

02/04/2002

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

RIGHT NUMBER: 29-4032

NAME AND ADDRESS: KEITH C CHRISTENSEN
PO BOX 54
INKOM ID 83245

SOURCE: LOWER ROCK CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.40 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION:

T07S R36E S35 NWNESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.400 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S35	SESW	6.2	T07S R36E S35	NWSE	2.6
T07S R36E S35	SWSE	11.0			

STOCKWATER Within BANNOCK County

T07S R36E S35	SESW	T07S R36E S35	NWSE
T07S R36E S35	SWSE		

19.8 ACRES TOTAL

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

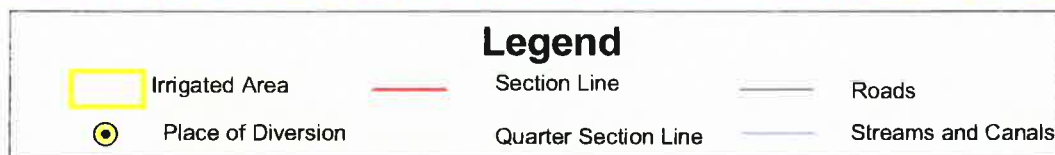
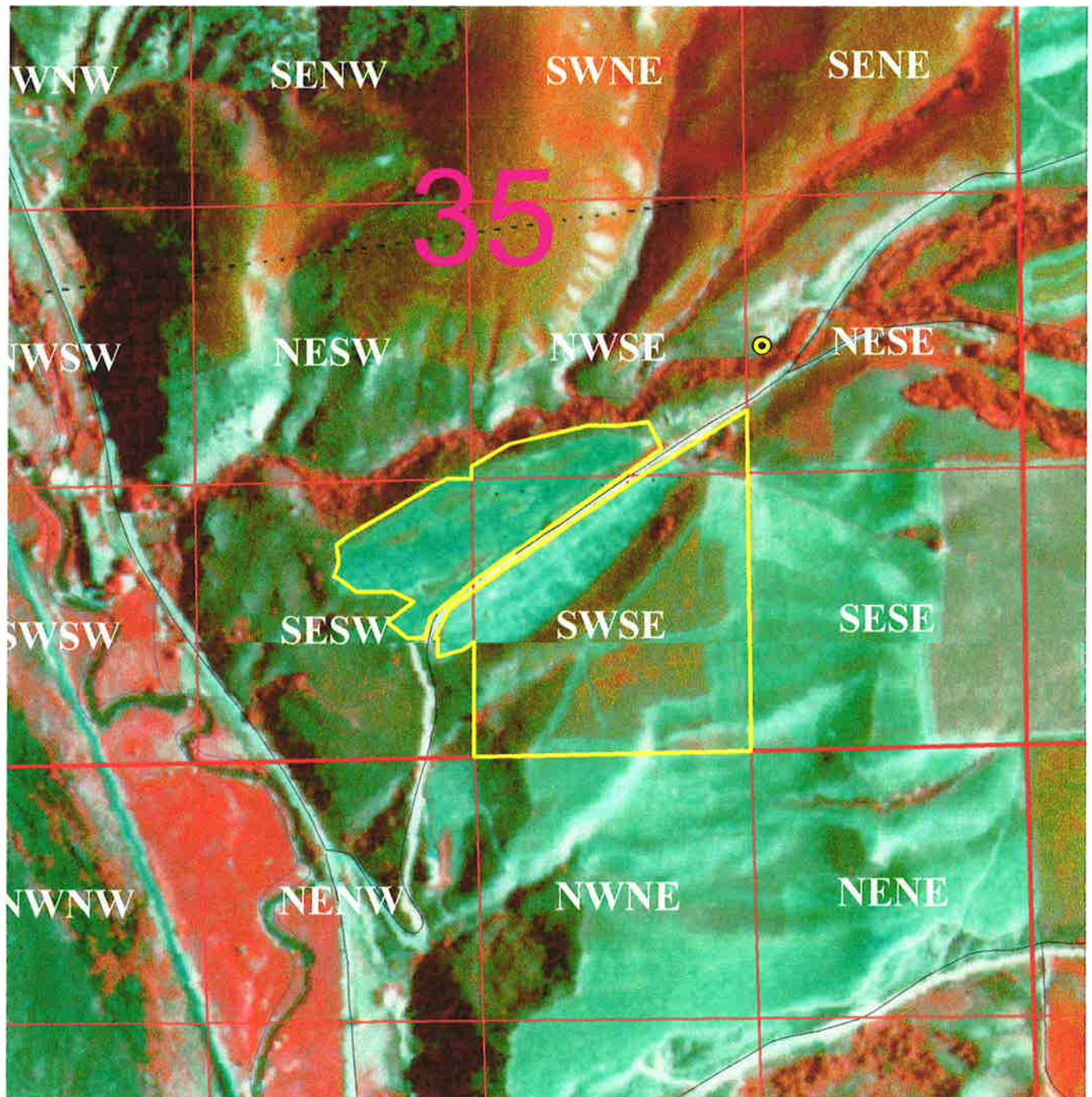
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-04032

08/10/2000

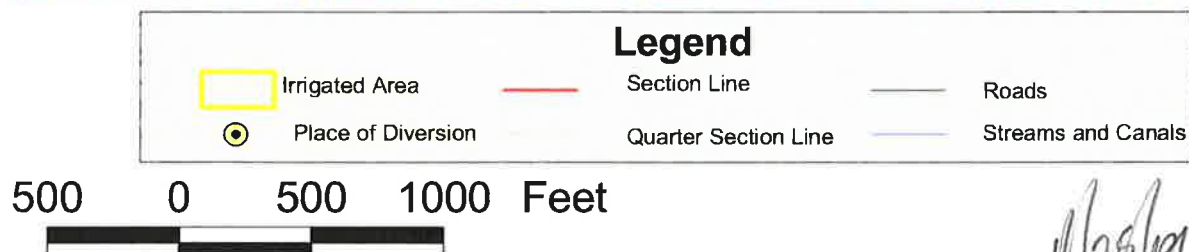
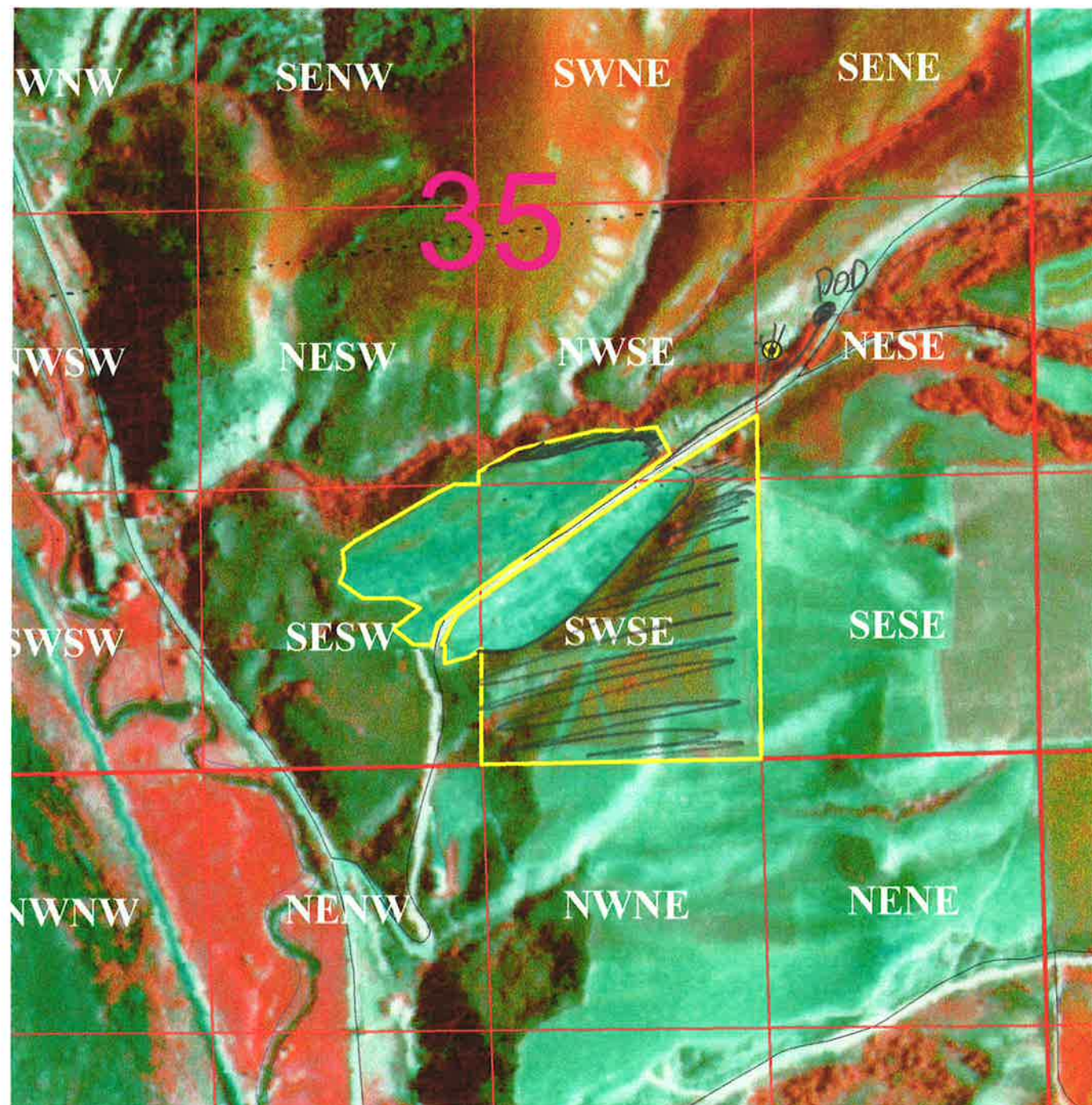
Townships , 7S36E, 8S36E



Water Right Claim Number A29-04032

08/10/2000

Townships , 7S36E, 8S36E



Alister

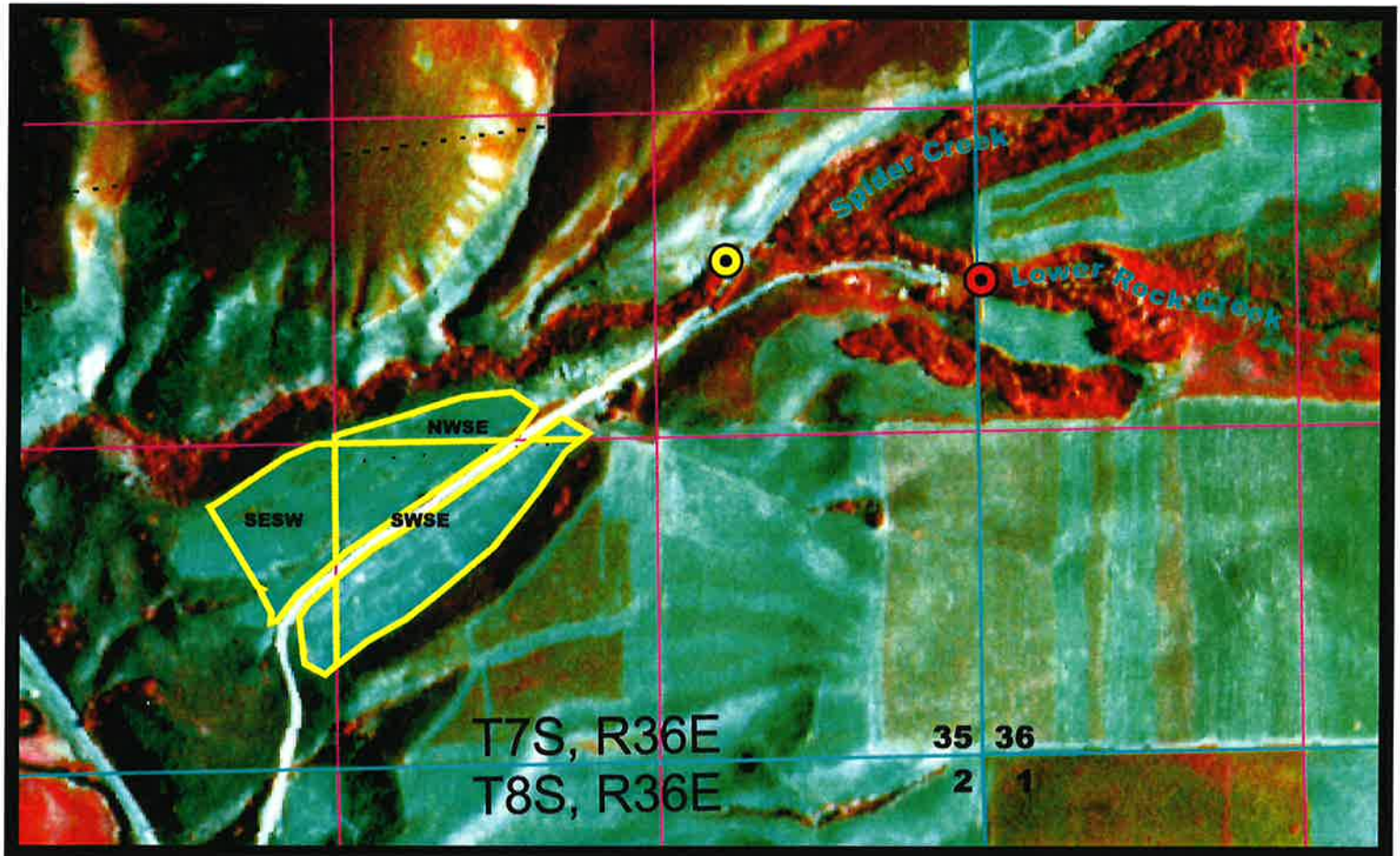


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-04032



LEGEND

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

Place of Use: T7S, R36E
(parts of) Sec. 35 W2SE, SESW

Point(s) of Diversion: T7S, R36E
Sec. 35 NWNESE



PROFILE

SCANNED
MAR 01 2006

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: February 2002

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: April 21, 2003

Water right number: 29-4032

KEITH C CHRISTENSEN
PO BOX 54

INKOM ID 83245

Telephone Number: (208) 775-3695

RECEIVED
APR 23 2003
Department of Water Resources
Eastern District Office

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

LOWER ROCK CREEK &
SPIDER CREEK

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

ADD SPIDER CREEK

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

EVIDENCE ALREADY SUBMITTED TO THE
DEPARTMENT OF WATER RESOURCES.

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

DATE: 4-16-03

SIGNATURE:

Keith C. Christensen

Please print your name:

KEITH C. CHRISTENSEN

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

4/30/03 Spider Cr is tributary ABOVE THIS WR POD.
THEREFORE, THIS SOURCE IS RECOGNIZED AS ONLY
LOWER ROCK CREEK. THIS RIGHT IS THE LAST
Right on Downstream USB PRIOR TO CONFLUENCE
WITH PORTNOUT RIVER.

SCANNED

MAR 01 2006

PROFILED

29-04032 PER 42-225a IC

- ① Priority of 1930 supported by two documents attached.
 - a.) Bannock Title-Abstract Company Pg. 20 (EXCERPT) $\Rightarrow$ 1921
 - b.) Patent Cont. US Patent No. 520193, DATED 21 MARCH 1916.
- ② Sources: Claims SPIDOR CK AND Lowon Rock CK.
 Claims POD in NESE Sec. 35 75/365.
 Claim map shows 2 POD's: 1. SE NESE Lowon Rock CK - NO!
 No SPIDOR CK POD
 2. NWSENE Culvert on LACK BRIDGE
- ③ Claims Irrig/Stock 1.0 and 0.02 $\Rightarrow$ 1.02 cfs
 Irrig 46 ac @ 0.02 $\frac{cfs}{ac}$ = 0.96 cfs
 Stock 25 cattle (0.02 cfs) $\frac{.02 cfs}{}$
 Total 0.98 cfs
- ④ Period of Use: Irrig 4/01 - 10/31 - Dept Std.
 Stock 01/01 - 12/31 - OK 0.02 OK

River Exam;

10/25/01

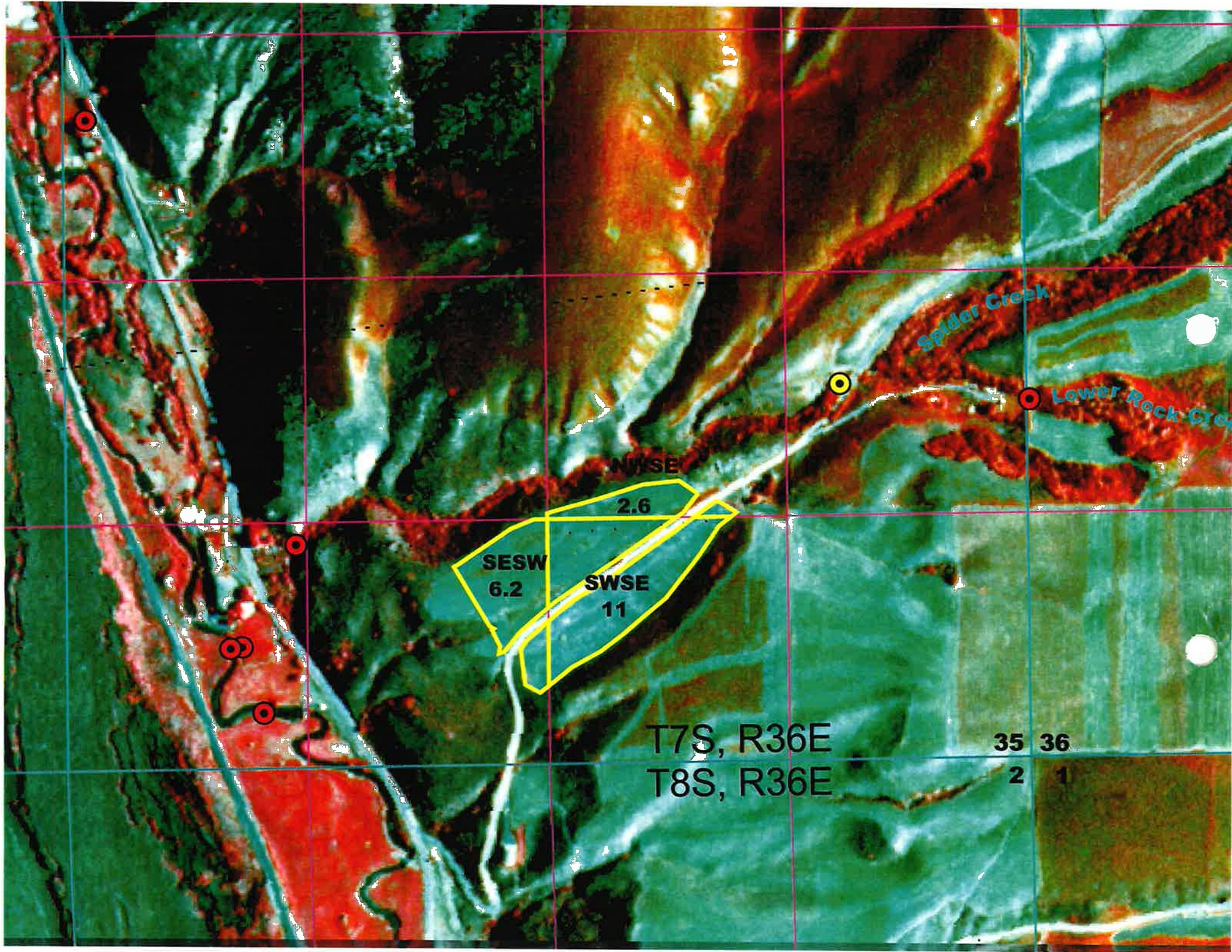
NO.

CONTRACTOR CPSTAGH A0011651

- ① POD's / Sources $\Rightarrow$ LOCAL (Amount to add POD?)
- ② ACRE Layout?

10/25/01 River Exam. Visited POD at Culvert on Nelson Road. Confluences with LEC & SC is across road upstream. (No Spidor CK)
 Walked ditch within TUNES BURNING MRS. DAVID LUSH'S Hs. DOES NOT SERVE LANDS ABOVE CHRISTENSEN'S HS

2/03/02 GTS room. Poll BASED on Bann Co. Assessor Thomas
 Pg. SW END OF North part of Poll.





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

Ditch intercepts water exiting culvert under road, d = 0.5 feet, and D = 1.25 feet.

THIS DATA WAS COLLECTED ACCORDING TO THE PHOTO (DESC1) ON 8/30/01 - CROOK FLOW WAS VERY NOISY GONG.

Assumptions

Average slope = 0.1% (assumed; varies w. culvert position).

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☒ Complete one box from both Area and Calculation sections

Cross Sectional Area

☒ Circular Channel

- ☒ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☒ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

TWO DITCHES AND CULVERT

Assumptions

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water
above orifice
centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water
above nappe

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Channel Slope

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Concrete lined	.016
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Rough bed, weeds on sides	.04
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Rough natural stream	.1

Pumped System

☐

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

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Log for claim A29-04032

Spatial Dynamics AMH

8/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	35	SESW	6	7.9	
07s36e	35	NWSE	1	5.6	
07s36e	35	SWSE	39	40	
Totals:			46	53.5	



DATE: 05/22/00
PAGE: 136

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	
Audit:	01/23/90 MOBILE3 07/15/94 THOMPSON 03/29/95 POST-STD		

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Keith C. Christensen
(name of claimant)
of Box 54, Pocatello, Idaho 83245, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Portneuf River

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Lower Rock Creek and Spider Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount 1 CFS Use Irrigation Period of Use: From April 1 To Nov 1
Amount .02 CFS Use Stockwater Period of Use: From Jan 1 To Dec 31
Amount _____ Use _____ Period of Use: From _____ To _____
(cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 1.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1930 Nov 1st

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source) 2 points in NE 1/4 SE 1/4 Sec. 35 Twp. 7S Rge. 36E B. M. County of Bannock
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Ditch from Lower Rock Cr. carrying water to place of use. 4 12" D culvert diverting water downstream from confluence of Lower Rock Cr. & Spider Cr.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	36E	35															40		40
7S	36E	35	Place of Use: Stockwater														X	X	

Total No. of acres 40

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

Stockwater for 50 head of cattle and horses

- (7) If you are claiming water as a member of an organization, list name of organization: _____

POOR ORIGINAL

IN THE MATTER OF:

AFFIDAVIT

JUN 26 1974

State of Idaho

County of Bannock

Department of Water Administration
Eastern District Office

Russell L Keller

being first duly sworn,

deposes and says:

I reside at Route 1
Mc Camman, an Merrill Road Bannock
County. I am acquainted with the
home of Keith Christensen located
in SE 1/4 SE 1/4 Sec 35 Twp 75
Range 36 E.B.M. Bannock County
and that since 1950 the occupants
of that house have been using water
of unnamed spring for culinary use,
also high water for irrigation by
ditch diversion out of a creek known to
us as Dell Canyon Creek. I know
this because I lived in the house two
years, on the farm eight years and
in the vicinity since.

Russell L Keller
(signature)

Subscribed and sworn to before me this 19th day of October 19 73.

Julius W. Sauer
(notary public)

Residing at Locust Hills
My commission expires _____

NOV 13 1974

20 4022

POOR ORIGINAL

RECEIVED

IN THE MATTER OF:

AFFIDAVIT

JUN 26 1974

Department of Water Administration
Eastern District Office

State of Idaho

County of BANNOCK

Gerald L. Keller

being first duly sworn,

deposes and says: That he is the former owner of certain lands purchased by Keith C. Christensen located in Section 35, Township 7 South, Range 36, East Boise Meridian. This is to state that your affiant has used the water on the Southeast Quarter Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 35, Township 7 South, Range 36, E.B.M., for over twenty years prior to selling said land to Keith C. Christensen in the year 1970. That the water was used from Lower Rock Creek, also known as Lone Pine Creek. The water was used at all times for culinary and for watering livestock and the high water was used to water 40 acres of land aforescribed. This is to state that your affiant has been advised that Jeanne Rino has filed for the high water right on the Lower Rock Creek and this is to state that your affiant knows the high water was never used on the land owned by Jeanne Rino and that the total amount of the water flowing from said creek after the rights of Pete Phillips ~~was~~ ^{are} used is now owned by Keith C. Christensen.

G. L. Keller

Gerald L. Keller
(signature)

Subscribed and sworn to before me this 21 day of June 1974.

[Signature]
(notary public)

Residing at Pocatello, Idaho

My commission expires April, 1977

NOV 13 1974

ROBERT W. HENDERSON, PRES.
ARIMO, IDAHO

E. R. BUEHLER, VICE-PRESIDENT
POCATELLO RT. 2, IDAHO

HAROLD RAYMOND, TREASURER
MCCAMMON, IDAHO

GLEN KUNKEL, SECRETARY
TYHEE, IDAHO

ORSON PACKHAM, DIRECTOR
BLACKFOOT, IDAHO

OTIS HALL, DIRECTOR
INKOM, IDAHO

JERRY HENDRICKS, DIRECTOR
RT. 1, POCATELLO, IDAHO

OTTO HEGE, DIRECTOR
ABERDEEN, IDAHO

H. LEIGH GITTINS, DIRECTOR
MCCAMMON, IDAHO

B. W. DAVIS, LEGAL ADVISOR
LAURA S. GOUGH, CLERK

Bannock County Dairymen's Association

P. O. Box 1049 - Pocatello, Idaho

April 12, 1948

TO THE MEMBERS OF BANNOCK COUNTY DAIRYMEN'S ASSOCIATION, a co-operative:
THIS IS YOUR MONTHLY LETTER AND REPORT OF YOUR BOARD OF DIRECTORS OF
THEIR ACTIVITIES IN YOUR BEHALF.

It is the intention of the Board to advise you monthly and keep you up to date on the Association affairs.

Among the important matters we have to report, is that the Challenge Creamery is now meeting the price set by our Association. In other words, we are setting the price that Challenge pays at Idaho Falls and elsewhere in this territory.

The Board has computed your interest and earnings in the Association for the years prior to 1946, the year 1946 and year 1947 and enclose herewith your "Patronage" Certificate or Statement of Reserve and Credit. (This does not apply to those who became members in 1948). A great deal of work has been done in computing the amount due each individual member and you should carefully preserve these. A motion was made and carried at the annual meeting February 16th, 1948, that the funds due under your Reserve be retained in the treasury for the present time, to cover any contingencies that may arise.

We have carefully selected and had prepared Stock and Membership certificates for each member. These are with the Association Clerk at Room 10 Ross-Davis Building in the office of B.W. Davis, (over Woolworth Store). Please call and get your certificate soon and sign the stock registry book. It is impossible to mail the certificates because it is necessary to have your receipt in the stock register.

Every effort has been made to keep before the public the importance of milk and milk products and the important part the members play in the production of Grade A Milk. A large sized advertisement has recently been inserted in the Pocatello Post, advertising milk and milk products.

Your directors acted promptly and vigorously in opposing the repeal of the Oleomargarine tax and contacted the Idaho Congressional members, urging them to oppose this measure. The results were gratifying - bill was defeated.

As you know your Directors meet regularly monthly, the 1st Monday, at eight o'clock p.m. at the office of B.W. Davis, Ass'n Attorney. We have an office, a clerk, and are endeavoring to look after your interests in a businesslike manner. We want you to know that this is your Association. We will welcome suggestions or constructive criticisms from any member or group of members.

Yours very truly,
BANNOCK COUNTY DAIRYMEN'S ASSOCIATION
By Glenn R. Kunkel,
Secretary.

NOV 13 1950

In the District Court of the Fifth Judicial District of Idaho, in and for Bannock County.

International Mortgage Bank,
corporation, Plaintiff,

vs.

Emma Lewis, widow of Alva T.
Lewis, deceased, Also all unknown
heirs and unknown devisees of
said Alva T. Lewis, deceased, also
all parties unknown claiming any
interest through or under said
Alva T. Lewis, deceased in and to
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 35, Twp. 7 S.
R. 36 E.B.M., Defendants.

NOTICE OF LIS PENDENS

Filed: December 20, 1921
at 11:20 A. M.

Instrument No.: 88722

Recorded: Book 2 Pendency of Action
Record Page 180

Notice is hereby given:

That the above named plaintiff has commenced action in the above
entitled Court against the above named defendants for the purpose of fore-
closing that certain Mortgage dated April 28, 1917 and given by Alva
T. Lewis, widower, to said plaintiff, which said mortgage was recorded on
May 8, 1917 at 1:31 P. M. in Book 29 of Mortgages, Page 42 records of
Bannock County, Idaho, and covers the following described real property,
in said County:

Southwest quarter of Southeast quarter of Section
35, Township 7 South, Range 36 East Boise Meridian, Bannock
County, Idaho.

Together with all waters and water rights of every kind and descripti

Orval M. Fox,
Attorney for Plaintiff,
Residence, Caldwell, Idaho.

NOV 13 1921

Sheet No. 2

Instrument No. 54731

PATENT.

Grantor, --

The United States of America.

Grantee, --

The Heirs of Julius R. Lewis.

Date, --

March 2, 1917.

Consideration, --

Full payment.

Recorded, --

May 11, 1917, 4:22 P.M. in
Book "9" of Patents, at page 209 of
Records of Bannock County, Idaho.

Signature, --

By Woodrow Wilson, President, M. P. LeRo
Secretary and L. Q. C. Lamar, Recorder
of the General Land Office. (Seal)

DESCRIPTION AND REMARKS.

Southwest quarter of the southeast quarter of Section thirty-five, in Township seven south of Range thirty-six East of the Boise Meridian, Idaho, containing forty acres, according to the Official Plat of the survey of the said land, returned to the General Land Office by the Surveyor General.

Subject to any vested and accured water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

NOV 13 1917

Sheet No. 3

Instrument No. 5101

MORTGAGE.

Mortgagor, --	Alva T. Lewis, a widower.
Mortgagee, --	International Mortgage Bank, a corporation.
Date, --	April 28, 1917.
Consideration, --	\$850.00.
Recorded, --	May 8, 1917, 1:51 P.M. Book "29" of Mortgages, at page of the Records of Bannock County
Acknowledged, --	Before Ray McClellan, a Notary Public in and for Bannock County, Idaho 3, 1917. (Seal)
Witness, --	None.

DESCRIPTION AND REMARKS.

The southwest quarter of the southeast quarter of section five, township seven south, range thirty-six, East of the Meridian.

together with the tenements, hereditaments, rights, privileges, appurtenances, now or hereafter belonging to or used in connection with said premises; and all plumbing, lighting, heating, cooling, ventilating, elevating, watering and irrigating apparatus and fixtures, now or hereafter belonging to or used in connection with said premises; and together with all waters and water power of every kind and description and however evidenced or manifested which now or hereafter may be appurtenant to said premises or part thereof, or incident to the ownership thereof, or any part thereof, or used in connection therewith; and together with the rents, issues and profits of said mortgaged property.

This grant is intended as a mortgage to secure the payment of one certain promissory note for the sum of \$850.00, payable on October 1st of the years 1917, 18, 19, 20, 21, 22, 23, 24, 25 and the balance on October 1, 1926, with interest at the rate therein provided.

NOV 13 1917

No. 5450.

ABSTRACT OF TITLE TO

The Southwest quarter of the Southeast quarter of Section Thirty-five, Township seven South, Range Thirty-six, East of the Boise Meridian, in Bannock County, Idaho, containing 40 acres, according to the Official Plat of the survey of the said land returned to the General Land Office by the Surveyor General.

MAYBE THESE
PAPERS WILL BE
OF VALUE.

R

Prepared for,

A. P. Marso,

McCammon, Idaho.

NOV 13 1932

IN THE MATTER OF:

RECEIVED

AFFIDAVIT

JUN 26 1974

State of Idaho

County of Bannock

Department of Water Administration
Eastern District Office

Russell L Keller

being first duly sworn,

deposes and says: I reside at Route 1
M^c Camman, an Merild Road Bannock
county. I am acquainted with the
home of Keith Christensen located
in SE 1/4 SE 1/4 Sec 35 TWP 75
Range 36 E.B.M. Bannock county
and that since 1950 the occupants
of that house have been using water
of unnamed spring for culinary use,
also high water for irrigation by
ditch diversion out of a creek known to
us as Dell Canyon creek. I know
this because I lived in the house two
years, on the farm eight years and
in the vicinity since.

Russell L Keller
(signature)

Subscribed and sworn to before me this 19th day of October 19 73.

Julius W. Sauer
(notary public)

Residing at Pocatello
My commission expires _____

29 4032

RECEIVED

JUN 26 1974

Department of Water Administration
Eastern District Office

County of BANNOCK

being first duly sworn,

deposes and says: That he is the former owner of certain lands purchased by Keith C. Christensen located in Section 35, Township 7 South, Range 36, East Boise Meridian. This is to state that your affiant has used the water on the Southeast Quarter Southeast Quarter (SE~~SE~~), Section 35, Township 7 South, Range 36, E.B.M., for over twenty years prior to selling said land to Keith C. Christensen in the year 1970. That the water was used from Lower Rock Creek, also known as Lone Pine Creek. The water was used at all times for culinary and for watering livestock and the high water was used to water 40 acres of land aforescribed. This is to state that your affiant has been advised that Jeanne Rino has filed for the high water right on the Lower Rock Creek and this is to state that your affiant knows the high water was never used on the land owned by Jeanne Rino and that the total amount of the water flowing from said creek after the rights of Pete Phillips ~~was~~ ^{is} used is now owned by Keith C. Christensen.

8. 7.

1974
-20
1954

Gerald Kille
(signature)

Subscribed and sworn to before me this 21 day of June 1974

day of June 1974

(notary public)

Residing at Pocatello, Idaho
My commission expires April, 1977

RETURN IN FIVE DAYS TO

County Dairymen's Association

P. O. Box 1049 - Pocatello, Idaho



Mr. Sylvester Kellar,
McCammon, Idaho

NOV 13 1950

POOR ORIGINAL

INSTRUMENT NO. 287749

QUIT CLAIM DEED

THIS INDENTURE, Made the Twenty-ninth day of April, in the year of our Lord One Thousand Nine Hundred and Fifty-two between Elden D. Romriell, a single person, of Inkom, of the County of Bannock and State of Idaho the party of the first part, and Gerald L. Keller, and Myrna L. Keller, of Inkom, of the County of Bannock and State of Idaho, the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One and No/100 DOLLARS, lawful money of the United States of America, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents, demise, release and forever Quit claim unto the said parties of the second part, and to their heirs and assigns all the certain Lot, piece or parcel of land situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

Beginning at the S. 1/16 corner of Section 35, T. 7 S., R. 36 E.B.M., thence running East on the south 1/16 line a distance of 660.0 feet, more or less, to a point which lies 660.0 feet West of the SE 1/16 corner, thence running in a northeasterly direction a distance of 832.0 feet, more or less, to a point which lies on the East 1/16 line a distance of 400.0 feet north of the SE 1/16 corner, thence running North on the East 1/16 line a distance of 26.0 feet; thence running in a southwesterly direction a distance of 1524.5 feet, more or less, to a point on the S. 1/16 line which lies 144.0 feet West of the S. 1/16 corner, thence running East on the S. 1/16 line a distance of 144.0 feet to the S. 1/16 corner, the point of beginning.

The above described tract of land is a part of the NW 1/4 SE 1/4 NE 1/4 SW 1/4 of Section 35, T. 7 S., R. 36 E.B.M., and contains 4.18 acres, more or less.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said parties of the second part, and to their heirs and assigns forever.

IN TESTIMONY WHEREOF, The said party of the first part has hereunto set his hand to and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of: Elden D. Romriell (SEAL)

STATE OF IDAHO,)
) ss.

COUNTY OF BANNOCK)

On this Twenty-ninth day of April, in the year 1952, before me W. E. Gee, a Notary Public in and for said County and State personally appeared Elden D. Romriell, a single person, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL) W. E. Gee Notary Public
My Commission Expires: May 10, 1953. Residence: Pocatello, Idaho

I hereby certify that this instrument was filed for record at request of Gerald L. Keller, Inkom, Idaho, at 20 minutes past 1 o'clock P.M., this 29 day of April, A.D. 1952 in my office and duly recorded in Book 113 of Deeds, Page 578.

Anna Keefe, Recorder Fee \$1.50

INSTRUMENT NO. 287750

QUIT CLAIM DEED

THIS INDENTURE, Made the Twenty-ninth day of April in the year of our Lord One Thousand Nine Hundred and Fifty-two, between Gerald L. Keller, and Myrna L. Keller, of Inkom, of the County of Bannock and State of Idaho, the parties of the first part, and Elden D. Romriell, a Single Person, of Inkom, of the County of Bannock and State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE AND NO/100 DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever Quit claim unto the said party of the second part, and to his heirs and assigns all the certain Lot, piece or parcel of land situated in Bannock County, of the State of Idaho, particularly described as follows, to-wit:

Commencing at the SW 1/16 corner of Section 35, T. 7 S., R. 36 E.B.M.; thence running South on the West 1/16 line a distance of 720.0 feet to the point of beginning; thence running Northeasterly a distance of 1379.0 feet, more or less, to a point on the S. 1/16 line which lies 144.0 feet West of the S. 1/16 corner; thence running westerly on the S. 1/16 line a distance of 776.0 feet, more or less, to a point which lies 400.0 feet East of the SW 1/16 corner, thence running southwesterly a distance of 823.5 feet, more or less, to the point of beginning.

INSTRUMENT No. 268087

WARRANTY DEED

This Indenture, Made this Fifteenth day of September 1949 in the year of Our Lord
 One Thousand Nine Hundred and Forty-nine, between
 LEMUEL ADAMS, one and the same person as LEM. Adams, and FREDa LYLLAN ADAMS, husband & Wife,

of Chicago, County of Cook, State of Illinois, the parties of the
 first part, and

GERALD L. KELLER, a single or unmarried man,
 of Inkom, County of Bannock, State of Idaho, the party of the
 second part:

WITNESSETH: That the said part 1 of the first part, for and in consideration of the sum of One (\$1.00) - - - - -

lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged and for other valuable considerations do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part y of the second part, and to his heirs and assigns forever: All those certain lot's, piece's or parcel's of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the Southwest quarter and the Northwest quarter of Southeast quarter of Section thirty five (35), Township seven (7) South, Range thirty-six (36) East of the Boise Meridian, in Idaho, according to the Official Plat of the Survey of the said lands, returned to the General Land Office by the Surveyor General;

This deed is given and accepted subject to all rights-of-way or easements as the same now exist upon, over or across said lands.

The grantors herein specifically warrant that they have been husband and wife at all times since March 8th, 1911.

The grantors agree to pay, when due and payable, the taxes for the year 1949 on above described property.

(\$1.10 U. S. I. R. Stamps attached to deed and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said part y of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Theo J. Turner

Lemuel Adams, one and the same (SEAL)
 person as:
 Lem Adams (SEAL)
 Freda Lyllan Adams (SEAL)

STATE OF IDAHO,

County of Bannock

ss.

On this 16th day of September, in the year 19 49, before me, Theo J. Turner
 a Notary Public in and for said County and State, personally appeared Lemuel Adams, one and the same
 person as Lem. Adams, and Freda Lyllan Adams, husband and wife

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged to me that they executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Seal)

Theo J. Turner, Notary Public

Residence: Pocatello, Idaho.

I hereby certify that this instrument was filed for record at the request of R. T. A. COMPANY, Pocatello, Idaho.
 at 50 minutes past 2 o'clock P. M., this 20th day of September, A. D. 19 49.

Fee, \$1.50

ANNA KEEFE

Ex-Officio Recorder.

By

Deputy.

Signed, Sealed and Delivered in the Presence of.

POOR ORIGINAL

STATE OF IDAHO)
County of Oneida) ss.

William Glenn Jones (Seal)

Anna Lyle M. Jones (Seal)

On this 28th day of April, in the year 1947, before me T. E. Ray a Notary Public and for said State, personally appeared William Glenn Jones and Anna Lyle Jones, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

T. E. Ray.
Notary Public for the State of Idaho,
Residing at Malad, Idaho

I hereby certify that this instrument was filed for record at request of D. J. Phillips, at 45 minutes past 11 AM, this 17th day of DEC, A.D. 1947 in Book 100 of Deeds, page 483.

Anna Keefe, Recorder

Fee \$1.00

Sarah Devaney, Deputy.

INSTRUMENT NO. 256887

CORPORATION DEED

THIS INDENTURE, Made this 4th day of November, in the year of our Lord One Thousand and Nine Hundred and Forty-seven, BETWEEN ENTERPRISE LAND COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Washington the party of the first part, and SYLVESTER KELLER, the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Thousand and no/100 DOLLARS, lawful money of the United States, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto the said party of the second part, the following described real property situated in the County of Bannock State of Idaho, particularly bounded and described as follows, to-wit:

Southwest Quarter of Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-five (35), Township Seven (7), South, Range Thirty-six, (36) EBM, with all water rights, appurtenant thereto.

(U.S.I.R. \$1.10 Attached and Cancelled.)

TOGETHER with all and singular the tenements, rights, easements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, EXCEPTING, however, roads, school-house sites, cemetery sites, rights of way, flumes, ditches, and easements, heretofore granted or existing, and also, excepting taxes, assessments or installments of assessments due or to become due since October 5, 1944.

TO HAVE AND TO HOLD, the said premises with the appurtenances, unto the said party of the second part.

And the above bargained and granted lands and premises, in the quiet and peaceable possession of the said party of the second part, against all persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part will Warrant and Defend, as to its own acts and deeds.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be subscribed by its Vice President, and its corporate seal to be affixed and attested by its Secretary, the day and year first above written.

(CORPORATE SEAL)

ENTERPRISE LAND COMPANY

STATE OF WASHINGTON,)
COUNTY OF SPOKANE.) ss.

By R. R. Morrison Vice President

Attest: Barbara C. Bateman.

On this 4th day of November A.D. 1947 before me personally appeared R. R. MORRISON, and BARBARA C. BATEMAN to me known to be the Vice President and the Secretary respectively of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal is affixed is the corporate seal of said corporation

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

(SEAL)

Gladys Myers now Gladys Troup
Notary Public in and for the State
Of Washington, Residing at Spokane.

I hereby certify that this instrument was filed for record on the 17th day of DEC, A.D. 1947, at 12:40 PM, and recorded in Book 100 of Deeds, page 484. Sylvester Keller, McCammon, Rate 1.

Anna Keefe, Recorder

Fee \$1.00

PATENTS

Instrument No. 46554

P MAR 28 1916

4--1023

Blackfoot 017768

The United States of America

To All to Whom These Presents Shall Come, Greeting:

WHEREAS, A certificate of the register of the Land Office at Blackfoot, Idaho has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant

Lemuel Adams

according to the provision of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the southeast quarter of the northwest quarter, the east half of the southwest quarter, and the northwest quarter of the southeast quarter of Section thirty-five in Township seven south of Range thirty-six east of the Boise Meridian, Idaho, containing one hundred sixty acres.

SE NW, E2SW, NWSE Sec. 35
75 368

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant—and to the heirs of the said claimant—the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant—and to the heirs and assigns of the said claimant—forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-FIRST day of MARCH in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States, the one hundred and FORTIETH

By the President. Woodrow Wilson

(SEAL)

By M. P. LeRoy

Secretary

RECORDED: Patent No. 520193

L. Q. C. Lamar

Recorder of the General Land Office.

Filed for Record at 4:50 o'clock P. M., May 9,

A. D. 1916, and recorded at the request of

Lemuel Adams

MAY 18 2001

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: A29-04032
Date Received: 1/23/1990
Receipt No: 1005567
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH C. CHRISTENSEN 208-775-3695
Address: P.O. BOX 54
INKOM, ID 83245

2. Date of Priority: JAN 01, 1930

3. Source: LOWER ROCK CREEK Trib. to: PORTNEUF RIVER
SPIDER CREEK PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	36E	35	NE	SE			BANNOCK

5. Description of diverting works:
TWO DITCHES AND CULVERT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 115.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/25 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	36E	35	SE	SW		IRR	6.0

A29-04032

Page

Date: 01/23/90

A2904032



MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	36E	35	NW		SE		STOCK	
			NW		SE		IRR	1.0
			SW		SE		STOCK	
			SW		SE		IRR	39.0
							Section Acres	46.0
							Total Acres	46.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Keith C. Christensen Date: 1-23-90

Date: _____

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of January 19 90

Seal

Anthony S. Olmstead
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994

See I9-C

T163 #101
David Nestor

3
110.2

2
23.3

45.1

19D

NOT TO SCALE

FEB
1989

See I9-C

14
143.0

T14

T162

See I9C

SPIDER CREEK

LOWER RIVER CREEK

T164
Kath Christensen

11.7

18.5

35.3

MICROFILMED

NOV 13 1992