

12/19/2006

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

RIGHT NUMBER: 67-14549

NAME AND ADDRESS: FRANK ROBERT CHRESTESEN
2264 WEISER RIVER RD
WEISER ID 83672

MICHAEL CRAIG CARPENTER
2264 WEISER RIVER RD
WEISER ID 83672

MARY LOUISE PURCELL
2264 WEISER RIVER RD
WEISER ID 83672

SOURCE: WASTE WATER

TRIBUTARY: CRANE CREEK

QUANTITY: 0.025 CFS

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T11N R04W S14 NESWNE Within WASHINGTON County

T11N R04W S14 NWSWNE Within WASHINGTON County

T11N R04W S14 NWSWNE Within WASHINGTON County

T11N R04W S14 NESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.025 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R04W S14

SWNE

4.20

T11N R04W S14

SENE

2.80

7 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



Idaho Department of Water Resources

SRBA Recommendation:

67-14549

(Irrigation)

Legend

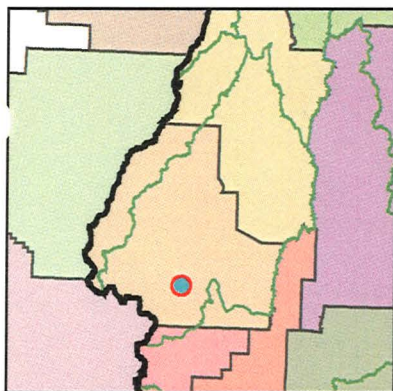
● **Point of Diversion**

□ **Place of Use**

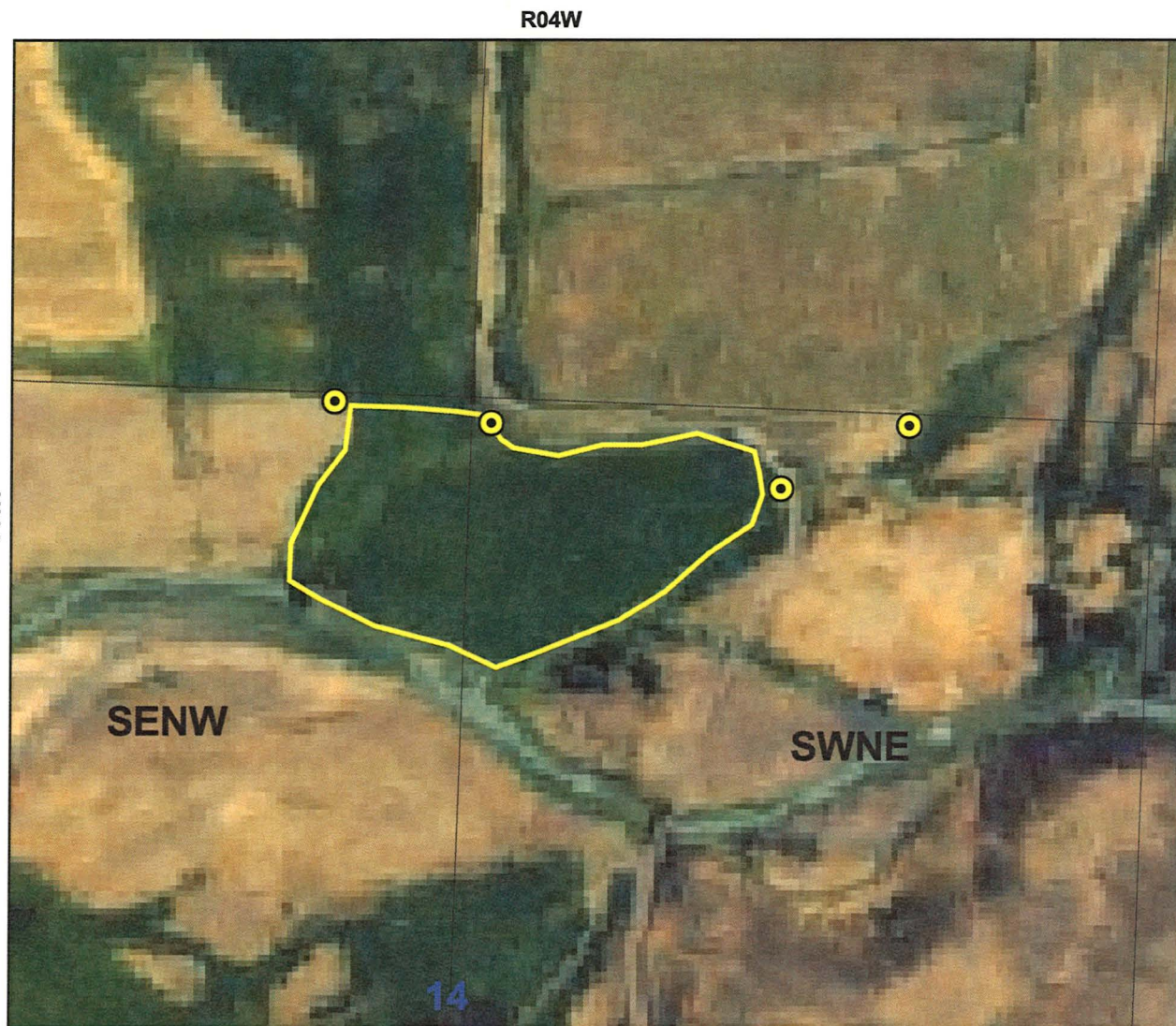
□ **Townships**

□ **PLS Sections**

□ **Quarter Quarters**



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by IDWR State Office
On Tuesday, December 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

WATER RIGHT NUMBER: 67-14549 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK ROBERT CHRESTESEN 2264 WEISER RIVER RD WEISER, ID 83672 (208)549-1457
Current Owner	MICHAEL CRAIG CARPENTER 2264 WEISER RIVER RD WEISER, ID 83672 (208)549-1457
Current Owner	MARY LOUISE PURCELL 2264 WEISER RIVER RD WEISER, ID 83672 (208)549-1457

Priority Date: 04/01/1950

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	CRANE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.025 CFS	
	<u>Total Diversion:</u>	0.025 CFS	

Location of Point(s) of Diversion

WASTE WATER	NW1/4SW1/4NE1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
WASTE WATER	NE1/4SE1/4NW1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
WASTE WATER	NE1/4SW1/4NE1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
WASTE WATER	NW1/4SW1/4NE1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	14																	7.0
					4.2					2.8									

Total Acres: 7

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-14549 V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. csaxton 5/15/2006 POD

Comment: One of the claimed PODs not recommended as it is not where the waste water enters the claimants property.

2. csaxton 5/16/2006 POU

Comment: Actual irrigated acreage is 5.5 acres.

3. csaxton 5/16/2006 Copied From Claim (1)

Comment: WASTE WATER FROM NEIGHBORS PROPERTY RUNNING ACROSS OUR PROPERTY.

4. csaxton 12/19/2006 NOE

Comment: POU and POD amended per NOE.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	5/16/2006 8:33:11 AM	csaxton			Active
Priority Date	5/16/2006 8:35:41 AM	csaxton			Active
POD	5/16/2006 8:35:51 AM	csaxton			Active
Source	5/16/2006 8:36:10 AM	csaxton			Active
POU	5/16/2006 8:36:58 AM	csaxton			Active
Use	5/16/2006 8:38:45 AM	csaxton			Active
Season	5/16/2006 8:39:02 AM	csaxton			Active
Quantity	5/16/2006 8:40:36 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

Summary

05/16/2006

csaxton

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	5/15/2006 4:53:43 PM	csaxton	Updated shape
POD	5/15/2006 4:54:25 PM	csaxton	Updated PLS
POD	5/15/2006 4:54:40 PM	csaxton	Updated shape
POD	5/15/2006 4:53:55 PM	csaxton	Updated PLS
POD	5/15/2006 4:55:00 PM	csaxton	Updated PLS
POD	5/15/2006 4:54:11 PM	csaxton	Updated shape
POU	12/19/2006 5:25:51 PM	csaxton	Edited shape boundary
POD	12/19/2006 5:27:46 PM	csaxton	Updated shape
POU	12/19/2006 5:26:01 PM	csaxton	Updated PLS for Active POU
POD	12/19/2006 5:28:04 PM	csaxton	Updated PLS
Contacts	5/16/2006 8:33:12 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
General	5/16/2006 8:35:41 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? Description for Question 12/13 - Affidavit from claimant with first hand knowledge.
POD	5/16/2006 8:35:51 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

Source	5/16/2006 8:36:11 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Desktop Review
POU	5/16/2006 8:36:59 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - 1987 NAPP photography
POU	5/16/2006 8:37:20 AM	csaxton	Updated shape for Active POU
Use	5/16/2006 8:38:46 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Desktop Review
Season	5/16/2006 8:39:03 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

Quantity	5/16/2006 8:40:37 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Claims for 0.20 cfs or less do not require measurement.
Summary	5/16/2006 8:42:54 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	5/16/2006 8:37:30 AM	csaxton	Updated PLS for Active POU

Water Supply Bank:

11/14/2006

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: December 8, 2006

Water right number: 67-14549

FRANK ROBERT CHRESTESEN
2264 WEISER RIVER RD
WEISER ID 83672
Telephone Number: (208)549-1457

MICHAEL CRAIG CARPENTER
2264 WEISER RIVER RD
WEISER ID 83672
Telephone Number: (208)549-1457

MARY LOUISE PURCELL
2264 WEISER RIVER RD
WEISER ID 83672
Telephone Number: (208)549-1457

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

- should be 4 POD's should be 2 in the response
- Increase POE in NW Piece

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:

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

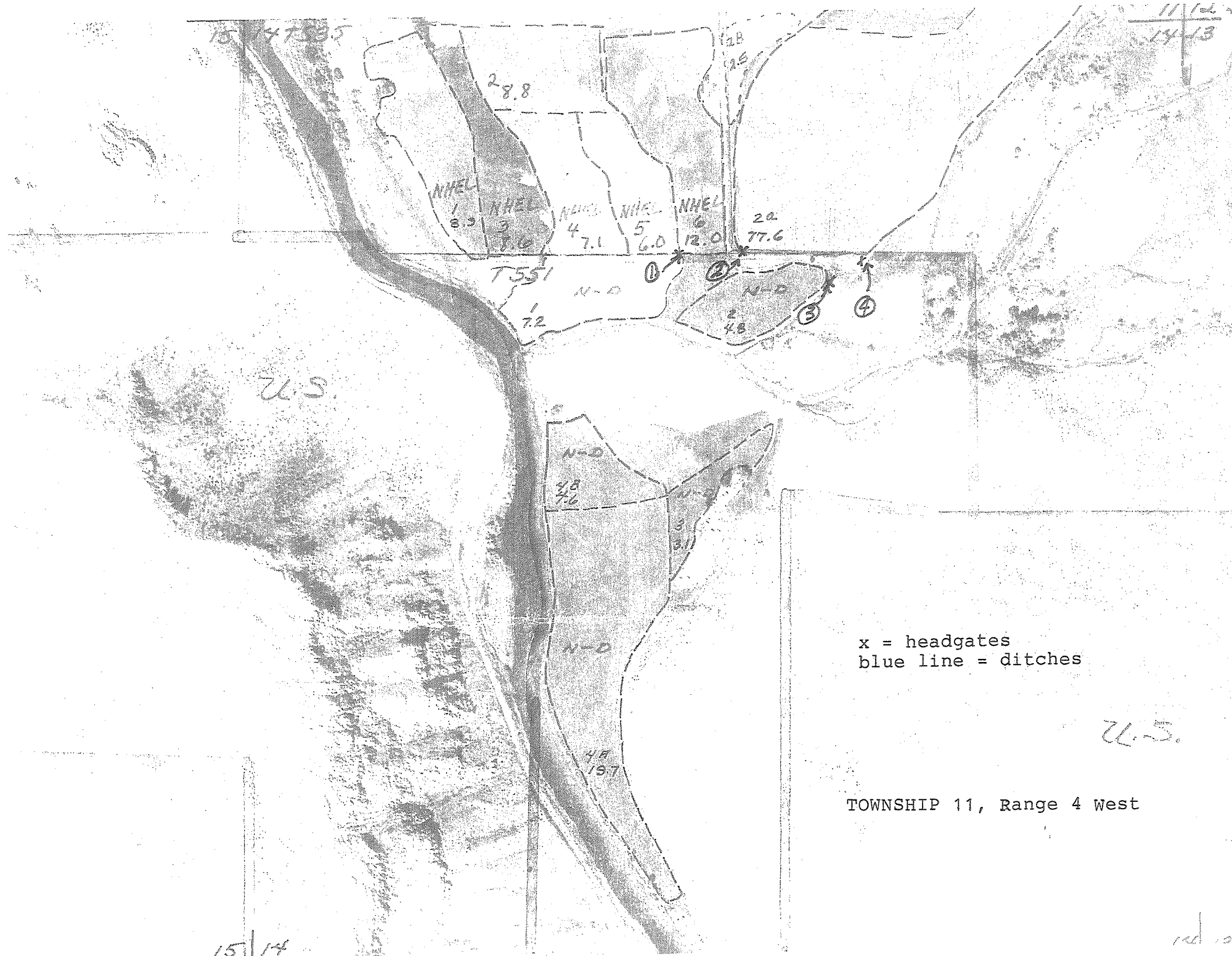
DATE: 11/29/06

SIGNATURE: Frank Chrestesen

Please print your name: Frank Chrestesen

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

O/L. POD legal description
Taken from GIS.
C. Gentry
12-19-06



05/16/2006

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

RIGHT NUMBER: 67-14549

NAME AND ADDRESS: FRANK ROBERT CHRESTESEN
2264 WEISER RIVER RD
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MICHAEL CRAIG CARPENTER
2264 WEISER RIVER RD
WEISER ID 83672

MARY LOUISE PURCELL
2264 WEISER RIVER RD
WEISER ID 83672

SOURCE: WASTE WATER

TRIBUTARY: CRANE CREEK

QUANTITY: 0.025 CFS

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T11N R04W S14 NESWNE Within WASHINGTON County

T11N R04W S14 NWSWNE Within WASHINGTON County

T11N R04W S14 NESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.025 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R04W S14

SWNE

3.90

T11N R04W S14

SENE

1.60

5.5 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



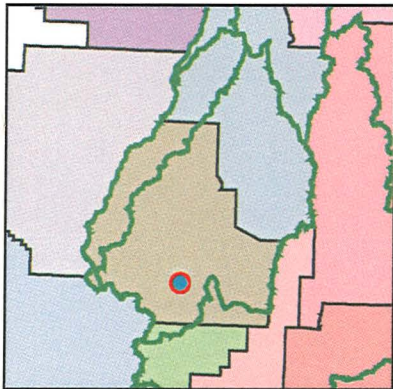
Idaho Department of Water Resources

SRBA Recommendation:

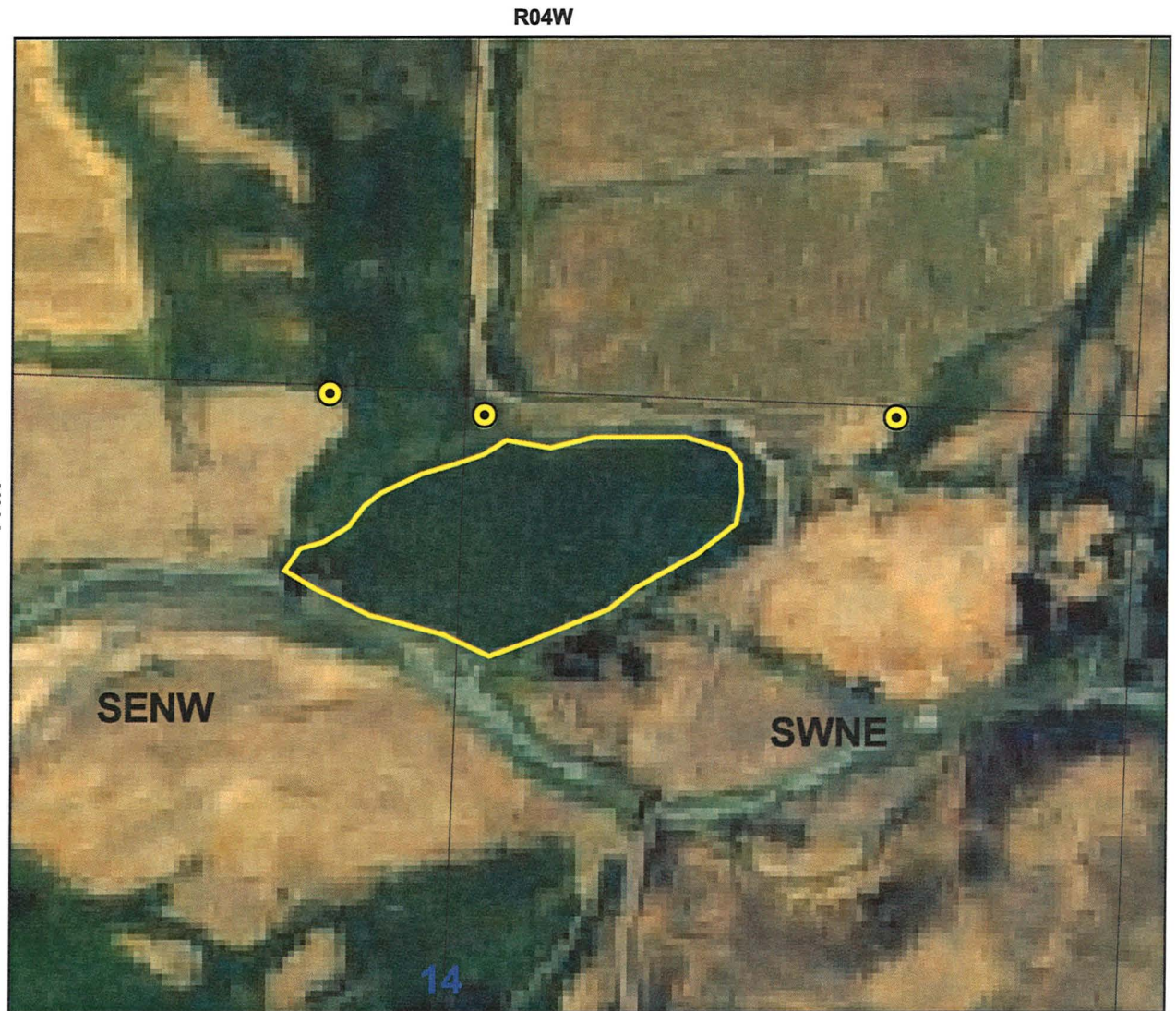
67-14549

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton
On Tuesday, May 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

WATER RIGHT NUMBER: 67-14549 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK ROBERT CHRESTESEN 2264 WEISER RIVER RD WEISER, ID 83672 (208)549-1457
Current Owner	MICHAEL CRAIG CARPENTER 2264 WEISER RIVER RD WEISER, ID 83672 (208)549-1457
Current Owner	MARY LOUISE PURCELL 2264 WEISER RIVER RD WEISER, ID 83672 (208)549-1457

Priority Date: 04/01/1950

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	CRANE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.025 CFS	
	<u>Total Diversion:</u>	0.025 CFS	

Location of Point(s) of Diversion

WASTE WATER	NE1/4SE1/4NW1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
WASTE WATER	NE1/4SW1/4NE1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		
WASTE WATER	NW1/4SW1/4NE1/4	Sec. 14, Twp 11N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	14			3.9				1.6										5.5

Total Acres: 5.5

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

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Comment: One of the claimed PODs not recommended as it is not where the waste water enters the claimants property.

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Comment: Actual irrigated acreage is 5.5 acres.

3. csaxton 5/16/2006 Copied From Claim (1)

Comment: WASTE WATER FROM NEIGHBORS PROPERTY RUNNING ACROSS OUR PROPERTY.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	5/16/2006 8:33:11 AM	csaxton			Active
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Season	5/16/2006 8:39:02 AM	csaxton			Active
Quantity	5/16/2006 8:40:36 AM	csaxton			Active
Summary			05/16/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

POD	5/15/2006 4:53:43 PM	csaxton	Updated shape
POD	5/15/2006 4:54:25 PM	csaxton	Updated PLS
POD	5/15/2006 4:54:40 PM	csaxton	Updated shape
POD	5/15/2006 4:53:55 PM	csaxton	Updated PLS
POD	5/15/2006 4:55:00 PM	csaxton	Updated PLS
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Source	5/16/2006 8:36:11 AM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Desktop Review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14549 V1

Summary	5/16/2006 8:42:54 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	5/16/2006 8:37:30 AM	csaxton	Updated PLS for Active POU

Water Supply Bank:

CONVERSATIONAL MEMORANDUM

Date: September 7, 2005

To: File 67-14549 and 67-10893

From: Craig L. Saxton

Subject: Conversation with Jacque Wray

Jacque Wray called me on September 6, 2005. She was calling to tell me that Chrestensen (67-14549) sent evidence of priority in April. We need to look into that.

She also said that 67-10893 is an individual filing by the Independent independents that is being "thrown out". She said to disallow. It is for storage water from Crane Creek Reservoir. They are filing as a company. She gave me a list of names that also may have filed claims and should be thrown out to:

Baker Brothers
Bob Shirt
Vaughn Kelley
Darrell Marvin
Routson Ranch
Kennith (?) Seid
Anne Skow
John Fields
John Holmes
Rober Woods
Billy Jo Youngblood

These people are all Independent independents and their individual water claims should be "thrown out" according to Jacque Wray

RECEIVED

AUG 18 2005

Department of Water Resources

Frank R. "Bud" Chrestesen
2264 Weiser River Road
Weiser, Idaho 83672
208-549-1457

August 16, 2005

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau
DEPARTMENT OF WATER RESOURCES
Post Office Box 83720
Boise, Idaho 83720-0098

Re: New Snake River Basin Adjudication (SRBA) Claim 67-14549

Dear Monica:

In response to your letter of August 4, 2005, please change the place of use to T11N R04W S14 SW1/4NE1/4 and SE1/4NW1/4 as you suggested in your letter.

If there is any additional information you require, please do not hesitate to get in touch with me.

Sincerely,

Frank R. Chrestesen

Frank R. ("Bud") Chrestesen

*amended to reflect correct legal
08/19/05
MVB*

SCANNED

AUG 18 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 4, 2005

Sent
08/04
MVB

67-14549

FRANK ROBERT CHRESTESEN
MARY LOUISE PURCELL
MICHAEL CRAIG CARPENTER
2264 WEISER RIVER RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA) Claim 67-14549

Dear Claimants:

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims filed in basin 67. In my review, it appears the place of use for 67-14549 was claimed in error. The legal description in the claim is as follows:

T11N R04W S14 NE1/4SW1/4
 NW1/4SE1/4

However, according to the map you included with your Notice of Claim, your place of use appears to be in:

T11N R04W S14 SW1/4NE1/4
 SE1/4NW1/4

This appears to be just a simple transposition of the quarter quarters. I have enclosed a copy of claim 67-14549 and a layout of the area showing what I believe is the place of use you are claiming. For your convenience, I have labeled the quarter quarters.

Please submit, in writing, confirmation of your place of use by **August 19, 2005**, **referencing all documents with the corresponding Notice number.** If no further documentation is received by August 19, your claim could result in disallowal. If you have any questions not covered by this letter, please feel free to contact me at (208) 287-4907.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Monica P. Van Bussum", followed by a horizontal line.

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

Enclosure: Notice of Claim 67-14549
ArcView layout of 67-14549 POU

April 12, 2005

FRANK ROBERT CHRESTENSEN
MARY LOUISE PURCELL
MICHAEL CRAIG CARPENTER
2264 WEISER RIVER RD
WEISER ID 83672

RE: New Snake River Basin Adjudication (SRBA) claim 67-14549

Dear Claimants:

We received your Notice of Claim To a Water Right on March 24, 2005. I have enclosed a copy of your new claim **67-14549** as well as a copy of your receipt #C077252 for the filing fees paid. Please retain the receipt for your records. However, there are a couple of items on the claim that need to be addressed.

At Item #2, Date of Priority, you entered the year of 1950. Since only the year of priority was claimed, IDWR guidelines require us to enter the full date of priority as the last day of the year. Note on your claim the priority date reads 12-31-1950. If you disagree with this date please cross out the date on the claim copy you have and write in the correct date and initial the change.

In addition, evidence of priority needs to be submitted **ASAP** to verify that waste water was being put to beneficial use to the extent claimed commencing in 1950. Enclosed is a pamphlet describing what can and cannot be used as evidence of priority. **Evidence of Priority must be received by the department in order for IDWR to make a favorable recommendation on the claim to the SRBA court.**

Please initial any changes you make and sign the claim in front of a notary thus amending the claim. If you choose to amend the claim, return it to my attention along with the evidence of priority information requested. Otherwise, if you are satisfied with the claim, just send in the evidence of priority information.

Please feel free to contact me with any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SS:region

Enclosures:

Evidence of Priority Pamphlet
Receipt #C077252
Claim 67-14549

Frank R. "Bud" Chrestesen
2264 Weiser River Road
Weiser, Idaho 83672
208-549-1457

April 20, 2005

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau
DEPARTMENT OF WATER RESOURCES
Post Office Box 83720
Boise, Idaho 83720-0098

Re: New Snake River Basin Adjudication (SRBA) Claim 67-14549

Dear Craig:

In response to your letter of April 12, 2005, enclosed please find the following documents:

1. Copy of the Notice of Claim with the date of priority changed to 4/1/1950 and initialed by me.
2. My affidavit duly signed before a notary public as evidence of priority. Jacque Wray faxed a copy of this to you and you called her back indicating that this is sufficient to establish the priority date.

If there is any additional information you require, please do not hesitate to get in touch with me.

Sincerely,

Frank R. (Bud) Chrestesen

Frank R. ("Bud") Chrestesen

Encls.

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APR 22 2005

AFFIDAVIT

STATE OF IDAHO)
 : ss.
COUNTY OF WASHINGTON)

COMES NOW, FRANK ROBERT CHRESTESEN, under oath, depose and state as follows:

That I am one of the applicants in the Notice Of Claim to a Water Right, 67-14549 filed with the Department of Water Resources of the State of Idaho;

That the real property described for the point of diversion and place of use for the claim was purchased by my grandfather, Chris Chrestesen, in 1930 at an auction sale of the property due to a tax lien. That the property has been in my family continuously since that time, having been passed down through the estates of my father, mother and uncle. That the applicants to said claim to a water right are the current owners of such property.

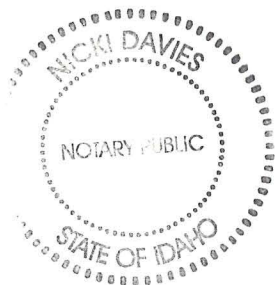
That during my lifetime, I have resided on this property off and on my entire life and have lived there continuously since 1981. During those times when I was not residing there, I visited the property from time to time and helped with irrigating the fields.

I am personally aware that my uncle, Clarence Chrestesen, began diverting and using the wastewater running through this property from the Woodland property in approximately the spring of 1950. Through the use of different headgates and ditches, he was able to use the water from four different points of diversion on different fields. He told me many, many times during his last years, that it was his intention to file a claim on this waste water, but due to failing health, this was never accomplished.

Dated this 21 day of April, 2005.

Frank Robert Chrestesen
Frank Robert Chrestesen

SUBSCRIBED AND SWORN to before me, this 21st day of April, 2005.



Nicki Davies
Notary Public
Residing at Weiser, Idaho
My commission expires 12/18/2009

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APR 22 2005

JACQUE WRAY

From: "JACQUE WRAY" <wrayjacque@MSN.com>
To: <craig.saxton@idwr.idaho.gov>
Sent: Monday, April 18, 2005 10:56 AM
Attach: AFFIDAVIT.doc
Subject: Chrestesen Notice of Claim 67-14549

Craig,

I have been trying to help Frank "Bud" Chrestesen with his water filings. He ran down here last Friday after receiving your letter. He had already been to the ASCS office and had been through his uncle's papers, trying to find more substantial proof of when they first started using the waste water.

As I think I told you before, Bud's grandfather was the first to own this property and then he left it to his two sons. C. A. Chrestesen and Clarence C. Chrestesen. After Clarence's brother's death, Clarence married his brother's widow, Martha, who was Bud's mother. Bud has lived on this property most of his life except when he was in the service.

I have prepared an affidavit for you to look over. If you feel it is adequate, I will finalize it and have Bud sign it before a notary, and send it to you for filing. If there is any additional information you need included, please let me know.

Jacque Wray

 **FAXED**
287-6700

4/18/2005

AFFIDAVIT

STATE OF IDAHO)
 : ss.
COUNTY OF WASHINGTON)

COMES NOW, FRANK ROBERT CHRESTESEN, under oath, depose and state as follows:

That I am one of the applicants in the Notice Of Claim to a Water Right, 67-14549 filed with the Department of Water Resources of the State of Idaho;

That the real property described for the point of diversion and place of use for the claim was purchased by my grandfather, Chris Chrestesen, in 1930 at an auction sale of the property due to a tax lien. That the property has been in my family continuously since that time, having been passed down through the estates of my father, mother and uncle. That the applicants to said claim to a water right are the current owners of such property.

That during my lifetime, I have resided on this property off and on my entire life and have lived there continuously since 1981. During those times when I was not residing there, I visited the property from time to time and helped with irrigating the fields.

I am personally aware that my uncle, Clarence Chrestesen, began diverting and using the wastewater running through this property from the Woodland property in approximately the spring of 1950. Through the use of different headgates and ditches, he was able to use the property from four different points of diversion on different fields. He told me many, many times during his last years, that it was his intention to file a claim on this waste water, but due to failing health, this was never accomplished.

MEMORANDUM

Date: April 12, 2005

To: Sally Sherman

From: Craig L. Saxton

Re: New Notice of Claim for Chrestensen, Purcell and Carpenter

Sally,

We can go ahead and enter this claim into the data base.

OK ✓ Item #2. Just enter in 12-31-1950. The letter we send them address how to change that date if they want to.

OK ✓ Item #6: Just enter in the amount under item #7 for the amount: 0.025 cfs. If they had claimed multiple uses, then we would need to know how the diversion rate was distributed for each use, but since they only claimed irrigation as a use, I think we are OK to make that assumption that the 0.025 cfs applies to item #6 as well.

✓ This way we can go ahead and assign a # and send them a copy of their claim.

pure! In the letter I also wanted to address Evidence of Priority, that is why I altered your letter. I hope that is OK.

Thanks.

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 67-14549
Date Received: 3/24/2005
Receipt No: C077252
Received By:

COPY FOR YOUR FILE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANK ROBERT CHRESTESEN Phone: (208) 549-1457

2264 WEISER RIVER RD
WEISER ID USA 83672

MICHAEL CRAIG CARPENTER Phone: (208) 549-1457

2264 WEISER RIVER RD
WEISER ID USA 83672

MARY LOUISE PURCELL Phone: (208) 549-1457

2264 WEISER RIVER RD
WEISER ID USA 83672

2. Date of Priority: 12/31/1950

411/1950 F.C.

3. Source: WASTE WATER Trib. to: CRANE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
11N	04E	14	SE	NE	NW	WASHINGTON	
11N	04E	14	NW	SW	NE	WASHINGTON	
11N	04E	14	NE	SW	NE	WASHINGTON	
11N	04E	14	NW	SW	NE	WASHINGTON	

5. Description of diverting works:

- 1- HEADGATE AND DIRT DAM, DITCHES
- 2- HEADGATE, DITCHES
- 3- HEADGATE, DITCHES
- 4- HEADGATE, DITCHES

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.025	

7. Total Quantity Appropriated is:
0.025 C.F.S. and/or 60 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	04W	14	NE	SW	IRRIGATION	5.8
			NW	SE	IRRIGATION	1.2
					Section Acres	7
					Total Acres	7

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

WASTE WATER FROM NEIGHBORS PROPERTY RUNNING ACROSS OUR PROPERTY.

15. Basis of Claim: Beneficial Use

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APR 22 2005

**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 67-14549Date Received 3-24-05Receipt Number C077252d.e. 4-12-05-12

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

RECEIVED
MAR 24 2005
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

Frank Robert Chrestesen (13/24)
Mary Louise Purcell (7/24)
Michael Craig Carpenter (4/24) Phone (208) 549-1457

1. Name of Claimant (s) _____
Mailing Address 2264 Weiser River Road, Weiser, ID Zip 83672

2. Date of Priority (Only one (1) per claim) 1950

3. Source of water supply (a) waste water
which is tributary to (b) Crane Creek

4. a. Location of existing point of diversion is: Township 11 Range 4 Section 14,
SE 1/4 of NE 1, Washington _____

Additional points of diversion _____

b. If instream flow, begin _____
Township _____ E _____ 1/4,

Govt. Lot _____ B.M., _____
ending point is: Township _____ 1/4 of _____

5. Description of existing _____ Etc),
including the dates of a _____
constructed and as enlarged _____
(1) headgate and dirt dam, ditches _____

(2) headgate, ditches _____

(3) headgate, ditches _____

(4) headgate, ditches _____

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 03/15 to 11/15 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.025 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 60 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) n/a

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11N	4W	14									5.8					1.2			7.0

Total number of acres irrigated 7.0

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Wastewater from neighbor's property running across our property.

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APR 12 2005

Last Name Chrestesen Ident No. 67-14549

Copies: White -State, Yellow-Claimant

11/12
14/13

15 147335



x = headgates
blue line = ditches

26.5

TOWNSHIP 11, Range 4 West

U.S.

67-14549

SCANNED
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15 14

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frank Robert Chrestesen

Date 3/21/05

Mary Louise Purcell

Date 3/21/2005

Michael Craig Carpenter

Date 3/23/2005

State of Idaho/or _____)
County of Washington _____) SS.

Subscribed and sworn (or affirmed) by FRANK ROBERT CHRESTESEN before me this 21st day of March, 2005.

(seal)

Notary Public Nicki Davies
Residing at Weiser, Idaho
My Commission expires 12/18/09

State of Idaho/or _____)
County of Washington _____) SS.

Subscribed and sworn (or affirmed) by MARY LOUISE PURCELL before me this 21st day of March, 2005.

(seal)

Notary Public Nicki Davies
Residing at Weiser, Idaho
My Commission expires 12/18/09

State of Idaho/or _____)
County of Ada _____) SS.

Subscribed and sworn (or affirmed) by MICHAEL CRAIG CARPENTER before me THIS 23rd day of March, 2005.

(seal)

Notary Public Manna Tonne-Atherton
Residing at Boise ID
My Commission expires 08/30/2010

Last Name Chrestesen

Ident. Number 67-14549

Copies White-State, Yellow-Claimant

SCANNED

APR 12 2005