

Transfer No. 75871
Receipt No. E035366

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information CHRISTENSEN BYPASS TRUST
1321 S 2300 W
STERLING ID 83210
(208)397-4401

Will this transfer result in an ownership change? _____ Yes ☒ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
35-4179A	AJC/Beneficial Use	1.04	284.0	71.0	542.0	UNNAMED DRAIN
35-2009	AJC/License	1.60	320.0	80.0	542.0	SPRING
35-4179B	WR/Decreed	0.66	132.0	33.0	542.0	UNNAMED DRAIN
35-7990	WR/Decreed	1.03	192.0	48.0	542.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
35-4179A	NO	NO	YES	NO	NO	NO
35-2009	NO	NO	YES	NO	NO	NO
35-4179B	NO	NO	YES	NO	NO	NO
35-7990	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicant proposes to change the place of use to water rights 35-2009, 35-4179B, 35-4179A and 35-7990. Applicant is in the process of settling the Estate which will require water rights 35-2009, 35-4179B, 35-4179A and 35-7990 to be rearranged. Applicant had a Special Land Use Permit no. 2-07-14-LA387 which allows them to farm 5.6 acres of land in the SESW of 05S 32E Sec. 8. That permit expires at the end of 2009 therefore applicant needs to discontinue farming and take water rights off of the Federal owned land. Transfer 75868 also will be submitted at the same time which proposes to change the ownership of 8.6 acres and change the point of diversion under water right 35-7990.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

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Department of Water Resources
Eastern Region

75871

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N/A

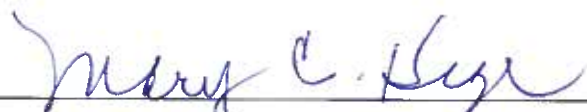
5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
35-4179A	1.04 cfs	71.0	464.0	284.0 af
35-2009	1.60 cfs	80.0	464.0	320.0 af
35-4179B	0.66 cfs	33.0	464.0	132.0 af
35-7990	0.86 cfs	39.4	464.0	157.6 af
TOTAL	4.16 cfs	223.4	464.0	893.6 af

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)



(Title or Office)

Transfer No. 75871
Receipt No.E035366

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-4179A

Priority Date: April 01, 1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: UNNAMED DRAIN

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.04 CFS	284.0 AFA	
	Total Diversion	1.04 CFS	284.0 AFA	

Source and Point(s) of Diversion:

UNNAMED DRAIN NWNWSW Sec. 6 Twp 05S Rge 32E BINGHAM County

UNNAMED DRAIN SWNWSE Sec. 6 Twp 05S Rge 32E BINGHAM 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	
05S 32E 5									31.0	38.0	39.0	6.0					114.0
05S 32E 6	1.0 L 1	28.0 L 2	4.0											40.0	40.0		113.0
05S 32E 7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
05S 32E 8					16.0	38.0	20.0	1.0									75.0

Total Acres: 542

Conditions/Remarks:

1. 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.
2. The total instantaneous diversion of water from all points of diversion under Right 35-4179A shall not exceed 1.04 cfs, nor total annual volume of 284 af.
3. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.

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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. 01.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Rights 35-7990, 35-4179A, 35-4179B and 35-2009 when combined are limited to the irrigation of 232 total acres within the place of use described above in a single irrigation season.
8. 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.
9. Rights 35-4179B, 35-8631 and 35-12863 are also diverted through the point of diversion described above.
10. Failure of the right holder to comply with the conditions of transfer 70513 is cause for the Director to rescind approval of the transfer.
11. The right holder shall accomplish the change authorized by transfer 70513 by July 8, 2004.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record and taxlot data.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Irrigated only with canal shares.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-2009

Priority Date: March 02, 1908
Origin: Water Right
Basis: Decreed
Status: Active

Source: SPRING

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.60 CFS	320.0 AFA	
STOCKWATER	01/01 12/31	0.14 CFS	14.6 AFA	
	Total Diversion	1.60 CFS	320.0 AFA	

Source and Point(s) of Diversion:

SPRING	NWSESW	Sec. 2 Twp 05S Rge 31E BINGHAM County
SPRING (Injection)	NWSESW	Sec. 2 Twp 05S Rge 31E BINGHAM County
SPRING (Rediversion)	L6 (NWNWSW)	Sec. 6 Twp 05S Rge 32E BINGHAM 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	
05S 32E 5									31.0	38.0	39.0	6.0					114.0
05S 32E 6	1.0	28.0	4.0											40.0	40.0		113.0
	L 1	L 2															
05S 32E 7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
					L 1	L 2											
05S 32E 8					16.0	38.0	20.0	1.0									75.0

Total Acres: 542

Conditions/Remarks:

1. Rights 35-7990, 35-4179A, 35-4179B and 35-2009 when combined are limited to the irrigation of 232 total acres within the place of use described above in a single irrigation season.
2. 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.

3. Use of this right is combined with water from Aberdeen-Springfield Canal Co.
4. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. Point of injection and point of redirection are from an unnamed drain.
7. 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. 01.
8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
11. The right holder shall accomplish the change authorized by transfer 70513 by July 8, 2004.
12. Failure of the right holder to comply with the conditions of transfer 70513 is cause for the Director to rescind approval of the transfer.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record and taxlot data.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Irrigated only with canal shares.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-4179B

Priority Date: April 01, 1955
Origin: Water Right
Basis: Decreed
Status: Active

Source: UNNAMED DRAIN

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.66 CFS	132.0 AFA	
Total Diversion		0.66 CFS	132.0 AFA	

Source and Point(s) of Diversion:

UNNAMED DRAIN SWNWSE Sec. 6 Twp 05S Rge 32E BINGHAM County

UNNAMED DRAIN NWSWSE Sec. 6 Twp 05S Rge 32E BINGHAM 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	
05S 32E 5									31.0	38.0	39.0	6.0					114.0
05S 32E 6	1.0	28.0	4.0											40.0	40.0		113.0
	L 1	L 2															
05S 32E 7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
						L 1	L 2										
05S 32E 8					16.0	38.0	20.0	1.0									75.0

Total Acres: 542

Conditions/Remarks:

1. The total instantaneous diversion of water from all points of diversion under Right 35-4179B shall not exceed 0.66 cfs, nor a total annual volume of 132 af.
2. This right is limited to the irrigation of 33 acres within the place of use described above in a single irrigation season.
3. 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.

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. 01.
5. Rights 35-7990, 35-4179A, 35-4179B and 35-2009 when combined are limited to the irrigation of 232 total acres within the place of use described above in a single irrigation season.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 35-4179A, 35-8631 and 35-12863 are also diverted through the point of diversion described above
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Documentation of Ownership of the Current Place of Use

Owner per IDWR record and taxlot data.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Irrigated only with canal shares.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 35-7990

Priority Date: July 02, 1981
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.07 CFS	3.4 AFA	
IRRIGATION	04/01 10/31	0.96 CFS	192.0 AFA	
Total Diversion		1.03 CFS	192.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNENW Sec. 8 Twp 05S Rge 32E BINGHAM 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	
05S 32E 5									31.0	38.0	39.0	6.0					114.0
05S 32E 6	1.0	28.0	4.0											40.0	40.0		113.0
	L 1	L 2															
05S 32E 7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
						L 1	L 2										
05S 32E 8					16.0	38.0	20.0	1.0									75.0

Total Acres: 542

Conditions/Remarks:

1. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
2. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
3. Use of this right is combined with water from Aberdeen-Springfield Canal Co.

4. This right is limited to the irrigation of 48 acres within the place of use described above in a single irrigation season.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. 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. 120.
7. Prior to the diversion and use of water under Transfer approval 70513, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. 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.
9. Rights 35-7990, 35-4179A, 35-4179B and 35-2009 when combined are limited to the irrigation of 232 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Documentation of Ownership of the Current Place of Use
Warranty Deed and Relinquishment contract.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
Irrigated only with canal shares.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 75871
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 35-4179A

Priority Date: April 01, 1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: UNNAMED DRAIN

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.04 CFS	284.0 AFA	
	Total Diversion	1.04 CFS	284.0 AFA	

Source and Point(s) of Diversion:

UNNAMED DRAIN NWNWSW Sec. 6 Twp 05S Rge 32E BINGHAM County

UNNAMED DRAIN SWNWSE Sec. 6 Twp 05S Rge 32E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 EARTH DAM ACROSS DRAIN PONDS WATER. CANAL CARRIES WATER TO POU.

Point of Diversion # 2 EARTH DAM ACROSS DRAIN PONDS WATER. CANAL CARRIES WATER TO POU.

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	
05S	32E	5											40.0						40.0
05S	32E	6	1.0 L 1	28.0 L 2	4.0												40.0	40.0	113.0
05S	32E	7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
05S	32E	8					20.0	38.0	11.0	2.0									71.0

Total Acres: 464

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 35-2009

Priority Date: March 02, 1908

Origin: Water Right

Basis: Decreed

Status: Active

Source: SPRING

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.60 CFS	320.0 AFA	
STOCKWATER	01/01 12/31	0.14 CFS	14.6 AFA	
	Total Diversion	1.60 CFS	320.0 AFA	

Source and Point(s) of Diversion:

SPRING	NWSESW	Sec. 2 Twp 05S Rge 31E BINGHAM County
(Injection)		
SPRING	NWSESW	Sec. 2 Twp 05S Rge 31E BINGHAM County
SPRING	L6 (NWNWSW)	Sec. 6 Twp 05S Rge 32E BINGHAM County
(Rediversion)		

Describe the proposed diversion system

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	
05S 32E 5											40.0						40.0
05S 32E 6	1.0	28.0	4.0												40.0	40.0	113.0
	L 1	L 2															
05S 32E 7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
						L 1	L 2										
05S 32E 8					20.0	38.0	11.0	2.0									71.0

Total Acres: 464

STOCKWATER same as IRRIGATION

Transfer No. 75871
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 35-4179B

Priority Date: April 01, 1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: UNNAMED DRAIN

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.66 CFS	132.0 AFA	
	Total Diversion	0.66 CFS	132.0 AFA	

Source and Point(s) of Diversion:

UNNAMED DRAIN SWNWSE Sec. 6 Twp 05S Rge 32E BINGHAM County

UNNAMED DRAIN NWSWSE Sec. 6 Twp 05S Rge 32E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 EARTH DAM IN DRAIN PONDS WATER. RELIFT PUMP IN POND TO SPRINKLER

Point of Diversion # 2 EARTH DAM IN DRAIN PONDS WATER. RELIFT PUMP IN POND TO SPRINKLER

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	
05S	32E	5											40.0						40.0
05S	32E	6	1.0	28.0	4.0											40.0	40.0		113.0
			L 1	L 2															
05S	32E	7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
							L 1	L 2											
05S	32E	8					20.0	38.0	11.0	2.0									71.0

Total Acres: 464

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 35-7990

Priority Date: July 02, 1981

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.07 CFS	3.4 AFA	
IRRIGATION	04/01 10/31	0.79 CFS	157.6 AFA	
	Total Diversion	0.86 CFS	157.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNENW Sec. 8 Twp 05S Rge 32E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 WELL & DITCH.

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	
05S 32E 5											40.0						40.0
05S 32E 6	1.0	28.0	4.0												40.0	40.0	113.0
	L 1	L 2															
05S 32E 7	40.0	40.0			40.0	40.0	40.0	40.0									240.0
						L 1	L 2										
05S 32E 8					20.0	38.0	11.0	2.0									71.0

Total Acres: 464

STOCKWATER same as IRRIGATION

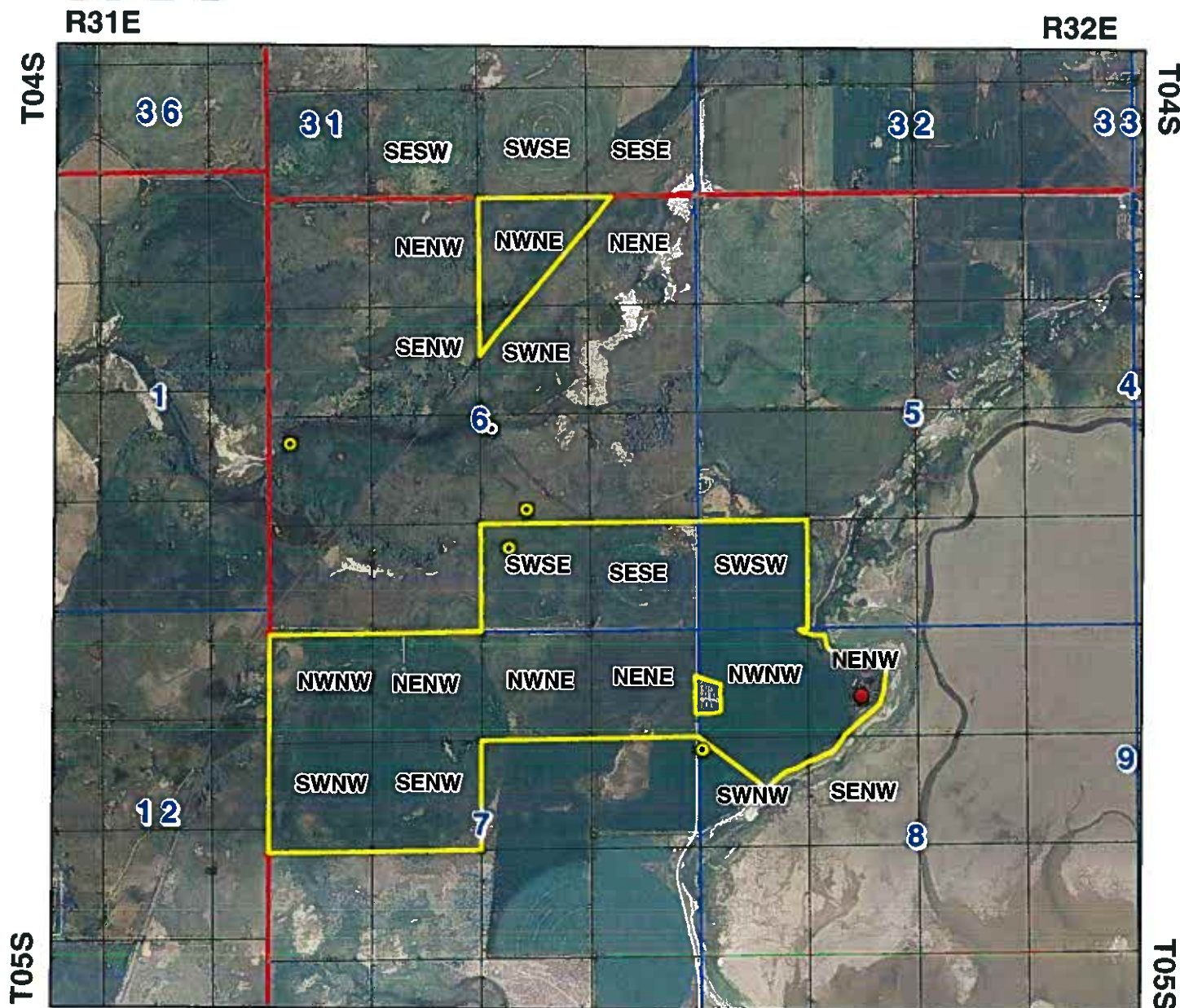


Idaho Department of Water Resources

Water Right

35-2009, 35-4179A, 35-4179B
and 35-7990 (POD in RED)

(Irrigation)



Legend

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

0 0.2 0.4 0.8 1.2 1.6 Miles

Prepared by Denise Kidman
On January 4, 2010
2004 Aerial Photography



75871

Carl R Christensen Jr

1267 S 2300 West
Sterling, Idaho 83210

September 9, 2009

Idaho Department of Water Resources

Pursuant to a transfer of property (31 acres in NESW quarter, and 38 acres in the NWSW quarter, Township 5S, Range 32 E, Sec 5) and Aberdeen-Springfield canal shares from my father's estate to me and under the terms of his will, I hereby relinquish any rights or any interest in the following water rights:

#35-2009

#35-4179A

#35-4179B

#35-7990,

and acknowledge that such rights remain with my father's estate (Carl R Christensen) and my mother's estate trust (Christensen Bypass Trust).

Carl R Christensen Jr 9/15/09
Carl R Christensen Jr. Date

STATE OF IDAHO)

:ss

County of Bingham

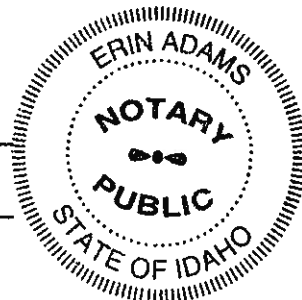
On this 15 day of September, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared CARL R CHRISTENSEN JR, know to me to be the person who subscribed to the foregoing instrument, and acknowledge to me that he executed the same.

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

Erin Adams
Notary Public for Idaho

My commission expires: 03/06/2015

Residing at: Blackfoot





United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office
1359 Hansen Avenue
Burley, Idaho 83318-1821

IN REPLY REFER TO:

SRA-6310
LND-6.00

APR 13 2009

Carl Christensen Jr.
1267 South 2300 West
Aberdeen, ID 83210

Subject: Special Land Use Permit, Contract No. 2-07-14-LA387

Dear Mr. Christensen:

This letter is concerning the subject permit which was issued August 21, 2002, for a five-year period to Carl Christensen and Christensen By-Pass Trust (copy enclosed). This permit authorized the crossing of a 5.6 acre parcel of Reclamation land adjacent to the American Falls Reservoir (see attached map) with a pivot irrigation system, and also allowed for the irrigation of the parcel.

We cannot continue to issue permits for irrigation water to be applied to this land. After the 2009 farming season, you will need to discontinue applying water to the 5.6 acre parcel of land. If your irrigation system allows, we could issue a permit to provide for the continued crossing of a pivot across Reclamation land, but this land could no longer have water applied. If this is not feasible, you will need to move your irrigation system back onto your private land.

Please let us know if you are requesting a permit for the pivot to cross Reclamation land (without applying water), or if you will be moving your system. We can remark the boundary line this summer if needed.

If you have any questions concerning this issue, please contact me at 208-678-0461, extension 15, or Yvonne Daniel, Realty Specialist, at extension 31.

Sincerely,

Acting For

Robert L. "Hap" Boyer
Natural Resources Manager

Enclosures

cc: SRA-3312 (Hess) (w/encl of map)

75871



WARRANTY DEED Certificate of Abstracter

Mary Colborn, a widow

Allen K. Shelley

STATE OF IDAHO

COUNTY OF BINGHAM

Dated- November 23rd, 1945-

Consideration- \$3,000.00

Recorded December 23rd, 1945 at

Page 212 of the records of Bingham County, Idaho, the
first in the chain of title of Range 32 E.B.M. 14th
South in the Section of this abstract.

Mrs. Mary Colborn

Mary Colborn

Witnessed by Mary Colborn, a widow, November 23d, 1945,
before Harry Whitson, a Notary Public for Idaho, re-
siding at Boise, Idaho. This sealed Commission expires
the 11th day of December, 1946. This deed is to be recorded in the
records in the office of the Treasurer and Tax Collector of Bingham County,
Idaho, and upon the lands here described except as herein shown to
the effect page 57 of this abstract.

DESCRIPTION AND REMARKS

The first party does hereby grant, bargain, sell and convey unto the party of
the second part, his heirs and assigns forever, all the following described property,
situated in Bingham County, Idaho, to-wit:

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, 4th Township 5 South of Range 32 E.B.M. in Idaho,
and the following described tract in the NW $\frac{1}{4}$ of Section 8 in said Township and range
as follows: Beginning at the Northwest corner of said Section 8, thence South 0°04'
East along the West line of said Section 8, 2500 feet; thence North 59°31' East 777.8
feet; thence North 40°13' East 585.5 feet; thence North 68°25' East 545.3 feet; thence
North 42°41' East 846 feet; thence North 13°28' East 490.5 feet; thence North 62°44'
West 107.2 feet; thence South 25°52' West 581.2 feet; thence North 48°51' West 217.9
feet; thence North 21°31' West 137.5 feet, more or less, to the North line of said
Section 8, thence North 89°54' West along said North line 1406.7 feet, more or less, to
place of beginning. Containing in all 124.66 acres, more or less.

Together with the ditches and water rights thereunto appertaining and belonging
and particularly 70 shares of water in Aberdeen-Springfield Canal Company and all
appropriated and acquired spring water rights for the irrigation thereof and used
thereon having been so used since the year 1908.

Subject to any and all taxes upon said described premises and water assessments
upon the water appurtenant thereto subsequent to January 1, 1944.
To Have and To Hold in the quiet and peaceable possession of the said second
party, his heirs and assigns forever, and the said first party will warrant and for-
defend.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Reclamation
Minidoka Irrigation Project
LAND PURCHASE CONTRACT

THIS CONTRACT, made May 4th, 1950, in pursuance of the act of June 17, 1902 (32 Stat., 388), and acts amendatory thereof or supplementary thereto between the United States of America, hereinafter styled the United States, by H. T. Nelson Regional Director, Bureau of Reclamation, thereunto, duly authorized, and Allen K. Shelley and Gladys Shelley, his wife, hereinafter styled Vendor,

2. WITNESSETH, That for and in consideration of the mutual agreements herein contained, the parties hereto do covenant and agree as follows:

3. The Vendor shall sell and by good and sufficient General Warranty Deed, convey to the United States, free of lien or encumbrance, the following described real estate which is their community property, situated in Bingham County, Idaho, to-wit:

Land in the NW $\frac{1}{4}$ of Section 8, Township 5 South, Range 32 E.B.M.;

From the Section corner common to Sections 5, 6, 7 and 8, T. 5 S., R. 32 E.B.M. South 89°54' East a distance of 1,206.7 feet along the section line between sections 5 and 8, T. 5 S., R. 32 E., B.M., to the point of beginning; thence South 89°54' East a distance of 200.0 feet along said section line; thence South 21°31' East a distance of 337.6 feet; thence South 48°51' East a distance of 217.9 feet; thence North 76°56.5' East a distance of 561.2 feet; thence South 62°44.5' East a distance of 107.2 feet; thence South 13°28' West a distance of 490.6 feet; thence South 42°41.5' West a distance of 846.0 feet; thence South 68°08.5' West a distance of 645.3 feet; thence South 40°18.5' West a distance of 586.5 feet; thence South 59°01.5' West a distance of 777.8 feet to a point on the Section line between sections 7 and 8, T. 5 S., R. 32 E., B.M.; thence North 00°04' West a distance of 237.8 feet along said section line; thence North 61°54' East a distance of 540.8 feet; thence North 45°40' East a distance of 608.1 feet; thence North 66°10' East a distance of 705.1 feet; thence North 46°07' East a distance of 721.5 feet; thence North 22°20' West a distance of 302.7 feet; thence South 85°59' West a distance of 285.7 feet; thence North 53°48' West a distance of 254.0 feet; thence North 30°36' West a distance of 526.7 feet to the point of beginning; containing 15.95 acres, more or less.

Subject to a permanent easement on such portions, reserved to the Vendor, his heirs and assigns, to use any non-flooded portion, if any, of the said premises, for farming and grazing purposes and as a means of access to water for stock watering purposes whenever the said premises are not flooded by reservoir water, or only partially flooded thereby; but the said easement reserved to the Vendor shall be subject at all times and subordinate to the paramount rights of the United States, its successors and assigns, to use all the said premises for reservoir purposes and to construct and maintain a reservoir thereon and the right to enter and use the said premises for all purposes incidental to or necessary in connection with the construction and maintenance of a reservoir thereon free from liability from damage or claims of damage to the Vendor, his heirs and assigns, that has been or may be caused by the operation and maintenance of the American Falls Reservoir.

Subject to the retention in the Vendor, his heirs and assigns, of all irrigation and storage water rights appurtenant to the above described land.

Subject to existing rights of the public or third parties in rights-of-way canals, ditches, flumes, pipelines, railroads, highways, roads, telephone, telegraph and power transmission lines.

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WARRANTY DEED

Gladys Knight, formerly Gladys Shelley, TO Vear Ellis
 widow of Allen K. Shelley, deceased
 and J. R. Knight, her present husband

Dated- January 31st, 1953-

Consideration- \$25,000.00-

Recorded- May 28th, 1954 at 3:45 P.M., in-

Book "87" of Deeds at Page 92 under Recorder's-

Fee No. 36313 of the records of Bingham County, Idaho-

Gladys Knight
 J. R. Knight

Acknowledged by Vear Ellis and Loraine Ellis, husband and wife,
 February 4th, 1953 before H. William Furchner, a Notary
 Public for Idaho, residing at Blackfoot, Idaho.
 Sealed. Commission expires January 31st, 1954.

DESCRIPTION and REMARKS

The first parties do hereby grant, bargain, sell, convey and confirm unto the second party, and to his heirs and assigns forever, all the following described real estate, situated in Bingham County, Idaho, to-wit:

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, in Township 5 South, of Range 32 E.B.M., in Idaho, and the following described tract in the NW $\frac{1}{4}$ of Section 8, in said Township and Range as follows: Beginning at the Northwest corner of said Section 8, thence South 0°4' East along the West line of said Section Eight, 2,568 feet; thence North 59°6 $\frac{1}{2}$ ' East 777.8 feet; thence North 40°18 $\frac{1}{2}$ ' East 586.5 feet; thence North 68°8 $\frac{1}{2}$ ' East 645.3 feet; thence North 42°41 $\frac{1}{2}$ ' East 846 feet; thence North 13°28' East 490.6 feet; thence North 62°44 $\frac{1}{2}$ ' West 107.2 feet; thence South 76°56 $\frac{1}{2}$ ' West 561.2 feet; thence North 48°51' West 217.9 feet; thence North 21°31' West 337.6 feet, more or less, to the North line of said Section 8; thence North 89°54' West along said North line 1,406.7 feet, more or less, to the place of beginning, containing in all 124.66 acres, more or less, together with the ditches and water rights thereunto appertaining and belonging and particularly 70 shares of water in Aberdeen-Springfield Canal Company, and all appropriated and acquired spring water rights for the irrigation thereof and used thereon, having been so used since the year 1900.

Excluding therefrom, however, the following described tract of land heretofore sold and conveyed to The United States as a part of the American Falls Reservoir site, to-wit: A portion of the NW $\frac{1}{4}$ of Section 8, in Township 5 South, of Range 32 E.B.M., described as: From the Section corner common to Sections 5, 6, 7 and 8, Township 5 South, of Range 32 E.B.M., South 89°54' East a distance of 1,206.7 feet along the Section line between Sections 5 and 8, Township 5 South, Range 32 E.B.M., to the point of beginning; thence South 89°54' East a distance of 200.0 feet along said section line; thence South 21°31' East a distance of 337.6 feet; thence South 48°51' East a distance of 217.9 feet; thence North 76°56.5' East a distance of

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WARRANTY DEED

Vear Ellis and Loraine
Ellis, husband and wife,

Carl R. Christensen

TO

Dated- October 22nd, 1958-

Consideration- \$25,000.00-

Recorded- November 3, 1958 at 2:45 P.M.-

In Book "100" of Deeds at Page 205 under

Recorder's Fee No. 83069 of the Records
of Bingham County, Idaho.-

Vear Ellis

Lorraine Ellis

Acknowledged by Vear Ellis and Lorraine Ellis, husband and wife,
October 22nd, 1958, before H. William Pancher, Notary Public
for Idaho, residing at Blackfoot, Idaho. Sealed.
Commission expires January 31st, 1962.

DESCRIPTION and REMARKS

The first parties do hereby grant, bargain, sell and convey unto the party of the second part, his heirs and assigns forever, all the following described real property situated in Bingham County, Idaho.

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, in Township 5 South, of Range 32, East of the Boise Meridian, in Idaho, and the following described tract in the NW $\frac{1}{4}$ of Section 8, in said Township and Range, as follows: Beginning at the Northwest corner of said Section 8, thence South 0°4' East along the West line of said Section 8, 2568 feet; thence North 59°6 $\frac{1}{2}$ ' East 777.8 feet; thence North 40°18 $\frac{1}{2}$ ' East 586.5 feet; thence North 68°8 $\frac{1}{2}$ ' East 645.3 feet; thence North 42°41 $\frac{1}{2}$ ' East 846 feet; thence North 13°28' East 490.6 feet; thence North 62°44 $\frac{1}{2}$ ' West 107.2 feet; thence South 76°56 $\frac{1}{2}$ ' West 561.2 feet; thence North 48°51' West 217.9 feet; thence North 21°31' West 337.6 feet, more or less, to the North line of said Section 8; thence North 89°54' West along said North line 1,406.7 feet, more or less, to the place of beginning; containing in all 124.66 acres, more or less; Together with the ditches and water rights thereunto appertaining and belonging, and particularly 70 shares of water in Aberdeen-Springfield Canal Company, and all appropriated and acquired spring water rights for the irrigation thereof and used thereon, having been so used since the year 1908; Excluding therefrom, however, the following-described tract of land heretofore sold and conveyed to The United States as a part of the American Falls Reservoir site, to-wit: a portion of the NW $\frac{1}{4}$ of Section 8, in Township 5 South, of Range 32, E.B.M., described as: from the Section corner common to Sections 5, 6, 7 and 8, Township 5 South, of Range 32, E.B.M., South 87°34' East a distance of 1,206.7 feet along the section line between Sections 5 and 8, Township 5 South, Range 32, E.B.M. to the point of beginning; thence South 89°54' East a distance of 200 feet along said Section line; thence South 21°31' East a distance of 337.6 feet; thence South 48°51' East a distance of 217.9

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feet; thence North $76^{\circ}56.5'$ East a distance of 561.2 feet; thence South $62^{\circ}44.5'$ East a distance of 107.2 feet; thence South $13^{\circ}28'$ West a distance of 490.6 feet; thence South $42^{\circ}41.5'$ West a distance of 846 feet; thence South $68^{\circ}08.5'$ West a distance of 645.3 feet; thence South $40^{\circ}18.5'$ West a distance of 586.5 feet; thence South $59^{\circ}06.5'$ West a distance of 777.8 feet to a point on the section line between sections 7 and 8, Township 5 South, of Range 32 E.B.M., thence North $00^{\circ}04'$ West a distance of 237.8 feet along said Section line; thence North $61^{\circ}54'$ East a distance of 540.8 feet; thence North $45^{\circ}40'$ East a distance of 608.1 feet; thence North $66^{\circ}10'$ East a distance of 705.1 feet; thence North $46^{\circ}07'$ East a distance of 721.5 feet; thence North $22^{\circ}20'$ West a distance of 302.7 feet; thence South $85^{\circ}59'$ West a distance of 285.7 feet; thence North $53^{\circ}43'$ West a distance of 254 feet; thence North $30^{\circ}36'$ West a distance of 326.7 feet to the point of beginning, containing 15.95 acres, more or less.

Subject to any unpaid taxes or said premises which the second party assumes and agrees to pay.

To Have and to Hold the title and beneficial possession of the said second party, his heirs and assigns forever, and the said first parties shall warrant and forever defend.

\$27.50 T.R.S. Attached and Cancelled