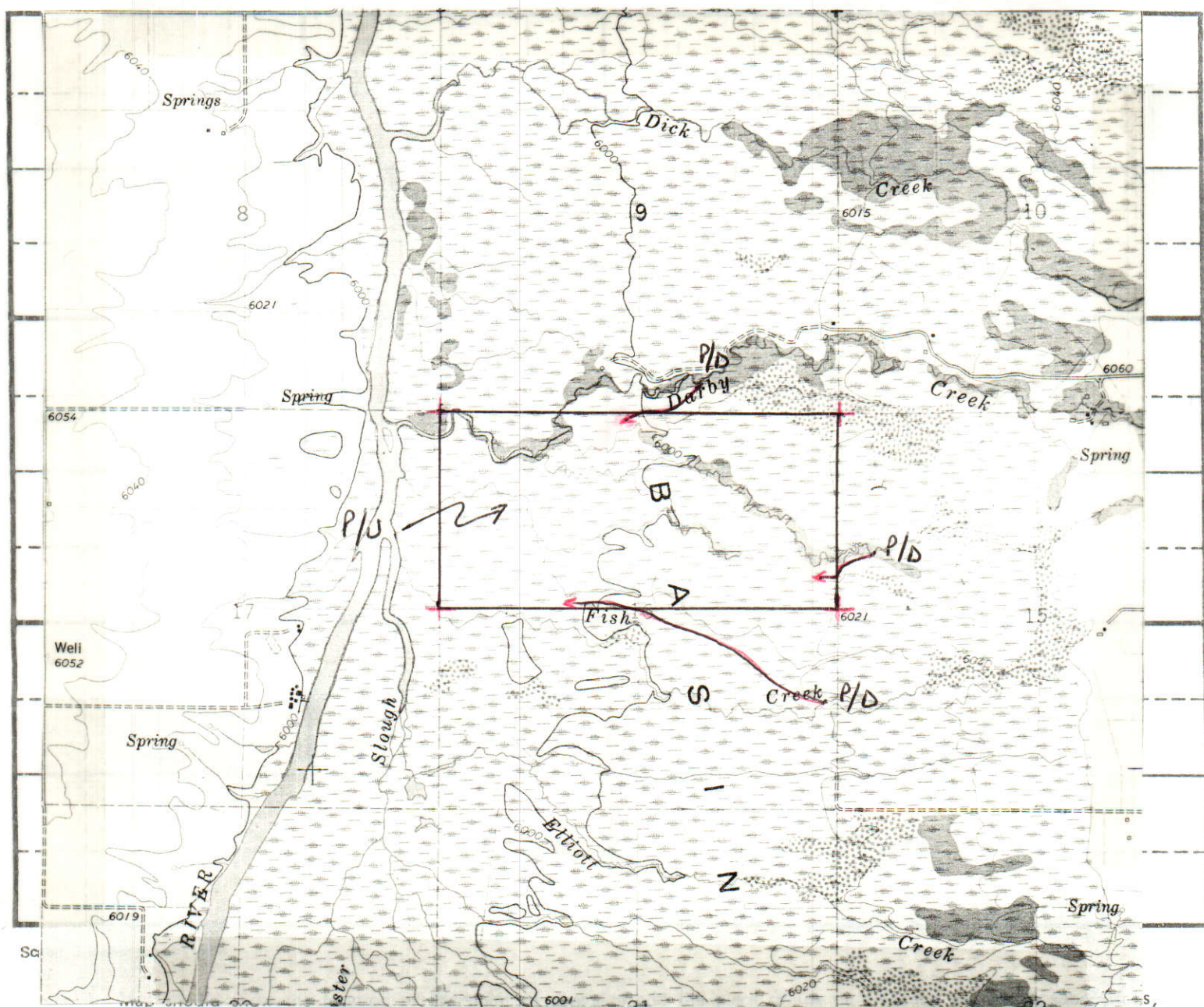


1
MICROFILMED

- (8) Remarks C. Elmer Christensen constructed the irrigation works on or about June 1, 1936 and applied water from the same to land in Sec. 9 & 16 of T. 4N, R. 45E, B.M. Survey of system originally done by State Water Dept. Engineer. See affidavit of C. Elmer Christensen attached hereto.



section, township and range of the public land survey system.

State of Idaho)
County of _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Mark E Christensen
(Claimant)

Sworn to before me this 10th day of November, 19 83.

Kenneth Mason
Notary Public
Residing at Adams Falls, Id 83402

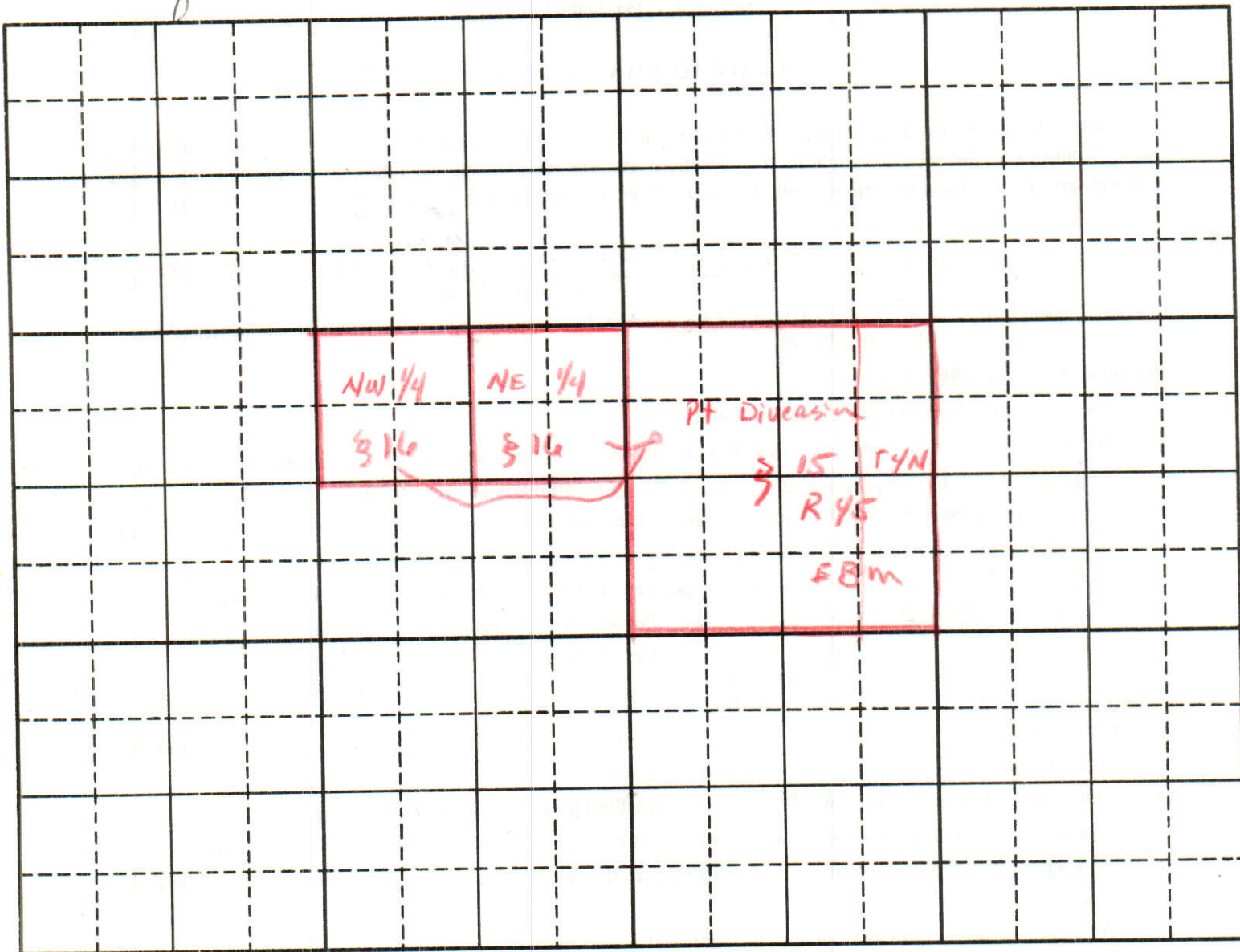
My commission expires 9/14/86

Received by CW 11-14-83 FOR DEPARTMENT USE ONLY
Prelim. check by th Date 6-30-83
\$30.00 fee received by CW Date 11/15/83
Published in Peton Valley News #29224
Dates 12/8 12/15/83

Forwarded to
claimant by: Date

56 1103

- (8) Remarks C. Elmer Christensen constructed the irrigation works on or about June 1, 1936
and applied water from the same to lands ss 9 & 16 of T4N R45E8M.
Survey of system originally done by State Water Dept. Engineer See affidavit
of C. Elmer Christensen attached hereto.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Madison)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 29 day of June

Mark E Christensen
 (Claimant)

Byron J. Burt
 Notary Public
 Residing at Rexburg, Ida.

My commission expires Life

For Department Use Only

Received by CW Date 6-30-83 Exception filed by: Forwarded to Date
 Prelim. check by Date
 \$30.00 fee received by CW Date 6-30-83
 Approved for publication by #2224
 Published in
 Dates

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Mark E. Christensen & Val G. Christensen

(Name of Claimant)

Rt. 2, Box 193C, Idaho Falls, Idaho 83401

(Mailing Address)

(Zip Code)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1936

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

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Springs along North & South Fork Darby Creek tributary to Teton River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>6.4 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	To
Quantity	<u>0.07 cfs</u>	Use	<u>Stockwater</u>	Period of Use From	To
Quantity	_____	Use	_____	Period of Use From	To
Quantity	_____	Use	_____	Period of Use From	To
Quantity	_____	Use	_____	Period of Use From	To

- (4) 6.47 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ NW ¼, Sec. 15 Twp. 4N Rge. 45E B.M., County of Teton
Additional points of diversion: SWSE Sec. 9, T. 4N, R. 45E, NESE Sec. 16, T. 4N, R. 45E.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. By earth berms in drains and creek diverting water to ditch system for distribution. Ditch system exceeds 5 miles with small dams and ditches to place water upon fields.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	45E	16	40	40	40	40	40	40	40	40									320

No. of acres 320

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water is also used on a year round basis for watering in excess of 250 head of livestock from ditches, drains, springs and the channel of the North and South fork of Darby Creek

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks C. Elmer Christensen constructed the irrigation works on or about June 1, 1936 and applied water from the same to land in Sec. 9 & 16 of T. 4N, R. 45E, B.M. Survey of system originally done by State Water Dept. Engineer. See affidavit of C. Elmer Christensen attached hereto.



County of

1
1 ss.

Mark E Christensen
(Claimant)

Sworn to before me this 10th day of November, 19 83.

Notary Public
Residing at Delaware Falls, Cal 93402

My commission expires 9/14/86

11-14-83 FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-30-83</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>h</u>	Date <u>11/15/83</u>		claimant by: _____	
\$30.00 fee received by <u>CW</u>	Date <u>6-30-83</u>	#29224		
Published in <u>leton Valley News</u>				
Dates <u>12/8 & 12/15/83</u>				

AFFIDAVIT OF USE OF WATER

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

C. ELMER CHRISTENSEN, being first duly sworn, deposes and says:

1. That he was the owner of approximately 500 acres of land in Teton County, State of Idaho, from 1933 to about June of 1966. Said land was located in Sections 9 and 16 of Township 4 North, Range 45 East, Boise Meridian.

2. That on approximately June 1, 1936, I constructed a system of irrigation ditches, headgates, laterals and water distribution systems for the purpose of using Darby Creek Springs, both North and South Forks.

3. I used the Darby Creek Springs water, both North and South Forks, from 1936 to about 1966, when I retired.

4. To the best of my knowledge, said water has been continued to be used by my sons, and successors in interest to the real property.

5. I used the water on the north one-half of Section 16, Township 4 North, Range 45 East, Boise Meridian and on SW 1/4 on Section 9, Township 4 North, Range 45 East, Boise Meridian. The useage of the water was continuous over that period of time for irrigation and stock watering purposes.

DATED this 28th day of June, 1983.

MICROFILMED


C. ELMER CHRISTENSEN

SUBSCRIBED AND SWORN to before me this 28th day of
June, 1983.

Thomas S. Taylor
NOTARY PUBLIC

Residing at: Provo, Utah

My Commission Expires:

9-26-83

MICROFILMED

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

CLAIM TO A WATER RIGHT

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

Notice is hereby given that MARK E. Christensen AND VAL G. Christensen
(name of claimant)
of RT. 2 Box 193C Idaho Falls, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) springs Along south fork of Darby Creek, tributary to, Teton River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: Irrigation of crop and pasture land and for livestock
- | | | | | | | | | |
|--------|----------------|-----|--------------------|----------------|------|---------------|----|---------------|
| Amount | <u>320 A/F</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>June 1</u> | To | <u>Nov. 1</u> |
| Amount | <u>40 A/F</u> | Use | <u>Stock water</u> | Period of Use: | From | <u>June 1</u> | To | <u>May 31</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: _____ cubic feet per second, or 320 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 1, 1936

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
 ¼ NW ¼, Sec. 15 Twp. 4N Rge. 45E B.M. County of Teton
 Additional points of diversion: Natural drains and springs in the N ½ of 16
T 4N R 45E B.M.

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. by earth berms in ditches & creek diverting water to ditch system for distribution. Ditch system exceeds 5 miles with small dams in ditches to place water upon fields

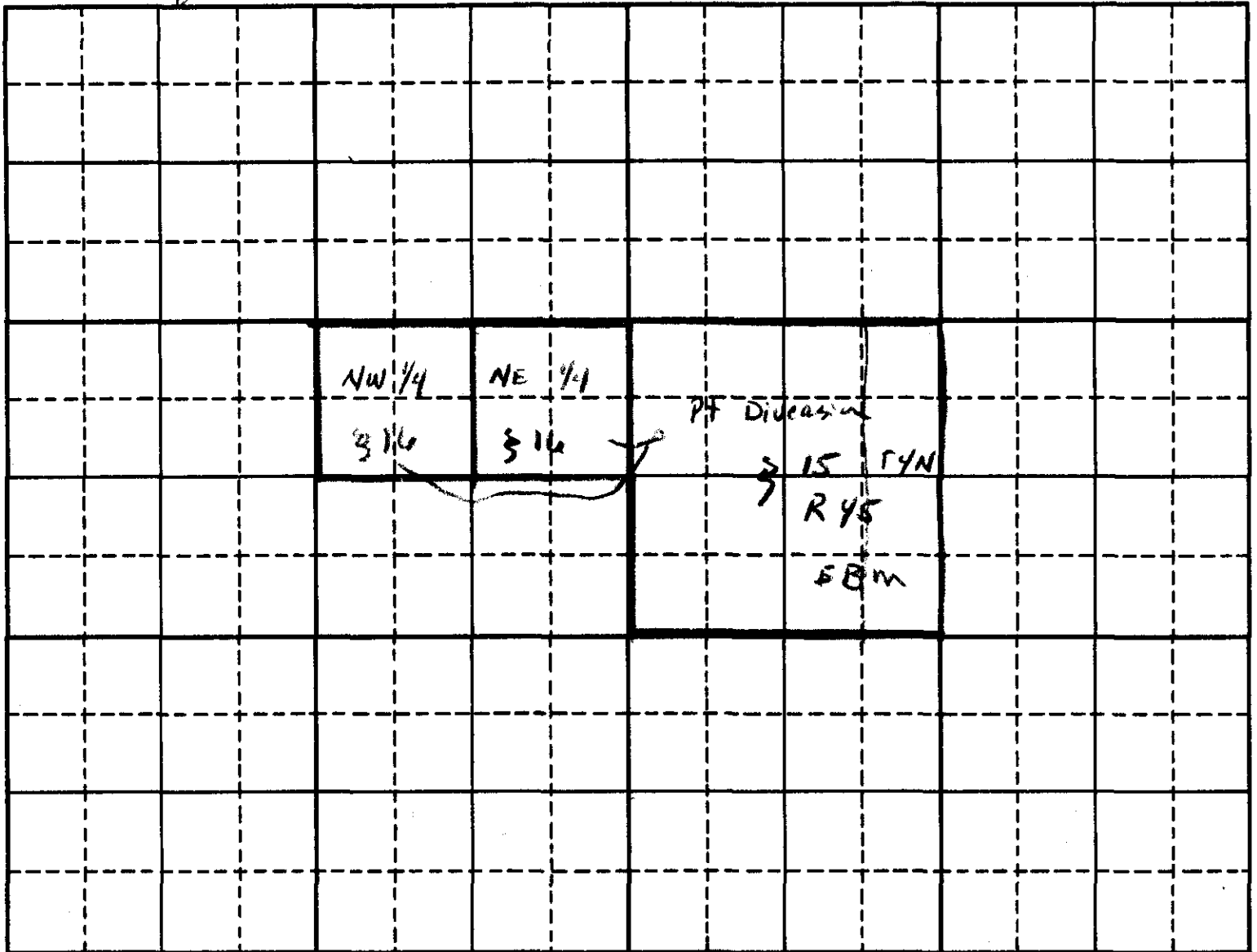
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 320

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is also used on a year round basis for watering in excess of 250 head of livestock from ditches, drains, springs and the channels of the F&D of Sandy Creek
- If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks C. Edmer Christensen constructed the irrigation works on or about June 1, 1936
and applied water from the same to lands ss 9 & 16 T 4 N R 45 E 6m.
Survey of system originally done by State Water Dept. Engineer See affidavit
of C. Edmer Christensen attached hereto.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Madison) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 29 day of June

Mark E Christensen
(Claimant)

Bryan L. Bank
Notary Public
Residing at Rexburg, Ida.

My commission expires Life

For Department Use Only

Received by CW Date 6-30-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$0.00 fee received by CW Date 6-30-83
Approved for publication by #22234
Published in _____
Dates _____

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Janet Holgers.....
being first duly sworn depose and
say that I am the Bookkeeper....
of the Teton Valley News, a
newspaper as defined by Idaho
Codes Annotated, Section 58-106,
as amended, and that said
newspaper is a weekly newspaper
printed and published at Driggs, in
Teton County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of.

Notice of Claims to Water Rights 22-4163, 22-4164

And affiant further says that said
attached notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in any
supplement issue thereof, for 2...
consecutive issues thereof; first
publication having been made on
the 8 day of Dec....., 1983
and last publication on the 15 day
of Dec., 1983.

And affiant further says that at
the times herein mentioned said
newspaper was made up of at least
eight pages of at least five columns
each, printed from type matter, of
at least sixteen inches deep.

Janet Holgers
Subscribed in my presence and
sworn to before me this 9th day of
Dec., 1983
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Needa A. Rusk
My Commission expires

12/2, 1985

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have
been filed on water right(s)

created by diversion and bene-
ficial use:

22-4163
Christensen, Mark E. and/or
Val G.
Rt. 2, Box 193C, Idaho Falls, ID
83401.
Source: Springs trib. to Teton
River.

Priority Date: 06/01/1936
Diversion Pt: SWNW Sec 15 T
04N R 45E SWSE Sec 09 T
04N R 45E NESE Sec 16 T
04N R 45E

Use: Irrigation (6.40 CFS)
Stockwater (0.07 CFS)
In: NENE NWNE SWNE
SENE NENW NWNW SWNW

SENW Sec 16 T 04N R 45E
for 320 acres.

22-4164
Kunz, Duane
Rt. 1, Victor, ID 83455
Source: Fox Creek trib. to
Teton River
Priority Date: 04/01/1889
Diversion Pt: NWSE Sec 29 T
04N R 46E
Use: Irrigation (1.60 CFS)
In: NESW NWSW Sec 24 T
04N R 45E for 80 acres.

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 150 Shoup
Ave., Suite 15, Idaho Falls, ID
83402.

Kenn Dunn, Director
Published in the Teton Valley
News December 8 and 15, 1983.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 27, 1983

MARK E. CHRISTENSEN
VAL G. CHRISTENSEN
RT. 2, BOX 193C
IDAHO FALLS

ID 83401

RE: Claim No. 22-4163

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

MICROFILMED

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

G. F. RAMSE

INITIAL REVIEW BY: _____

Right Number 22 4163 ^{NOV 15 1983} Applicant _____

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

Dec 27, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By *Ernest Carlson* Date 12-29-83.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *pe* Date 1/6/84

MICROFILMED

WATER DISTRICT 1
RECEIVED
Revised
DEPARTMENT OF WATER RESOURCES

October 25, 1983

Mark E. Christensen
Rt. 2, Box 193C
Idaho Falls, ID 83401

Dear Sir:

I am unable to process your claim t a water right until you send the Department a revised claim form. A blank form is enclosed.

The amount of water diverted for irrigation must be in cubic feet per second. Current water law allows a diversion rate of 0.02 cfs per acre or in your case 6.4 cfs for 320 acres. The diversion rate for 250 head of range cattle is 0.07 cfs. The period of use for stockwater for year-round use is Jan. 1 to Dec. 31. Each point of diversion must be defined to the nearest quarter-quarter section.

Please make the above corrections to your new form. Return the new, notarized form to me. If you have any questions please call me at 525-7161 or come to the Idaho Falls Regional Office.

Sincerely,

GERALD F. RAMSEY
Radiologist Specialist

GFR:bp

Enclosures

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 30, 1983

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before DECEMBER 27, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 12/8 & 12/15/83.

MICROFILMED

22-4163-

CHRISTENSEN, MARK E. &/or VAL G.

RT. 2, BOX 193C, IDAHO FALLS, ID 83401

Source: SPRINGS trib. to TETON RIVER

Priority Date: 06/01/1936

Diversion Pt: SWNW Sec 15 T 04N R 45E SWSE Sec 09 T 04N R 45E NESE
Sec 16 T 04N R 45E

Use: IRRIGATION	(6.40 CFS)
STOCKWATER	(0.07 CFS)

In: NENE NWNE SWNE SENE NENW NWNW SWNW SENW Sec 16 T 04N R 45E
FOR 320 ACRES

MICROFILMED