

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22382 V1

WATER RIGHT NUMBER: 37-22382 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT L CHRISTENSEN PO BOX 1177 HAILEY, ID 83333 (208)788-6380

Priority Date: 10/25/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.120 CFS	23.50 AF
	<u>Total Diversion:</u>	0.120 CFS	23.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4SE1/4	Sec. 2, Twp 01N, Rge 18E, B.M.
BLAINE 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	
01N	18E	2													10.3	.1			10.4

Total Acres: 10.4

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. X27 This right is limited to the irrigation of 6.7 acres within the place of use described above in a single irrigation season.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. T02 The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22382 V1

6. X35 Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.

Remarks:Comments:

1. amerritt 8/17/2009 10:08:06 AM Transferred Right

Comment: This is now a approved transfer, transfer number = 75103

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: S

Owner Name Connector:

Water District Number: 37

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3.5

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 SEP 22 PM 12 08

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

In Re SRBA

Case No. 39576

) Subcase No: 37-7745D (Split)
) 37-22381 and 37-22382
)
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☒ Split of Water Right

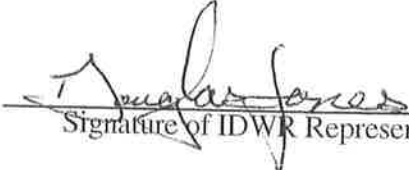
☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/21/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9-22, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

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

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Robert Christensen
PO Box 1177
Hailey ID 83333

Christie Haugh
95 Townsend Gulch Rd
Bellevue ID 83313



Signature of person or attorney mailing the form

08/18/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-7745D	CHRISTIE A HAUGH 95 TOWNSEND GULCH RD BELLEVUE ID 83313	Disallowed	Recommended as 37-22381 and 37-22382.

08/18/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22381

NAME AND ADDRESS: CHRISTIE A HAUGH
95 TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
11.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.

PRIORITY DATE: 10/25/1978

POINT OF
DIVERSION:

T01N R18E S2 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.060 CFS
11.50 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S02

SWNE 3.30

3.3 ACRES TOTAL

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 - License

Place of use is also known as Lot 1, Fox Hollow Subdivision.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

08/18/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22382

NAME AND ADDRESS: ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
23.50 AFY

Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.

PRIORITY DATE: 10/25/1978

POINT OF
DIVERSION:

T01N R18E S2 NENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.120 CFS
23.50 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S02

NESE

10.30

T01N R18E S02

NWSE

0.10

10.4 ACRES TOTAL

This right is limited to the irrigation of 6.7 acres within the place of use described above in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 22, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROBERT CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

RE: SRBA Claim(s) 37-7745D, 37-21300

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

cc: Christie Haugh

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75103

This is to certify that: ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333
(208)788-6380

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-7745D	AJC/License	10/25/1978	0.18 cfs	35 af		10.0	GROUND WATER
37-21300	AJC/Decreed	05/01/1905	0.075 cfs	N/A		3.7	TOWNSEND GULCH

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-7745D	YES	NO	YES	YES	NO	NO
37-21300	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

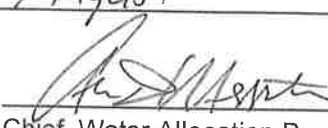
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-7745D	37-22382	0.12 cfs	23.5 af	6.7	10.4	37-22381	0.06 cfs	11.5 af	N/A	3.3
37-21300	37-21300	0.075 cfs	N/A	3.7	10.4		N/A	N/A	N/A	N/A

COMBINED

TOTALS	0.2 cfs	N/A	10.4	10.4		N/A	N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 17th day of August, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22381
As Modified by Transfer No. 75103

In accordance with the approval of Transfer No. 75103, Water Right No. 37-22381 is now described as follows.

Right Holder: CHRISTIE A HAUGH
95 TOWNSEND GULCH RD
BELLEVUE ID 83313

Priority Date: October 25, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.06 CFS	11.5 AF
			0.06 CFS	11.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	18E	2			3.3														3.3

Total Acres: 3.3

WATER RIGHT NO. 37-22381
As Modified by Transfer No. 75103

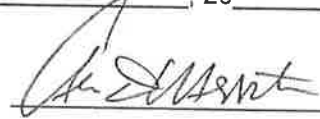
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.
2. Place of use is also known as Lot 1, Fox Hollow Subdivision.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of August, 2009

For



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22382
As Modified by Transfer No. 75103

In accordance with the approval of Transfer No. 75103, Water Right No. 37-22382 is now described as follows.

Right Holder: ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

Priority Date: October 25, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.12 CFS	23.5 AF
			0.12 CFS	23.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENESE Sec. 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	18E	2													10.3	.1			10.4

Total Acres: 10.4

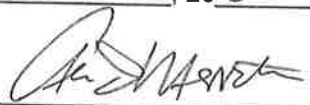
WATER RIGHT NO. 37-22382
As Modified by Transfer No. 75103

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.7 acres within the place of use described above in a single irrigation season.
2. Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.
4. The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of August, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21300
As Modified by Transfer No. 75103

In accordance with the approval of Transfer No. 75103, Water Right No. 37-21300 is now described as follows.

Right Holder: BOB CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

Priority Date: May 01, 1905

Source: TOWNSEND GULCH

Tributary: BIG WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.08 CFS

0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

TOWNSEND GULCH NWNESE Sec. 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twps	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	2													10.3	.1			10.4

Total Acres: 10.4

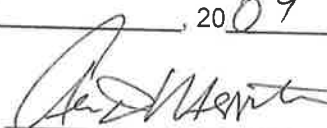
WATER RIGHT NO. 37-21300
As Modified by Transfer No. 75103

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.7 acres within the place of use described above in a single irrigation season.
2. Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate when applied via pump and pressurized sprinklers to the lands above for irrigation purposes.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of August, 2009


FOR Chief, Water Allocation Bureau