

11/22/2006

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

RIGHT NUMBER: 22-92

NAME AND ADDRESS: ALVIE C CHRISTENSEN
3979 E 460 N
RIGBY ID 83442

SOURCE: DARBY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

Right Nos. 22-686, 22-92 and 22-11965 are limited to a total combined diversion rate of 3.08 cfs.

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T04N R45E S9 SESWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.740 CFS
STOCKWATER	01/01 12/31	0.060 CFS 2.69 AFY

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S09 SESW 37.00

STOCKWATER in TETON County

T04N R45E S08	NESE	T04N R45E S09	NESW
T04N R45E S09	NWSW	T04N R45E S09	SWSW
T04N R45E S09	SESW		

37 ACRES TOTAL

Right Nos. 22-92, 22-686 and 22-11965 are limited to the irrigation of a combined total of 154.0 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Stockwater use is for 200 range cows.

03/20/2006

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

RIGHT NUMBER: 22-92

NAME AND ADDRESS: ALVIE C CHRISTENSEN
3979 E 460 N
RIGBY ID 83442

SOURCE: DARBY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.660 CFS *0.80*

Right Nos. 22-686 and 22-92 are limited to a total combined diversion rate of 1.93 cfs. *and diversion 179.3 cfs*

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION: T04N R45E S9 SESWSE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	<i>74</i> 0.600 CFS <i>53.9 AFA.</i>
STOCKWATER	01/01 12/31	0.060 CFS <i>269 AFA.</i>

PLACE OF USE: IRRIGATION Within TETON County

T04N R45E S08	NESE	3.40	T04N R45E S09	NESW	13.00
T04N R45E S09	NWSW	11.00	T04N R45E S09	SWSW	40.00
T04N R45E S09	SESW	29.00			

37 decreed at 37.

STOCKWATER same as IRRIGATION

96.4 ACRES TOTAL

Right Nos. 22-92 and 22-686 are limited to the irrigation of a combined total of 96.4 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

X02 200 head range cows (decreed)

11/26/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-92

ALVIE C CHRISTENSEN

3979 E 460 N

RIGBY ID 83442

Telephone Number: (208)745-6134

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-4-06

SIGNATURE:

Alvie C. Christensen

Please print your name:

ALVIE C. CHRISTENSEN

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

DEC 05 2006

Department of Water Resources
Eastern Region

KMT
12/10/06



Idaho Department of Water Resources

SRBA Recommendation:

22-92
(Irrigation)

Legend

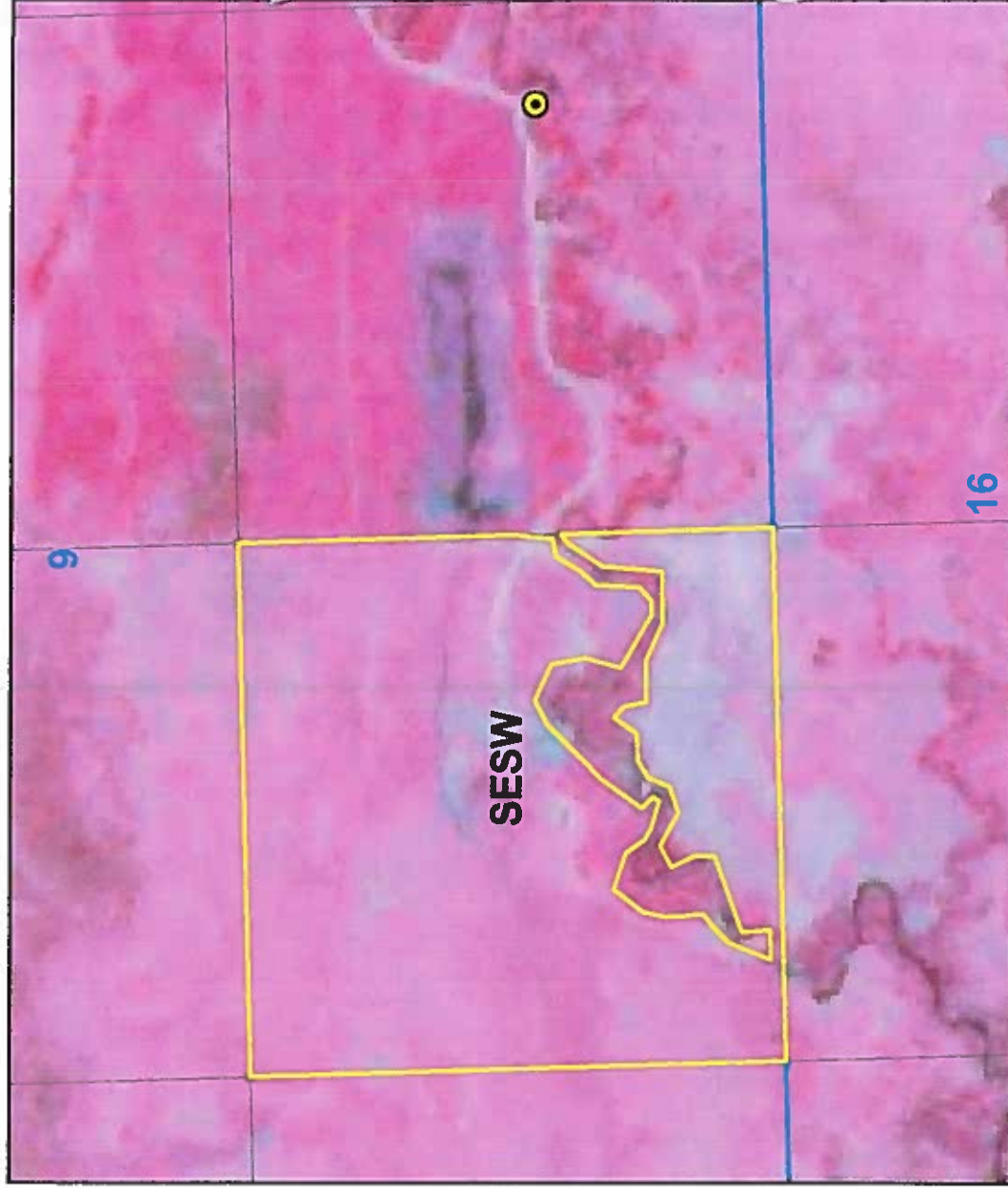
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22

Prepared by C. Bird
On Wednesday, November 22, 2006
1987/88 Aerial Photography

R45E



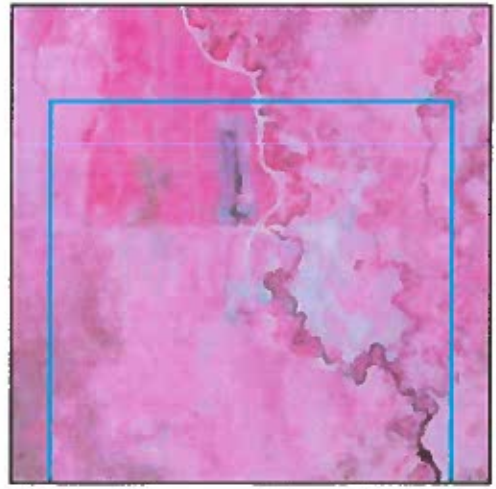
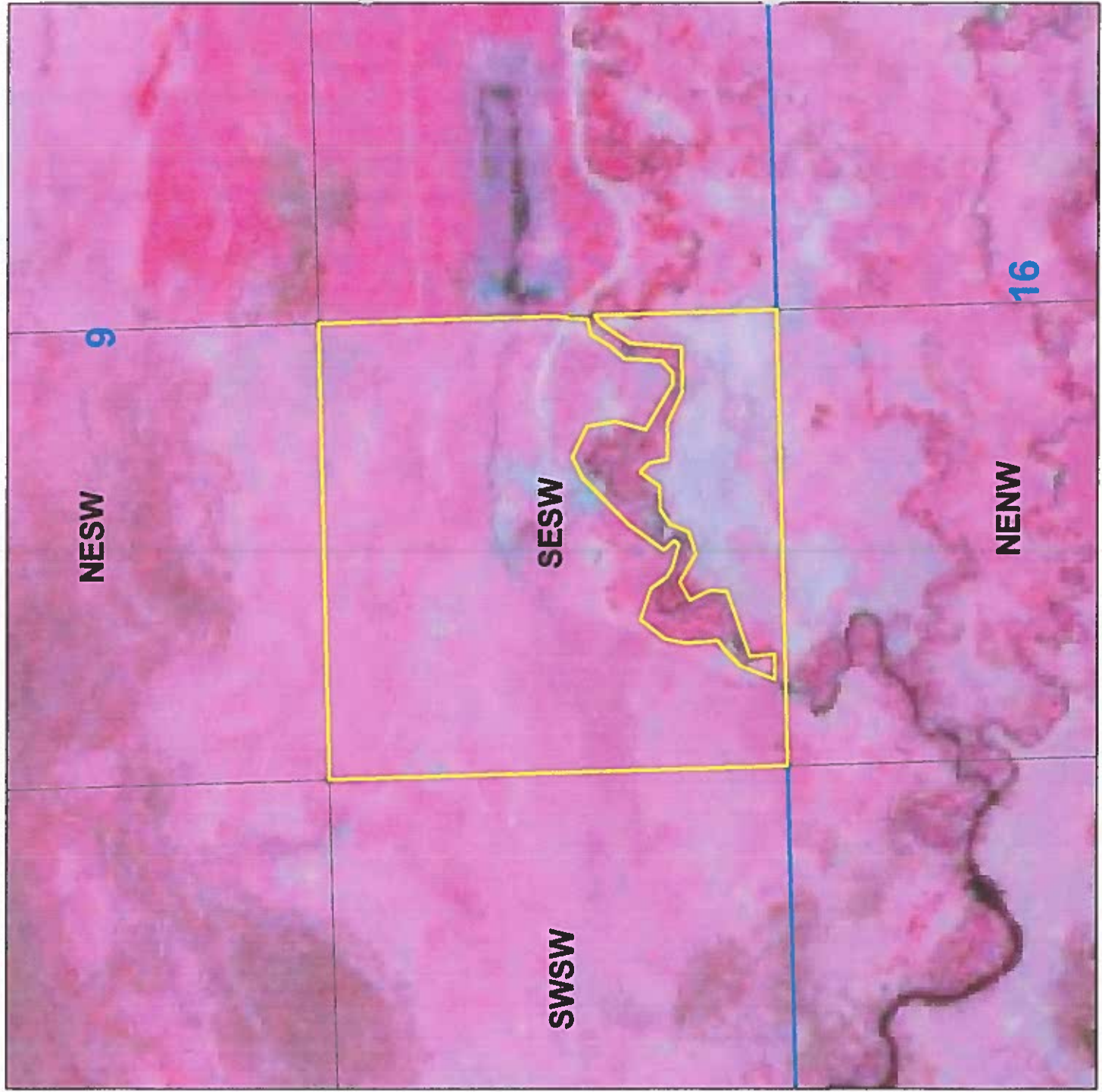
104N

0.4 Miles

0.2

0

22-92



Notes

10/28/06

22-92 = 22-686 + 687. Need to find a copy of decree.

- add volume for irrigation and stockwater

Qty remark needs volume. Limited add for both rights.

22-92 add X02 remark for the # of range cows. 200
add N05 Remark - historical Stock use.

22-686: ✓ POD Linked, POD should be SESESE.
NOT SESESW.

Layouts have a POD in SESEW but the field exam doesn't indicate any such POD. Reprint layouts.

✓ to see if decree is scanned on line?

Stock Volume:

$$\begin{array}{rcl} 12 \text{ gal/day} & \times & 365 \text{ days} \times \frac{200 \text{ head}}{\text{Yr.}} \\ & & = 2.69 \text{ AFA.} \\ & & \underline{\quad \quad \quad} \\ & & 325,581 \\ & & = 2.96 \text{ AFA.} \end{array}$$

decree allowed for 200 head of range cows.

add N13

11/4/06 I don't think we need N05 remark because the court decreed 200 head of range cows at 12 gal/day. So we do have a historical use.

* 22-92, 686 + 687 (11965) are used in combination and have combined use limits.
3.08 cfs. div. + 284.4 AF.

* Past use was 4.11 cfs. 1.17 cfs. 1.17 cfs.

C-Vault

IDAHO DEPT OF WATER RESOURCES
EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): #1 = 22-11969
* 2 = (A-22-11965) + (A-22-00092)
+ (A-22-1196A)

[] Name(s): ALVIE C. CHRISTENSEN
Gloria Christensen (wife)

[] Old Mailing Address: 517 LINDEN AVE
Rexburg, Idaho -
83440

[] New Mailing Address: ALVIE C. CHRISTENSEN
3979 E 460 N
Rigby, Idaho 83442

Telephone Number: (208) 745 - 6134

[] Signature(s) of Owner(s): Alvie C. Christensen (wife)
Gloria Christensen

SCANNED

(Include your title if on behalf of company or organization)

JUL 13 2005

Date: 7-1-05

PROFILE

address change
complete 7/13/05



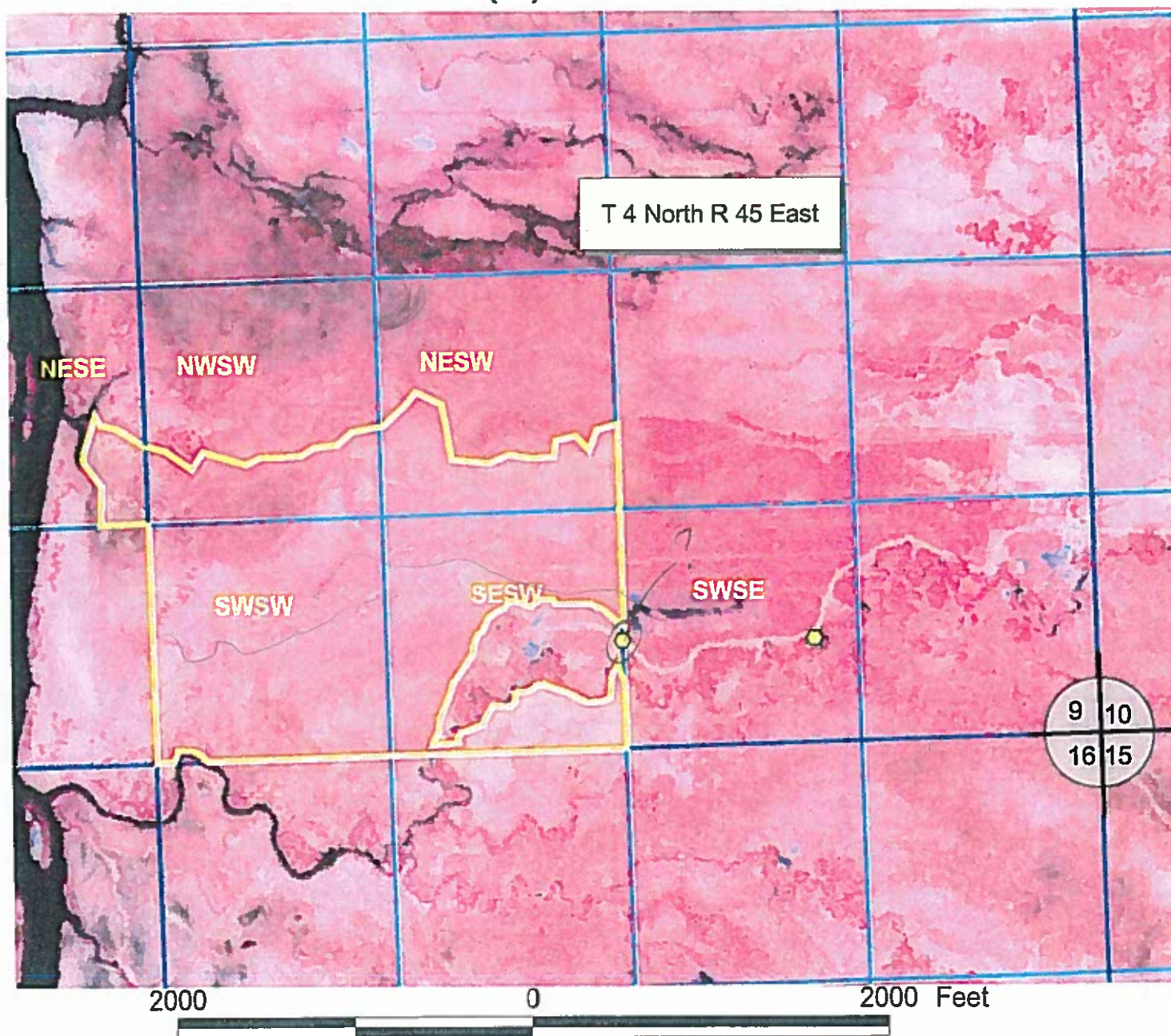
Alvie Christensen
diversion out of
Darby Creek



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-92, 22-686



- Place of Use
- Points Of Diversion
- Sections
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: March 2006



- b. date of priority: April 1, 1936
- c. rate of diversion: 2.34 cfs
- d. nature of use: Irrigation
- e. point of diversion: SW1/4 SE1/4 Sec. 9, T. 4 N.,
R. 45 E., B.M.

f. place of use:

Sec. 8: E1/2 NE1/4 SE1/4 (3 acres)

Sec. 9: NE1/4 SW1/4 (39 acres)

NW1/4 SW1/4 (35 acres)

SW1/4 SW1/4 (40 acres)

All in T. 4 N., R. 45 E., B.M.

- g. period of use: April 15 to October 15 each year
- h. maximum annual volume of consumptive use: 217.6 af
- i. basis of right: Beneficial use

22-0092 2. The plaintiffs right to the use of water pursuant to
Water Right No. 22-0092 shall be as follows:

- a. source: Darby Creek, tributary to Teton River
- b. date of priority: January 22, 1916
- c. rate of diversion: .74 cfs (irrigation)
.06 cfs (stockwater)
0.8 cfs total
- d. nature of use: Irrigation
Stockwater
- e. point of diversion: SW1/4 SE1/4 Sec. 9, T. 4 N.,
R. 45 E., B.M.

MAY 15 1996

f. place of use:

irrigation: SE1/4 SW1/4 Sec. 9, T. 4 N., R. 45 E., B.M. (37 acres)

stockwater: SW1/4 Sec. 9, E1/4 NE1/4 SE1/4 Sec. 8, T. 4 N., R. 45 E., B.M.

g. period of use:

irrigation: April 15 to October 15 each year

stockwater: January 1 to December 31 each year

h. maximum annual volume of consumptive use: 68.8 af

i. basis of right: Decree. The right set forth in this paragraph 2 shall supersede Water Right No. 22-0092 as previously decreed.

3. The plaintiffs' right to the use of wastewater shall be as follows:

22-0687 a. source: Wastewater from lands east of SW1/4 Sec. 9, T. 4 N., R. 45 E., B.M., tributary to Darby Creek

b. date of priority: April 1, 1936

c. rate of diversion: 2.02 cfs

d. nature of use: Irrigation

e. points of diversion: SE1/4 SW1/4 and NE1/4 SW1/4 (3).
Sec. 9, T. 4 N., R. 45 E., B.M.

f. place of use:

Sec. 8: E1/2 NE1/4 SE1/4 (3 acres)

MAY 15 1996

Claim No. 22-92

Document Checklist

☐ Copy License/Decree

CHRISTENSEN V Carlson
could not find decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

Please refer to claim A2200686

Claimant Contact Log

Agent initials

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

Claim Number: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ **Phone No.:** _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____ Date: _____

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____

Date: _____

Water Right No(s). _____

GPS DATA:

Tag # A0014290 Location: on headgate

Diversion Data:

Source: Darby Creek Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Headgate can dam up creek and divert the
water either north or south at POD
if boards are taken out of headgate water
will flow down creek.

Field Exam Date: 7/25/05 Agent: DD

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

80
 7/25/05
 Field exam shows, POD is actually in Sec 9 as it is shown on claimants map.
 POD is a concrete headgate that was originally GPS'd and tagged by D.O. and A.R. One wing of headgate has tipped over but structure is still functional.
 When headgate is used to dam creek (Barby Creek) water can be diverted through a north ditch or a south ditch or both ditches.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:7/25/05
DO

POU is a pasture that is irrigated by ditches and dams. There is a barn and corral in center of POU. Darby Creek runs through this piece.

Reviewer: _____ Date: _____

Claim Number: _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

[illegible]

Reviewer: _____

Date: _____

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: A22-00092
Date Received: 9/27/1988
Receipt No: MOO 1454
Received By: gpc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALVIE C. CHRISTENSEN 208-356-9386
Address: 517 LINDEN
REXBURG, ID 83440

2. Date of Priority: JAN 22, 1916

3. Source: DARBY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	45E	10 9?	SE	SW	SE		TETON

5. Description of diverting works:
CEMENT HDGATE WITH DITCHES TO FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.740		
STOCKWATER	01/01	12/31	0.060		

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

8. Total consumptive use is 68.8 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 220 HD RANGE CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	9	SE	SW		IRR	37.0
Section Acres							37.0

A22-00092

Page 1

Date: 09/27/88

MICROFILMED
NOV 04 1992

A2200092

10. Place of Use: Continued

Total Acres 37.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
YES

14. Remarks:

THIS RIGHT SUPERCEEDS WR 22-0092 DECREEDED TO E. MURDOCK.
THE ABOVE MENTIONED RIGHTS SHALL NOT EXCEED A COMBINED DIV.
RATE OF .02 CFS. NOR 1.86 AF. PER ACRE.
TOTAL RATE OF DIV. 3.08 CFS. AND 286 AF. PER ANUM.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: 10/09/1986

ALVIE CHRISTENSEN

Decree Plaintiff

vs

RONALD CARLSON

Decree Defendant

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): Alice P. Christensen Date: 9-27-88

Date: _____

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of Sept. 19 88

John Dal Corral
Notary Public

Seal

Residing at Boise ID

My Commission Expires 6/2/94

MICROFILMED
NOV 04 1992

