

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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

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

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Spring
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- |        |                   |     |                            |                     |               |    |                        |
|--------|-------------------|-----|----------------------------|---------------------|---------------|----|------------------------|
| Amount | <u>0.04</u>       | Use | <u>Domestic</u>            | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u>         |
| Amount | <u>0.02</u>       | Use | <u>Stockwater</u>          | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u>         |
| Amount |                   | Use |                            | Period of Use: From |               | To |                        |
|        | (cfs, gpm, or af) |     | (dom., irri., stock, etc.) |                     |               |    | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.06 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Jan. 1, 1949

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)  
SE ¼ SE ¼, Sec. 35 Twp. 7S Rge. 36E B. M. County of Bannock  
Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities: be as specific as possible. Concrete headbox 69½" x 50½" x 60" depth 2" diameter steel pipe at 48" depth in headbox - pipe runs 600' northwest to single family house.

- (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.

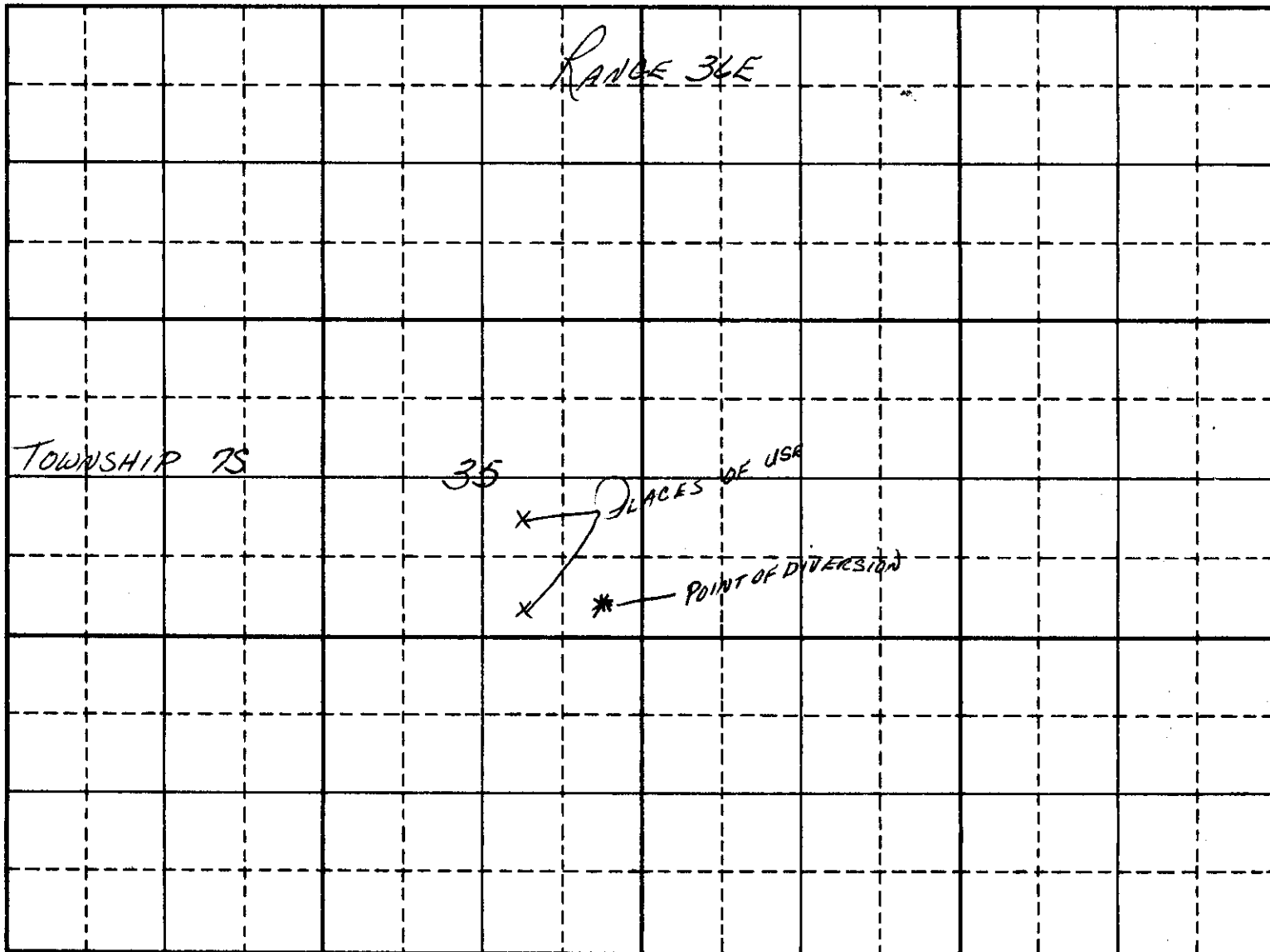
| T  | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 7S | 36E | 35   |     |     |     |     |     |     |     |     |     |     |     |     |     | X   | X   |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total No. of acres \_\_\_\_\_

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Single family dwelling and 50 head of beef cattle and horses

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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 Bannock

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.

Keith C. Christensen  
(Claimant)

Sworn to before me this 8th day of July, 19 74.

Geraldine C. Carson  
Notary Public

Residing at Pocatello, Idaho

My commission expires 7/1/77

For Department Use Only

Received by MB Date 7-9-74 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by MB Date 6-26-74 claimant by: \_\_\_\_\_  
\$10.00 fee received by MB Date 6-26-74  
Approved for publication by MB # 12937  
Published in Idaho State Journal  
Dates July 4 & 11, 1974

1200 68

## 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.

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(name of claimant)  
of Box 54, Pocatello, Idaho 83245, claims a right to the diversion and beneficial use of  
(mailing address)  
ground water or surface water tributary to Portneuf River;

The extent and nature of said claim is as follows:

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

Amount .04 CFS Use Domestic Period of Use: From Jan 1 To Dec 31  
 Amount .02 CFS Use Stockwater Period of Use: From Jan 1 To Dec 31  
 Amount \_\_\_\_\_ Use \_\_\_\_\_ Period of Use: From \_\_\_\_\_ To \_\_\_\_\_  
 (cfs, gpm (dom., irri., (both dates inclusive)  
 or a/f) stock, etc.)

- (3) Total quantity of water claimed: .06 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1949, VAN 131

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)

SE ¼ SE ¼, Sec. 35 Twp. 75 Rge. 36E B. M. County of Darnock  
Additional points of diversion: none

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. Concrete headbox 69 1/4" x 50 1/2" x 60" depth - 2" O steel pipe at 48" depth in headbox - pipe runs 600' northwest to single family house.

- (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

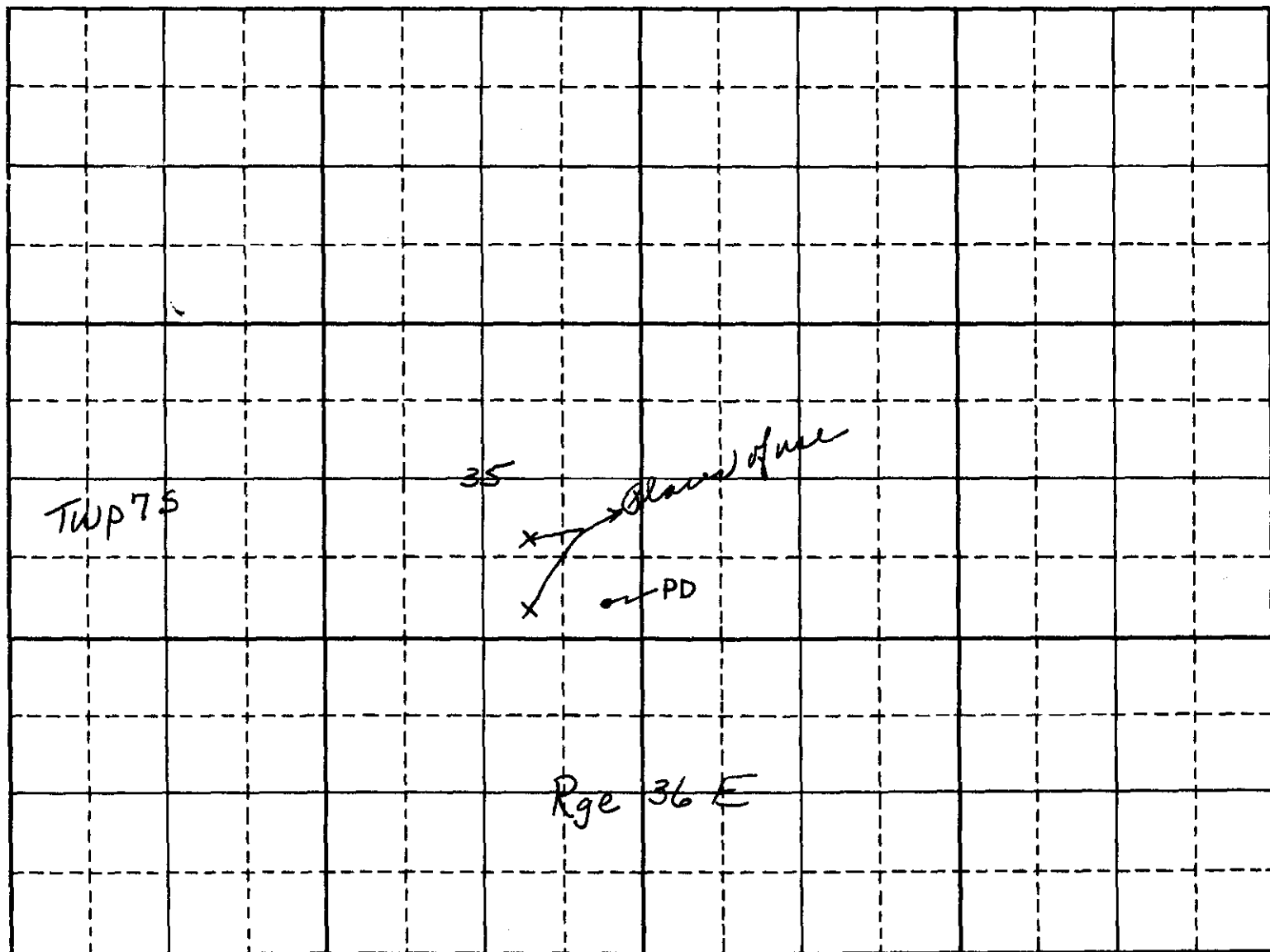
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

single family dwelling and 50 head of ~~horses~~<sup>cattle</sup>

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

(8) Remarks

29 4031



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

*Bannock*

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

*24*

day of

*June*

*Keith C. Robertson*  
(Claimant)

19 *74*

Notary Public

Residing at

*Beaumont*

My commission expires

For Department Use Only

Received by

*MB*

Date

*6-26-74*

Exception filed by:

Forwarded to

Date

Prelim. check by

*J. S.*

Date

*6-26-74*

claimant by:

\$10.00 fee received by

*MB*

Date

*6-26-74*

Approved for publication by

Published in

Dates

*Idaho State Journal*  
*July 4 & 11, 1974*

RECEIVED

**AFFIDAVIT**

State of Idaho

County of **BANNOCK**

Gerald L. Keller

being first duly sworn,

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

4. 7.

*Shirley Kell*  
(signature)

Subscribed and sworn to before me this 2/ day of June 1974

(notary public)

Residing at Pocatello, Idaho

My commission expires Aprill, 1977

29 4031

IN THE MATTER OF:

RECEIVED

AFFIDAVIT

JUN 26 1974

State of Idaho

County of

Bannock

Department of Water Administration  
Eastern District Office

Russell L Keller

being first duly sworn,

deposes and says:

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

Russell L Keller  
(signature)

Subscribed and sworn to before me this 19<sup>th</sup> day of October 1973.

Arthur W. Sauer  
(notary public)

Residing at

Pocatello

29 4031

My commission expires

# PRC OF PUBLICA.ION **RECEIVED**

STATE OF IDAHO }  
County of Bannock } ss.

JUL 15 1974

Katherine Wanner

Department of Water Resources  
Eastern District Office

being first duly sworn on oath deposes and says: That <sup>she</sup> \_\_\_\_\_  
was at all times herein mentioned a citizen of the United States of  
America, more than 21 years of age, and the Principal Clerk of THE  
IDAHO STATE JOURNAL, a daily newspaper, printed and published at  
Pocatello, Bannock County, Idaho, and having a general circulation  
therein.

That the document or notice, a true copy of which is attached, was  
published in the said IDAHO STATE JOURNAL, on the following dates,  
to-wit:

|         |           |       |           |
|---------|-----------|-------|-----------|
| July 4  | , 1974    | _____ | , 19_____ |
| July 11 | , 1974    | _____ | , 19_____ |
| _____   | , 19_____ | _____ | , 19_____ |
| _____   | , 19_____ | _____ | , 19_____ |
| _____   | , 19_____ | _____ | , 19_____ |

That said paper has been continuously and uninterruptedly pub-  
lished in said County for a period of seventy-eight weeks prior to the  
publication of said notice or advertisement and is a newspaper within  
the meaning of the laws of Idaho.

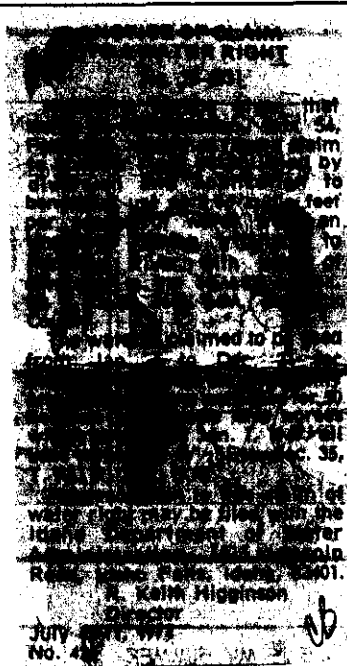
\_\_\_\_\_ *Katherine Wanner* \_\_\_\_\_

Subscribed and sworn to before me this 11th \_\_\_\_\_  
day of July, 1974

\_\_\_\_\_ *Della L. Lafford* \_\_\_\_\_

Notary Public, State of Idaho  
Residence: Pocatello, Idaho

Commission Expires  
March 5, 1977



# PROOF OF PUBLICATION

STATE OF IDAHO  
County of Bannock

ss.

*Duplicate*

**MB NOTICE OF CLAIM  
TO A WATER RIGHT**  
No. 29-4031

Notice is hereby given that Keith C. Christensen, Box 54, Pocatello, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from an Unnamed Spring tributary to Portneuf River with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 35, T. 7S, R. 36E, B.M., Bannock County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family and stockwatering purposes for 50 head of beef cattle and horses with a priority of Jan. 1, 1949; all uses within the W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 35, T. 7S, R. 36E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.  
R. Keith Higginson  
Director

July 4, 11, 1974  
No. 425

being first duly sworn on oath deposes and says: That \_\_\_\_\_  
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

\_\_\_\_\_, 197\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

\_\_\_\_\_  
*Katherine Warner*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_

\_\_\_\_\_  
*Debra L. Ladford*

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

**\$\$.**

Duplicate

Department of Water Resources  
-----  
Eastern District office  
She

Katherine Warner

Lella L. Ladford

Notary Public, State of Idaho  
Residence: Pocatello, Idaho

# PROC OF PUBLICA ION

STATE OF IDAHO  
County of Bannock

ss.

**NOTICE OF CLAIM  
TO A WATER RIGHT**  
No. 29-4031

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R. Keith Higginson  
Director

July 4, 11, 1974  
No. 425

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That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, 19\_\_\_\_\_

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Subscribed and sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Idaho

Residence: Pocatello, Idaho

Commission Expires  
March 5, 1977

XXXXXXXXXXXXXXXXXXXXX RESOURCES

July 22, 1974

Re: Claim to a Water Right No. 29-4031 & 29-4032

Mr. Keith C. Christensen  
Box 54  
Inkom, Idaho 83245

The Department of Water Resources has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claims do not, in themselves, guarantee you water rights; they only record and preserve the information and the evidence which you included in your claims.

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

We are enclosing, for your records, copies of your claims. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON  
Asst. to District Engineer

RDC:MB

Enc: Copies of claims

29 4031

July 2, 1974

Re: Claims to a Water Right No. 29-4031 & 29-4032

Mr. Keith C. Christensen  
Box 54  
Inkom, ID 83245

Dear Mr. Christensen:

Enclosed please find retyped Claims to a Water Right No. 29-4031 & 29-4032 and copies of the second page of the original claims submitted. During the preliminary review of the claim forms, we found that the Notary Public failed to complete the forms correctly. Please sign the retyped forms before a Notary Public and return them to this office as soon as possible so processing can continue.

Thank you for your cooperation in this matter. If we may be of further assistance, please do not hesitate to contact us.

Very truly yours,

LOY H. JOHNSON  
Water Resource Supervisor

LHJ:MB

Enclosures

29 4031

*Returned - address incorrect*

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
EASTERN DISTRICT OFFICE



Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

1515 Lincoln Road  
Idaho Falls, Idaho 83401  
(208) 523-7186

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection  
Geothermal Resources

June 27, 1974

Re: Claims to a Water Right No. 29-4031 & 29-4032

29-4031

JUN 2 1974

Department of Water Administration  
Eastern District Office

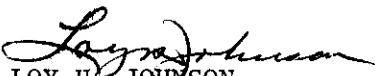
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~~Box 54~~  
Pocatello, Idaho 83201

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Very truly yours,

  
LOY H. JOHNSON  
Water Resource Supervisor

LHJ:mb

Enclosures

29-4031

June 28, 1974

RE: Claim to a Water Right No. 29-4031 - Christensen  
" " " No. 29-4032 - "  
" " " No. 29-4033 - Lish  
Application for Permit No. 29-7203 - Delbridge  
" " No. 29-7204 - Lish

Idaho State Journal  
Box 431  
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:CB

Bill submitted

7-15-74

by

MB

Enc: Legal Notice (5)

29 4031

NOTICE OF CLAIM TO A WATER RIGHT

NO. 29-4031

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Box 54, Pocatello, Idaho

has filed a claim to a water right established by diversion and application  
to beneficial use of 0.06 cubic feet per second ~~acre feet per annum~~  
~~XXXXXXXXXXXXXXXXXXXX~~

of water from an Unnamed Spring tributary to Portneuf River

with point of diversion in the SE~~1~~SE~~1~~, Sec. 35, T. 7S, R. 36E, B.M.

Bannock County:

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic  
purposes for one family and stockwatering purposes for 50 head of beef cattle  
and horses with a priority of Jan. 1, 1949 ;

~~the place of use is within the~~ all uses within the SE~~1~~SE~~1~~, Sec. 35, T. 7S,  
R. 36E, B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho,  
83401.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho

on July 4 and July 11, 1974.

29 4031

CB  
284

June 27, 1974

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LOY H. JOHNSON  
Water Resource Supervisor

LHJ:mb

Enclosures