrigation use from 3/5 to 11/15 in the SW 1/4 NW 1/4 Section 22, T. 11 S., R. 18 E., B.M., Twin Falls County. The previous owner of said right, Ronald C. Yanke, filed an SRBA claim for said right based on a license on December 13, 1988.

Both Mulberry and Christiansen in filing their notices submitted proof of ownership as required by the statute. Mr. Mulberry's proof of ownership included a warranty deed dated December 11, 1989 by which Yanke conveyed to Mulberry "Part of the NW 1/4 NW 1/4 and part of the NE 1/4 NW 1/4" of Section 22, T. 11 S., R. 18 E., B.M., Twin Falls County, as well as certain water rights, including "0.6 c.f.s. of water from West Rock Creek, License No. 47-2137, priority date 4/29/18." Christiansen's proof of ownership included a warranty deed dated January 22, 1991 by which Yanke conveyed to Christiansen certain land in Section 22, including the "SW 1/4 NW 1/4." To summarize, the previous owner sold the SW 1/4 NW 1/4 to Christiansen, but in a prior transaction had sold the water right appurtenant to that land to Mulberry in connection with the sale of another piece of property. Both Christiansen and Mulberry are now claiming a change in ownership to the same water right.

licensed  
water  
POU

It is a fixed principle in Idaho law that the owner of a water right may sell the right separate from the land. Because the previous owner had already sold the water right to Mulberry prior to selling the property to which the right was originally appurtenant to Christiansen, IDWR is unable to accept the change in ownership of claim to a water right filed by Christiansen. If Christiansen wishes to challenge this determination, he can file an additional claim and pay appropriate fees.

A letter should be written by IDWR to Mr. Mulberry stating that notice of change in ownership to a claim to a water right has been received by IDWR from both him and Mr. Christiansen, and that the right has been changed to Mr. Mulberry's name. Mr. Mulberry must file a transfer with IDWR pursuant to Idaho Code § 42-222 before

MICROFILMED  
OCT 27 1994

he can use the water elsewhere. Also, a letter should be written to Mr. Christiansen stating that IDWR cannot accept his change in ownership to a claim to a water right, as a deed submitted by Mr. Mulberry shows that the right was previously conveyed to him. If Mr. Christiansen wants to challenge Mr. Mulberry's claim to ownership, he must file a claim in his own name and pay appropriate fees, and the matter will be determined in the SRBA.

MICROFILMED  
OCT 27 1994

File No.  
A4-15262

Lex [Dead] Christiansen      Kirk[brother=Pam wife]  
Christiansen Construction  
659 So. Eastland Ave  
Twin Falls

9/7/05

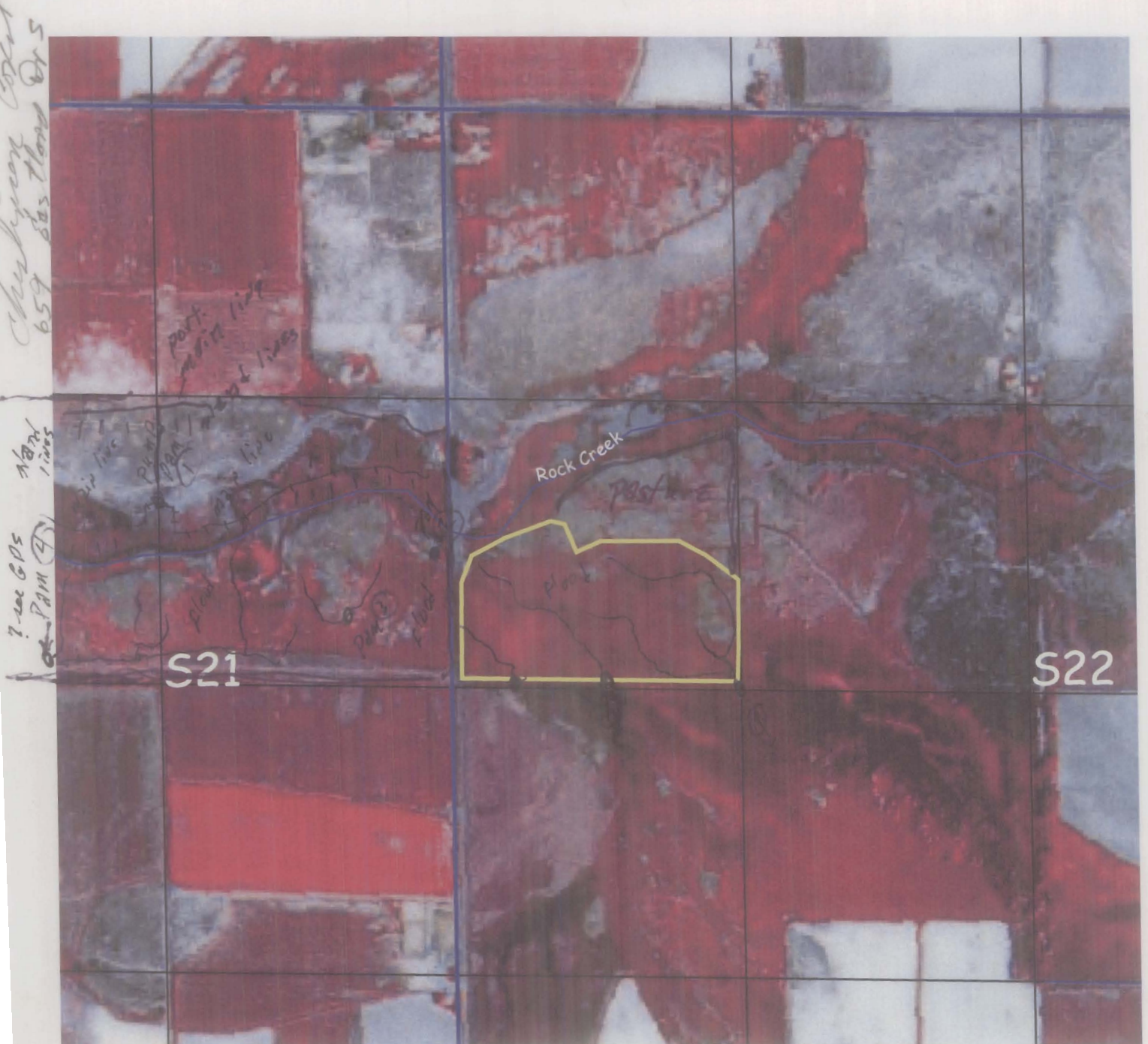
Office 734-4841    Cell- 308-8741

After numerous calls and no return I went to County Assessor to find out who and where Lex is and how to find him. I was informed that Lex had died about a year ago and I could possibly find out about the property by going to their office , and by doing I met Kirk Christiansen and Lex-Wife Pam . While visiting with Kirk about this file I gave Pam a change of ownership form and recommended that they go into IDWR and get this file corrected , Kirk also while looking at the 11/01/2000 photo said that the land in yellow in section 23 is not their land . Their land is in sections 21 and 22 as marked on photo 1987 imagery and Kirk said he would get a new letter confirming the 1940 Priority date and he would get it into the IDWR office with deeds of locations of property . Kirk and I went out to property location and drove around both locations in sections 21-22 , **Kirk told me that the property in section 22 is his land** and property in section 21 is Pam's .  
Pam Pump #1 GE Motor Model-5K6247XH4A HP-40 230/440 Frame - B324TP16 Speed 1760 SN-LGJ1110413.

| Description       | GPS Name & No. | Position No. | USR No. | Plate No. | Photo No. |         |
|-------------------|----------------|--------------|---------|-----------|-----------|---------|
| Kirk Christiansen | Kirk           | 1            | 2472093 | 1250478   | None      | 1070712 |
| " "               | "              | 2            | 2471853 | 1250462   | "         | 713     |
| Pam               | Pam            | 1            | 2471188 | 1250715   | A0016298  | 714     |
| "                 | "              | 2            | 2471665 | 1250620   | None      | 715     |
| "                 | "              | 3            | 2471466 | 1250536   | "         | 716     |
| "                 | "              | 4            | 2471058 | 1250478   | A0016299  | 717     |

Lee R. Peterson

rec 21 3170 N 3600 E  
A47-15202 Christiansen-owned S22 POU



Submitted ev of pr. in file only supports 1942.  
If he wants 1940 he'll need to submit additional evidence

1987 imagery

PODs need gpsed (the ones that actually deliver water to the S22 POU). Sketch the delivery system on next photo. All pods appear to be on property owned by David Funk. Does Christiansen even have access to these anymore??? Yes

Confirm actual irrigation going on in claimed POU. (See '04 photo). Appears to be less acres of irrigated in S22 than claimed.

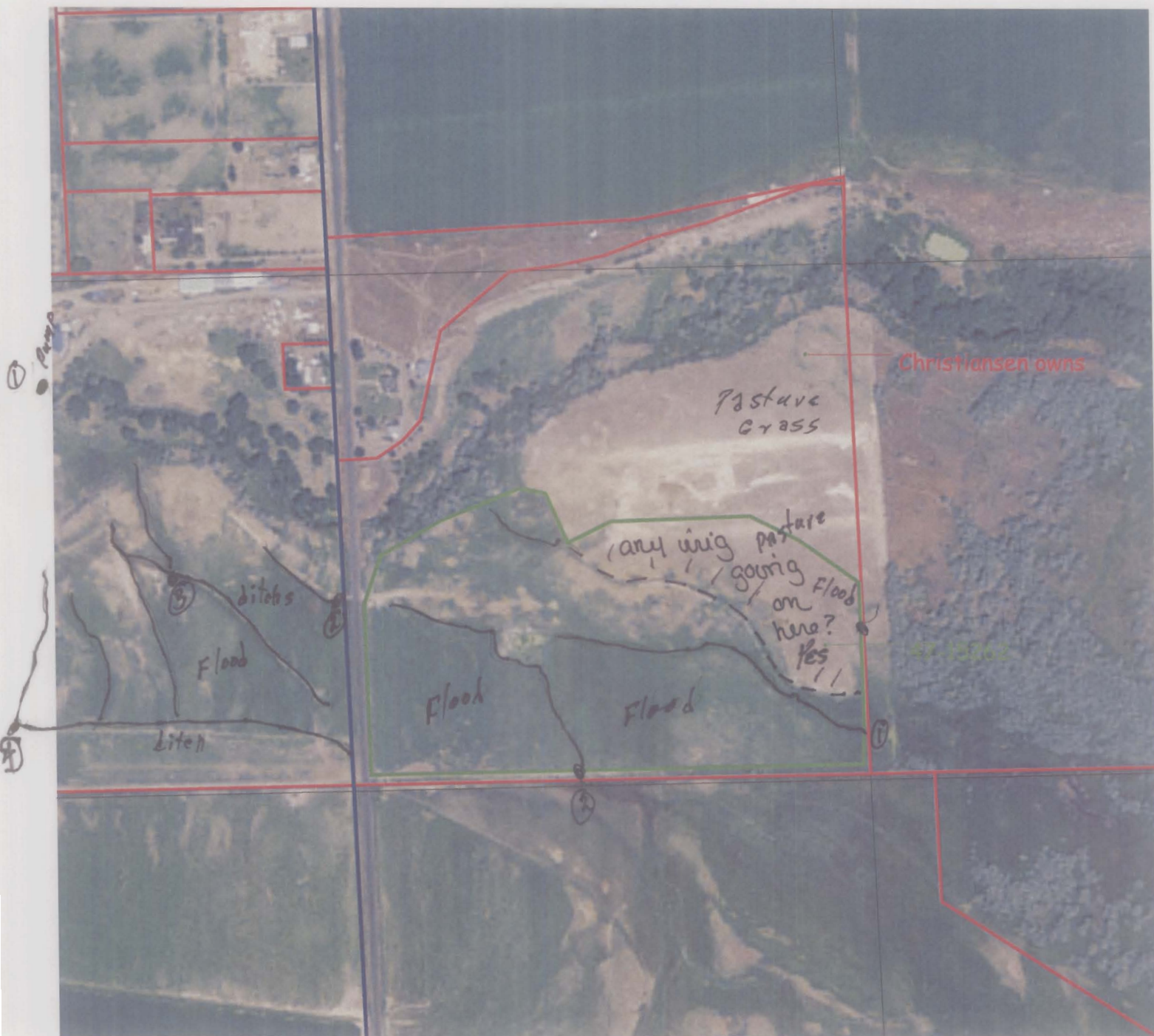
47-15262 S 22 & S23

2223  
2726



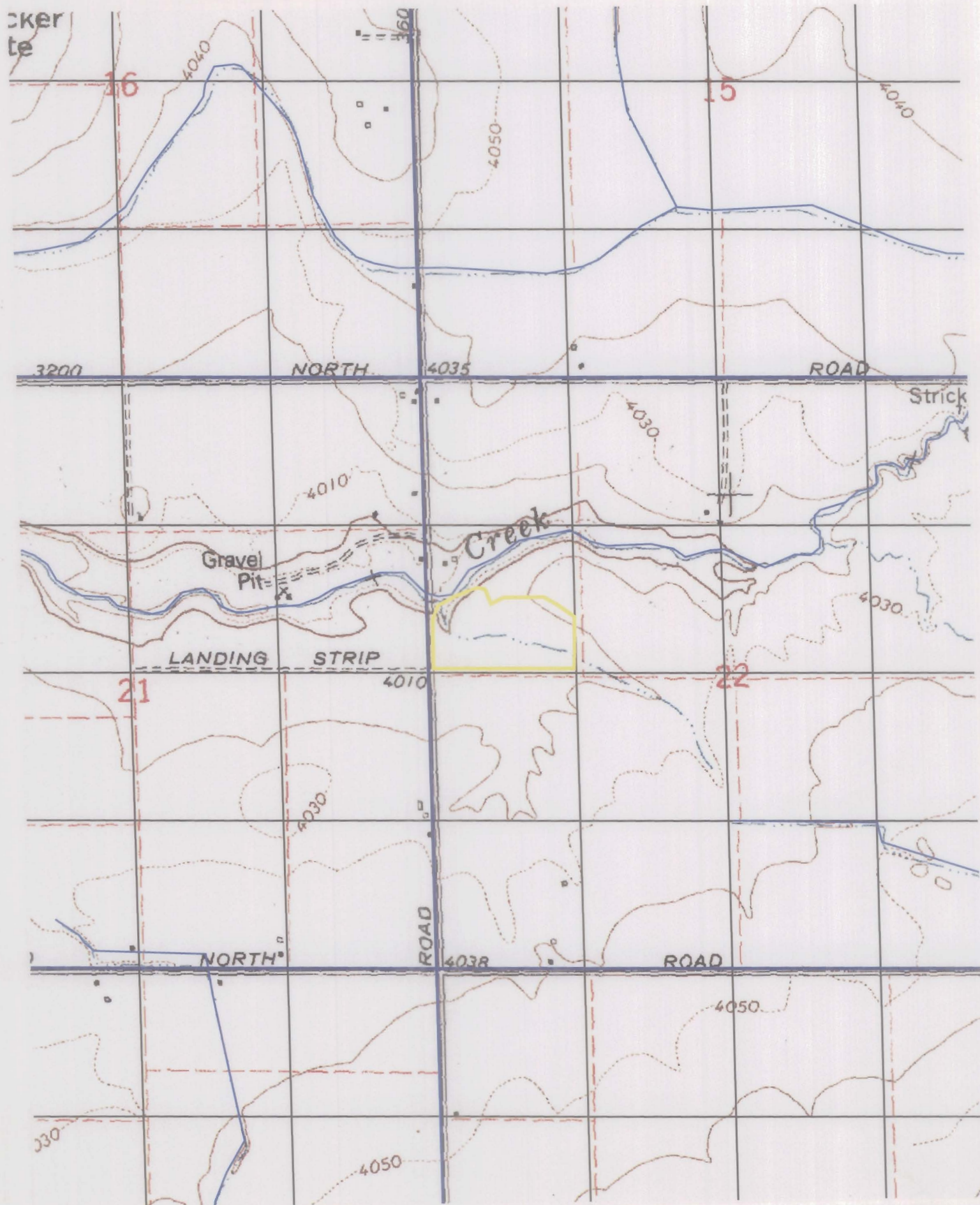
A47-15262

S 22 POU



2004 Imagery

A47-15262 S22 POU



47-15262

Beneficial Use

3-1-1940

E of P?

1. Best that can be recommended, based on submitted evidence is 1944, possibly 1942 for springs & waste water... Don Beam affidavit.

11 S 18 E S22

11 S 18 E S23

Claim: 51 acres @ 1.02 cfs

4 pods; springs, unnamed stream, waste water

irrig 1-1 to 12-31

→ adjust to standard irrig. season

- Letter of protest from Ken Mulberry re: S22 acres.  
Doesn't indicate what part of the claim is being protested.
- protested.

David Funk listed as owner of claimed S23 acres.

\* TF tax info indicates Mr. Christiansen only owns the 11 S 18 E S22 SW NW portion of claimed POB.

\* 18 irrigated acres in S22 found w/gis '87 imagery.

$$(18)(0.02) = 0.36 \text{ cfs}$$

Claimed POBs:

11 S 18 E S23

NE SW SW → D. Funk property

NW SW SW → D. Funk "

NW SE SE → " " "

SW SE SE → " " "

Log for claim A47-15262

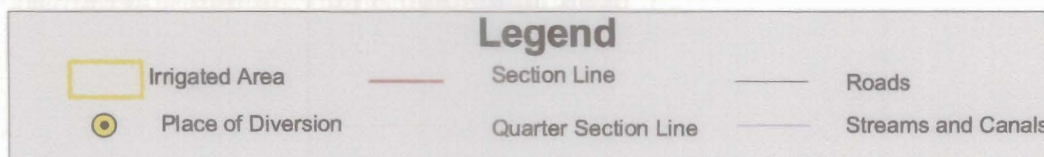
Spatial Dynamics BTD

11/1/00

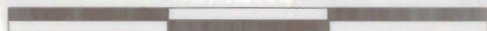
| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|----------------|-----|------|------------------|----------------|---------------|
| 11s18e         | 22  | SWNW | 22               | 39             | Indiscernible |
| 11s18e         | 23  | SWNE | 13               | 21             | Indiscernible |
| 11s18e         | 23  | SENE | 16               | 39             | Indiscernible |
| <b>Totals:</b> |     |      | 51               | 99             |               |

Water Right Claim Number A47-15262  
Township , 11S18E

11/01/2000

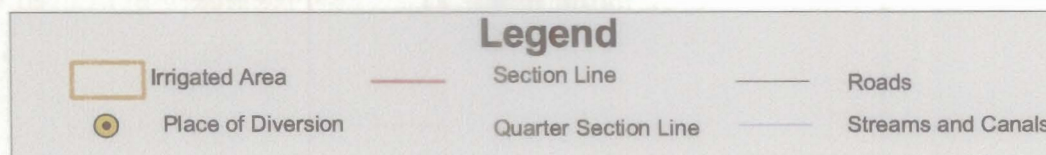


1500 0 1500 3000 Feet



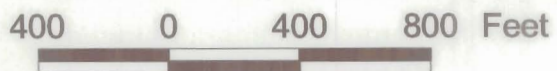
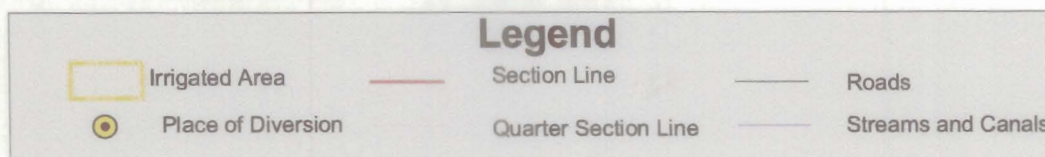
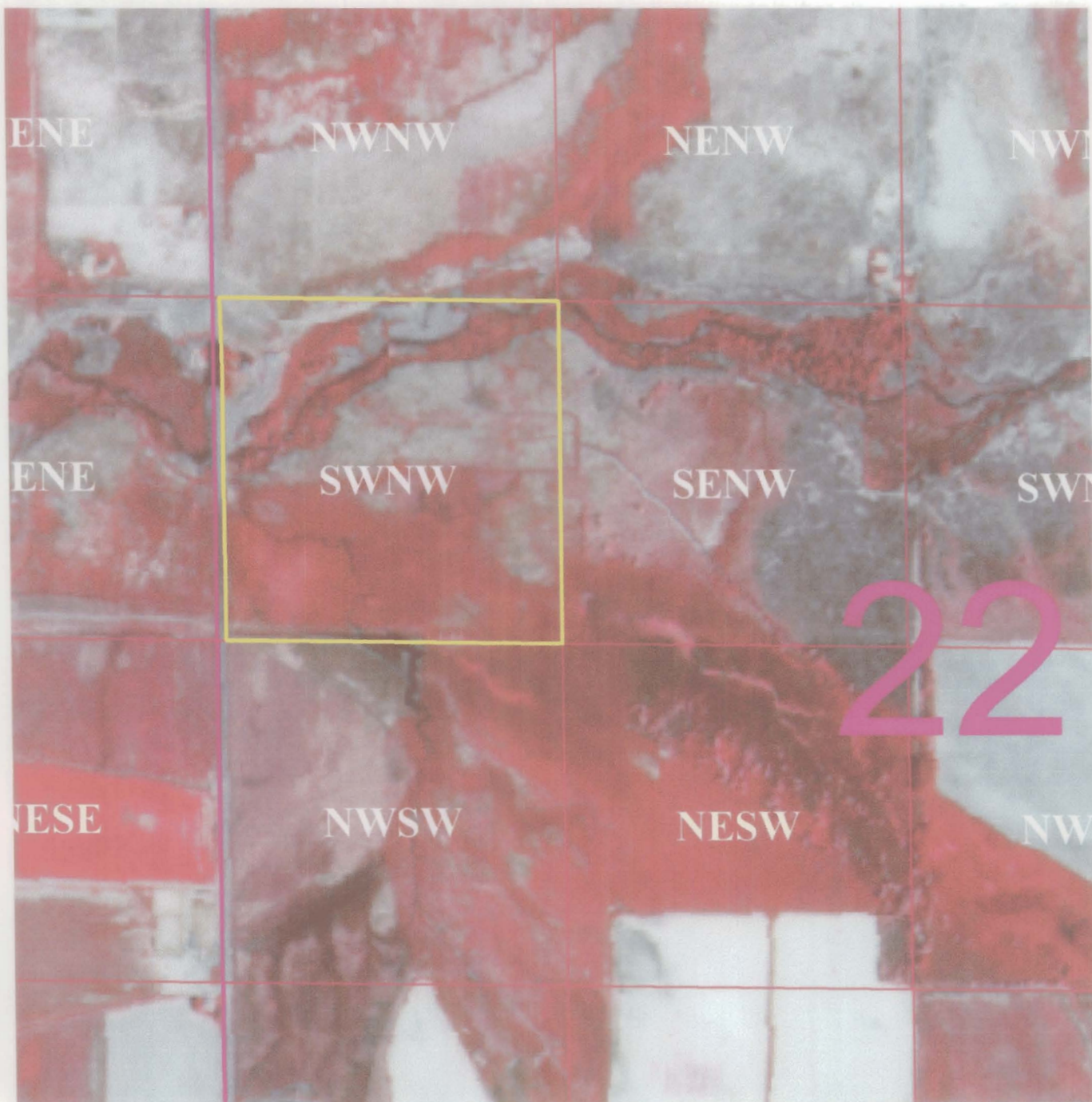
Water Right Claim Number A47-15262  
Township , 11S18E

11/01/2000



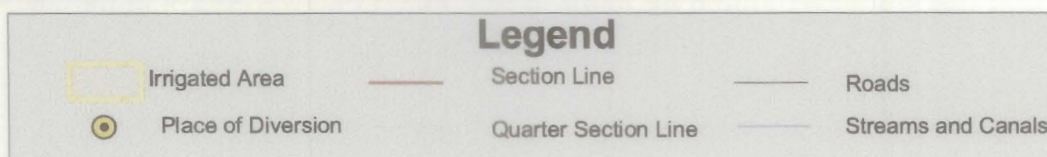
Water Right Claim Number A47-15262  
Township , 11S18E

11/01/2000



Water Right Claim Number A47-15262  
Township , 11S18E

11/01/2000

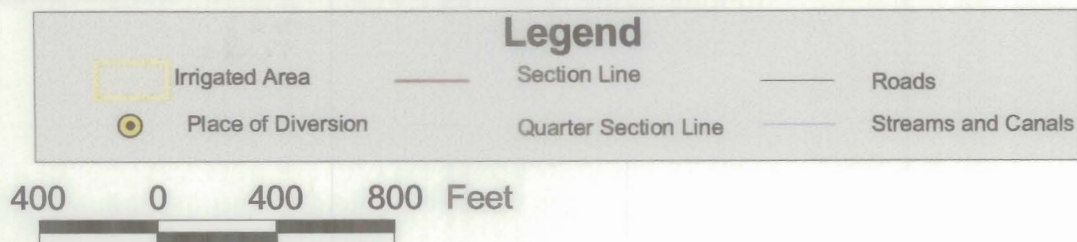


400 0 400 800 Feet



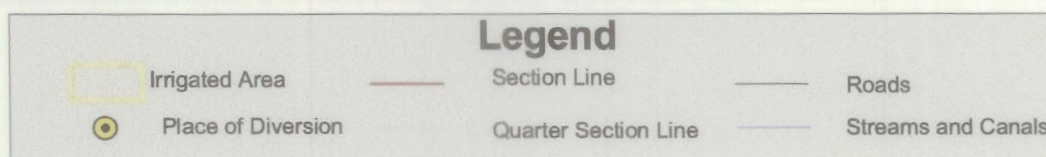
Water Right Claim Number A47-15262  
Township , 11S18E

11/01/2000



Water Right Claim Number A47-15262  
Township , 11S18E

11/01/2000



400 0 400 800 Feet



AJ5809NP  
No. A47-15262

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00  
PAGE: 430

| OWNER<br>CODE    | NAME & ADDRESS                                                             | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LEX CHRISTIANSEN<br>323 CRESTVIEW<br>TWIN FALLS ID 83301<br>(208) 733-7360 | 03/01/1940       | IRRIGATION | 01-01 12-31           | 1.020 CFS         |                     |
| TOTAL DIVERSION: |                                                                            |                  |            |                       | 1.020 CFS         |                     |

Water Source: SPRINGS  
UNNAMED STREAM  
WASTE WATER

Tributary to: ROCK CREEK  
ROCK CREEK  
ROCK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R18E S23 NESWSW NWSWSW NWSESE SWSESE TWIN FALLS County

Place of use Legal Description for: IRRIGATION

|             |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |      |      |
|-------------|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|------|
| T           | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :    | SUM  |
| 11S         | 18E | 22 | : |    |    |    |    |    |    |    | 22 |    |    |    |    |    |    |    |    | :    | 22.0 |
| 11S         | 18E | 23 | : |    |    |    | 13 |    | 16 |    |    |    |    |    |    |    |    |    |    | :    | 29.0 |
| TOTAL ACRES |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 51.0 |      |

POU County: TWIN FALLS

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A47-00129 A47-00130 A47-00131 A47-00132 A47-00157A A47-02478 A47-02479A A47-02479B A47-14190

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0020925 A47-00144 A47-00157 A47-02489

Remarks: GEN THE SEASON OF USE IS FOR YEAR-ROUND TO ALLOW THE CLAIMANT TO USE  
THE WATER WHENEVER IT IS AVAILABLE AFTER THE WATER HAS BEEN USED  
FOR CLAIM A47-02479A.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 04/08/92 CHRISTEN 03/30/95 POST-STD