

11/22/2006

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

RIGHT NUMBER: 22-11965

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

SOURCE: WASTE WATER

TRIBUTARY: TETON RIVER

QUANTITY: 2.020 CFS

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

PRIORITY DATE: 04/01/1936

POINT OF DIVERSION:

T04N R45E S9 NENESW Within TETON County

T04N R45E S9 NENESW Within TETON County

T04N R45E S9 SENESW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

2.020 CFS

PLACE OF USE: IRRIGATION in TETON County

T04N R45E S08	NESE	3.00	T04N R45E S09	NESW	39.00
T04N R45E S09	NWSW	35.00	T04N R45E S09	SWSW	15.00
T04N R45E S09	SESW	9.00			

101 ACRES TOTAL

Right Nos. 22-92, 22-686 and 22-11965 are limited to the irrigation of a combined total of 154 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

This right is from former right 22-687.

11/27/2006

**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: 22-11965

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: 12-04-06 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
12/06



Idaho Department of Water Resources

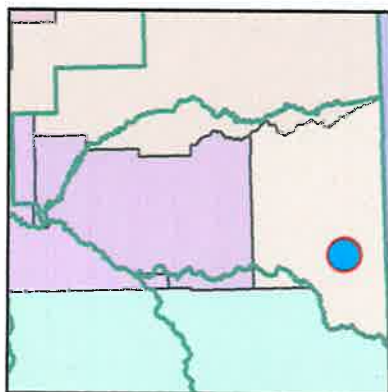
SRBA Recommendation:

22-11965

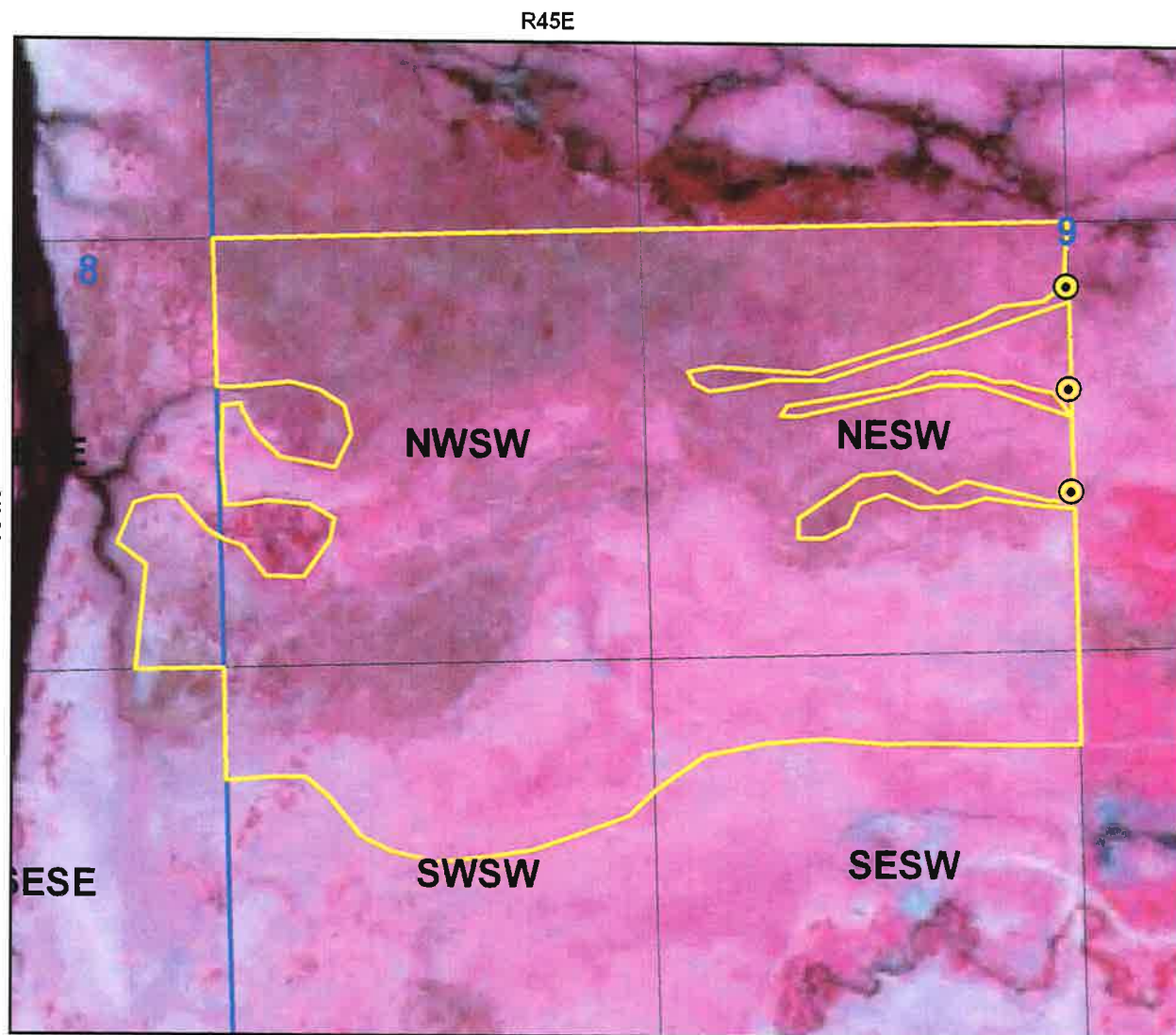
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0 0.2 0.4 Miles

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

Notes

10-28-06 22-687 decreed to 71.0 acres.

Max annual vol. of consumptive use: 187.9 AF.

✓ Period of use 4/15 - 10/15 (decreed)

✓ * Diversion Limit of 3.08 cfs. and 286.4 AF for rights in paragraphs 1-3; also no more than 0.02 cfs/ac and 1.86 AF/acre of irrigated lands. Is that for 22-92, 22-686 & 22-687 (11965)? *Yes it is.*

✓ * Need a complete copy of decree: case No. 1855 (22-ES-1).
10/9/1986 Alvie C. Christensen vs Ronald Carlson

✓ Decree 22-ES-1 (1982)

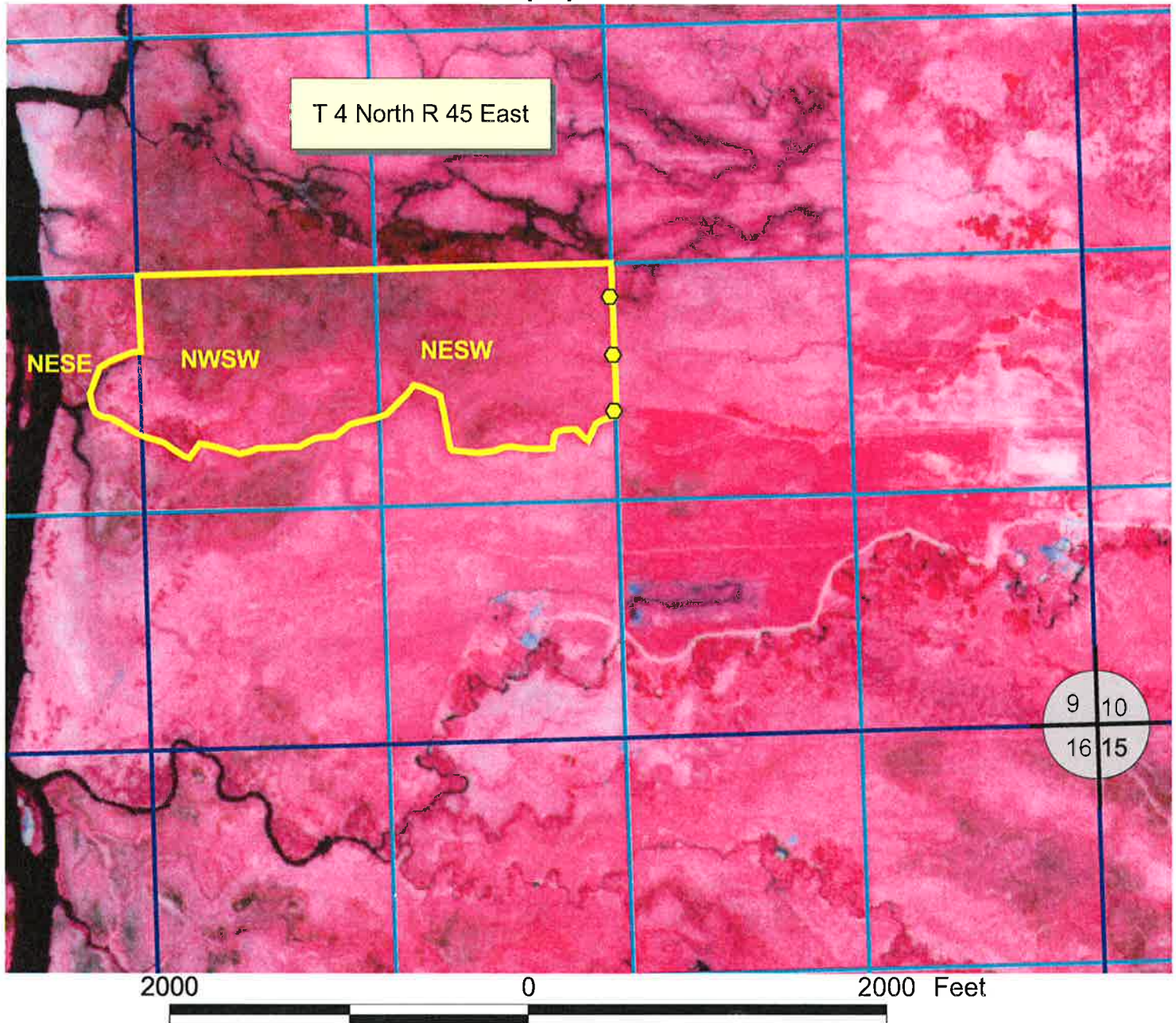
Any filings on 22-687?



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-11965



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

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



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 pre-
viously 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:

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

MAY 15 1996

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

NW1/4 SW1/4 (35 acres)

SW1/4 SW1/4 (15 acres)

SE1/4 SW1/4 (9 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: 187.9 af

i. basis of right: Beneficial use

4. The use of water pursuant to rights set forth in paragraphs 1-3 shall not exceed a combined diversion rate of .02 cfs of water diverted per acre of land irrigated nor 1.86 af of water consumed per acre of land irrigated. The total diversion rate for irrigation under all of these rights shall not exceed 3.08 cfs and the total annual consumptive use shall not exceed 286.4 af.

5. The plaintiffs' right to the use of water from the unnamed springs shall be as follows:

22-0688 a. source: Unnamed Springs, tributary to Teton Creek
thence Teton River

b. date of priority: April 1, 1938

c. rate of diversion: 1 cfs (irrigation)

0.11 cfs (stockwater)

1.11 cfs total

d. nature of use: Irrigation

Stockwater

MAY 15 1996

7/25/05
BB

Oliver Chutehouse's diversion on
Daisy Creek. 2 ditches come off this
headgate - one ditch on north and
one on south.
When floods are pulled Daisy Creek runs
through headgate.



South ditch off Daisy Creek

North ditch

Daisy Creek

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-22-11964)

[] 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 Gloria Christensen (wife)

SCANLINE

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

JUL 13 2005 Date: 7-1-05

PROFILED

address change
complete 7/12/05

22-11965

6/29/2005

RESENT NOE WITH CHANGE OF ADDRESS TO:

ALVIE CHRISTENSEN

3979 E 460 N

RIGBY ID 83442

PER TETON COUNTY ASSESSOR'S OFFICE

KATY

PROFILED

SCANNED
JUN 29 2005



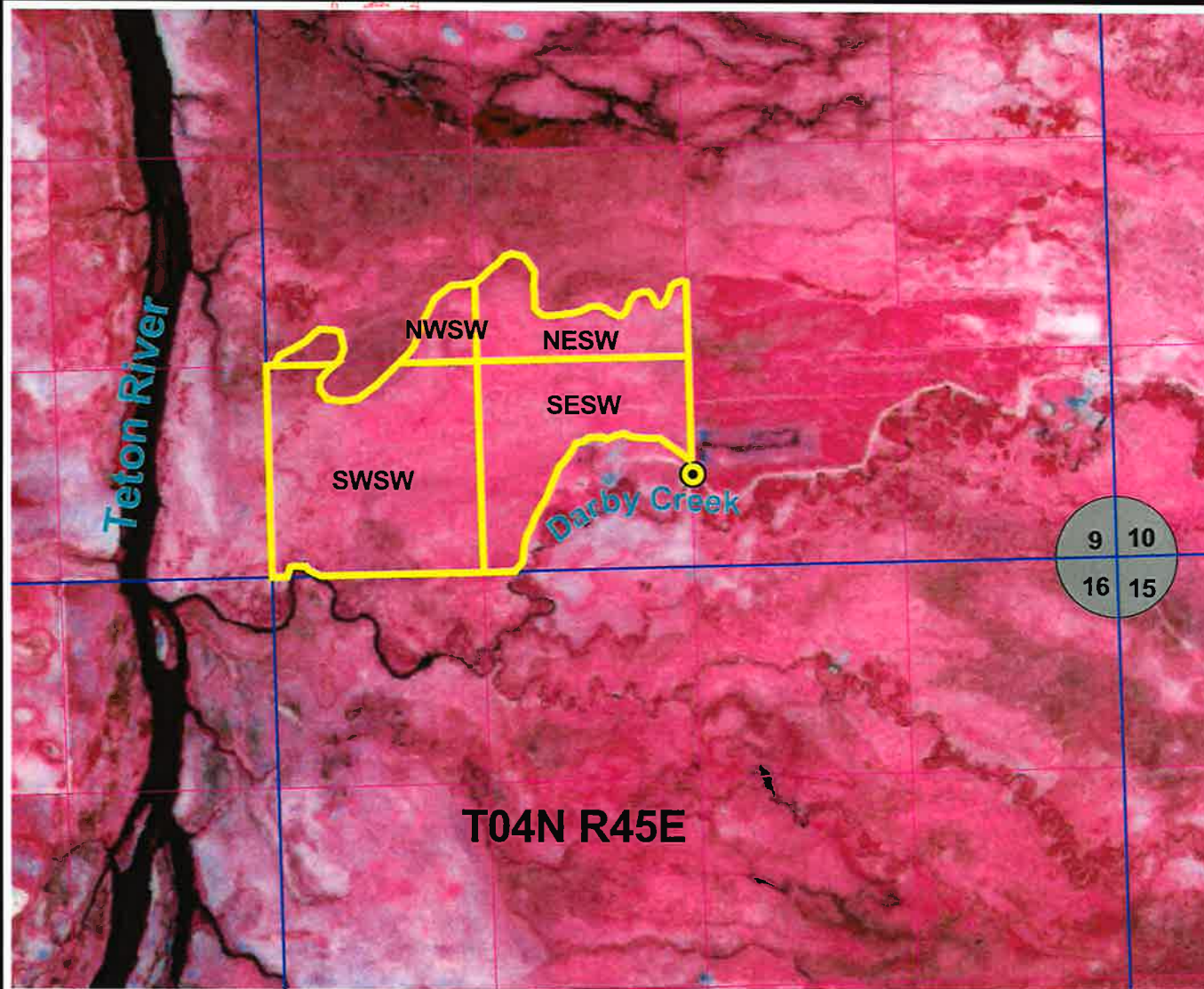
MAY 25 2005

PORTER
SCANNED

State of Idaho

Department of Water Resources

Eastern Region



600 0 600 1200 1800 2400 3000 3600 4200 Feet



Water Right(s):
22-621
22-11965

Point(s) of Diversion:
T04N R45E
Sec. SWSWSE

Place of Use (parts of):
T04N R45E
Sec. 9 NESW, NWSW,
SWSW, SESW

LEGEND

- Point of Diversion
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: April 2005

(1) Source of water is not waste water - direct diversion from Darby Creek,

(2) Headgate can't be shut off! Wall on north has collapsed

(3) What is 22-11960 (see photo pg) ALL ABOVE? OVERLAP OF THIS PELL OR WRONG #? 22-11960 IS A Boyd Smith claim → UNRELATED TO A. CHRISTENSEN.

(4) FIND 22-92 AND 11964 How DO THEY PLAY INTO THIS RT./PELL? AND 22-686. → See 22-621.

(5) See #14. Remarks: Common use ----? WHOSE DID THIS LANGUAGE COME FROM?

New Address:

ALVIE CHRISTENSEN
3979 E 460 N
Rigby ID 83442

COPIED

SCANNED

MAY 25 2005

Contacts Data Entry Form

Water Right No. A2211965

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>ALVIE CHRISTENSEN</u>					
Name connector: and						
Current Owner						
Current Owner						
Representing Attorney:						Phone Number:
Accompanied By:						Phone Number:
Relationship to Claimant:						
Date of Field Exam:						Time:

Directions to Property (if different from above) and/or update owner information:

Claims AS DECREED WASTEWATER 1936? TWO DECREE
PART DON'T FIT - WHAT DECREE ... WASTEWATER.

Problem:

FEI 6/16/04 AL KNOX & DOB O'BRIAN - VISITED POOL AND
POD - NOTED SOURCE IS NOT WASTEWATER AS CLAIMED - RATHER
ITS DARBY CIL WATER

Reviewer: _____

Date: _____

SCANNED

MAY 25 2005

PROFILED

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 4/01/1936 Claimed Basis: DucroixRecommended Priority Date: 4/01/1936 Recommended Basis: Ducroix☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

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

Matches Ducroix

Reviewer: _____

Date: _____

PROFILED

SCANNED
MAY 25 2005

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: WASTO WATON Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: Darby Creek Tributary: Tedon River

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>04N</u>	<u>45E</u>	<u>9</u>		<u>342SWSE</u>	<u>Tedon</u>	<u>Tedon River</u>
GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

TAG # A0014290 GPS ID # 14290 AC

This source is NOT WASTOWATON - it is diverted DIRECTLY FROM
DARBY CK AS ATTESTED BY RANDY MURDOCK (A NEIGHBOR).

Transfers Changing POD _____

Reviewer: DD & ARDate: 6/16/04

FILED

SCANNED
MAY 25 2005

Place Of Use Data Entry Form

Claim Number: 22-11965☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
04N	4SE	8	NESF		Teton		3.0	Irrigation
"	"	9	NESW		"		39.0	"
"	"	9	NWSW		"		35.0	"
"	"	9	SWSW		"		15.0	"
"	"	9	SFSW		"		9.0	"

Total Acres 101.00

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
04N	4SE	9	NESW		Teton		13.0	Irrigation
"	"	"	NWSW		"		5.2	"
"	"	"	SWSW		"		38.0	"
"	"	"	SFSW		"		23.0	"

Total Acres 79.2

Document how the POU was verified:

Field exam + GIS

Transfers Changing POU _____

Reviewer: _____

Date: _____

PROFILE

SCANNED
MAY 25 2005

Period of Use and Quantity Data Entry FormClaim Number: 22-119105☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/31	2.02	

Overall Diversion Rate 2.02 Overall Diversion Volume _____**Recommended Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/31	2.02	

Overall Diversion Rate 2.02 Overall Diversion Volume _____

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

SOU changed to meet IDWR SOU standards.

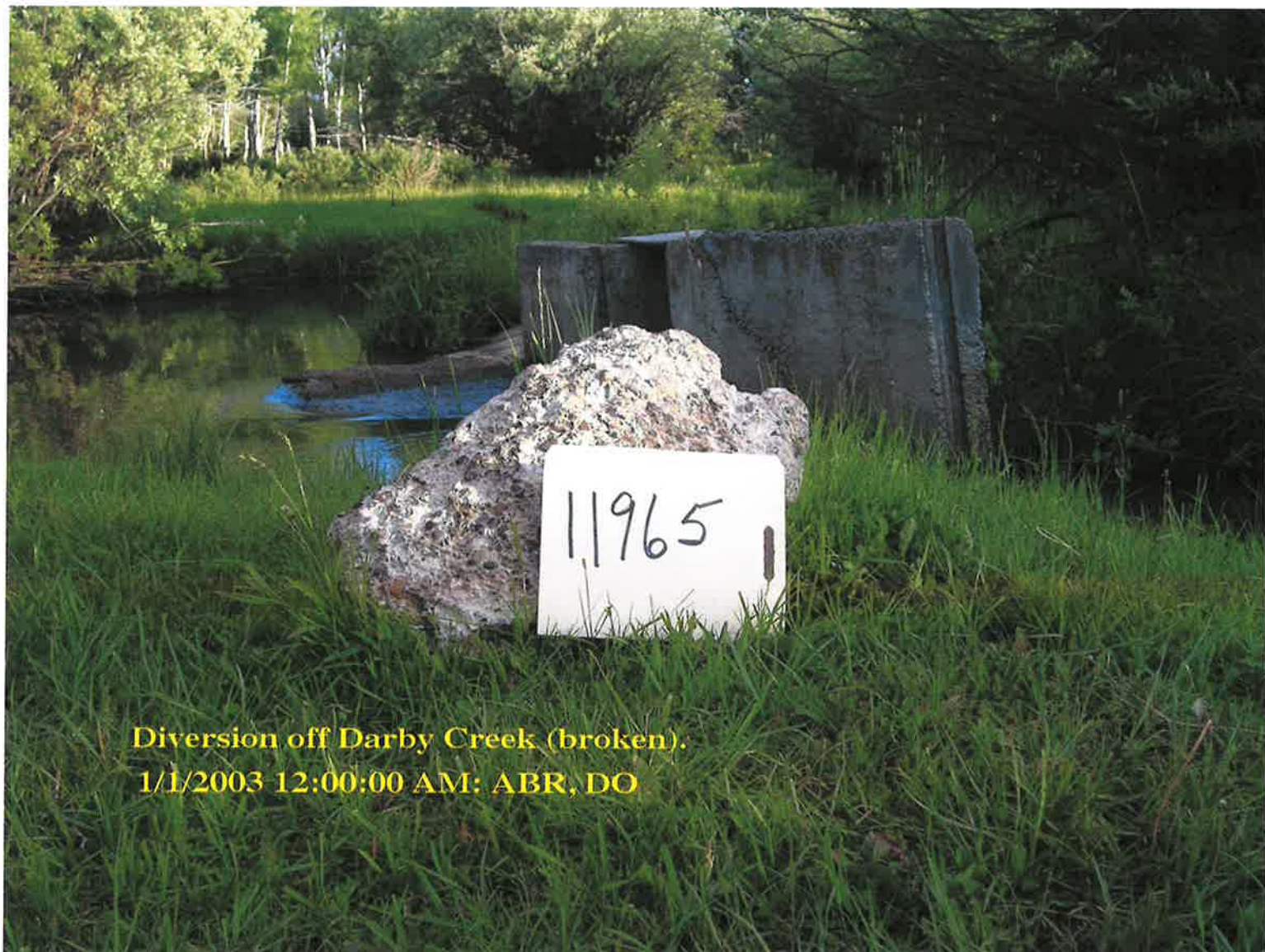
Reviewer: _____

SCANNED

Date: _____

MAY 25 2005

PROFIT



Diversion off Darby Creek (broken).

1/1/2003 12:00:00 AM: ABR, DO

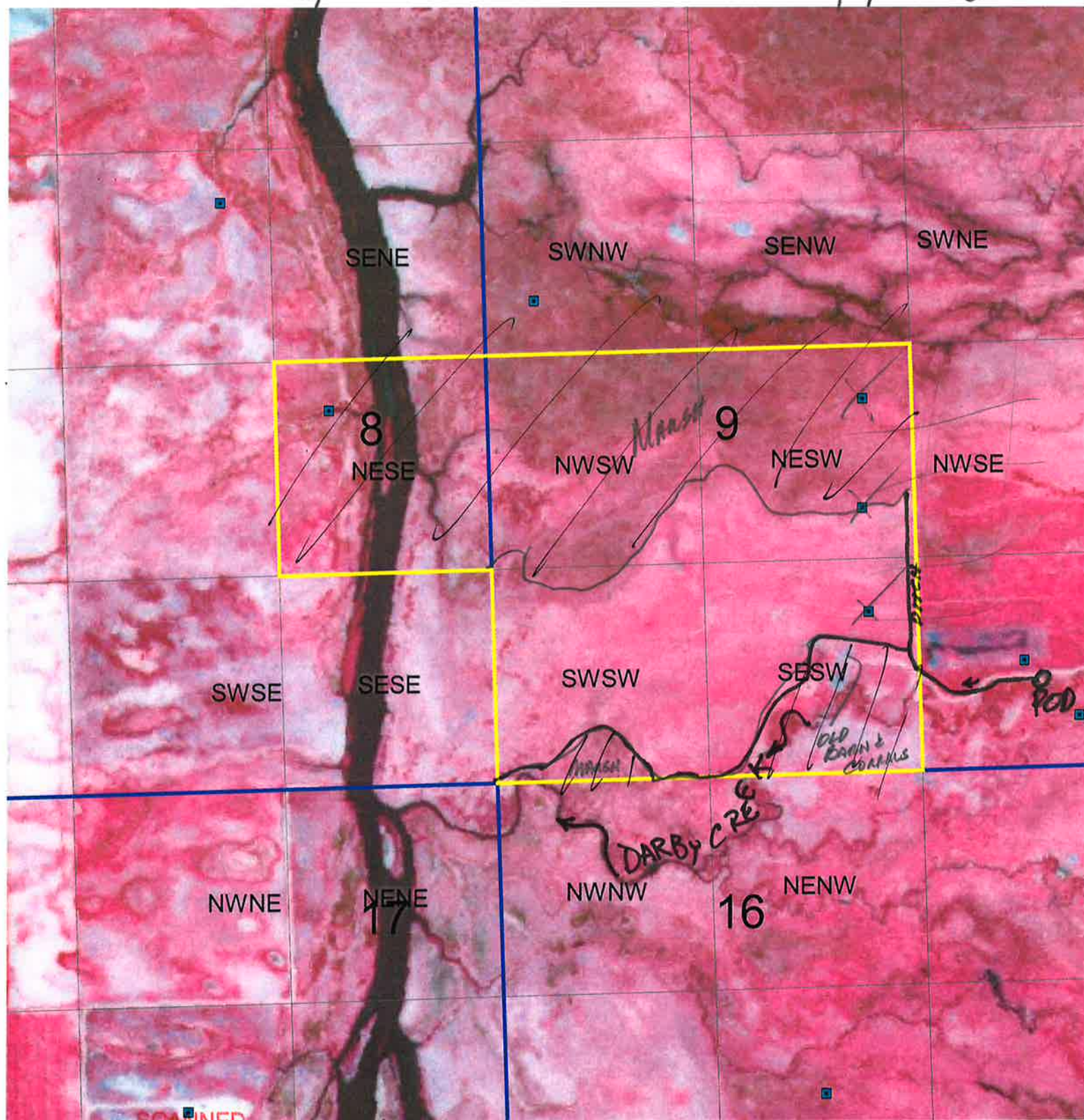
SCANNED
MAY 25 2005

PROFILED

Teton River

22-11960⁵

6/16/04 ABH DO



SCANNED
MAY 25 2005

Teton River ↑

PROFILED

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: A22-11965
Date Received: 9/27/1988
Receipt No: 1001454
Received By: JPC

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: APR 01, 1936

3. Source: WASTEWATER Trib. to: DARBY CREEK

4. Point of Diversion:

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

5. Description of diverting works:
WASTE WATER RUNS INTO DITCHES USED TO CONVEY DARBY CREEK WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.020		

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

8. Total consumptive use is 286.4 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	45E	8	NE	SE		IRR	3.0
						Section Acres	3.0

A22-11965

Page 1

Date: 09/27/88

PROFILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 26 1992

A2211965



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	9	NE	SW		IRR	39.0
			NW	SW		IRR	35.0
			SW	SW		IRR	15.0
			SE	SW		IRR	9.0
						Section Acres	98.0
						Total Acres	101.0

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:
A2200092, A2211964

14. Remarks:
THE ABOVE MENTIONED RIGHTS SHALL NOT EXCEED A COMBINED DIVERSION
RATE OF .02 CFS. NOR 1.86 AF PER ACRE.
TOTAL RATE OF DIV. 3.08, AND 286 AF. PER ANUM.

15. Basis of Claim: DECREED
Case Number: 1855
Court :
Decree date: 10/09/1986

ALVIE C. CHRISTENSEN
Decree Plaintiff

vs

RONALD CARLSON
Decree Defendant

FILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 06 1992

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): Alvie C. 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 Dale Larson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 4/2/94

PROFILED

SCANNED
MAY 25 2005

MICROFILMED
NOV 06 1992

