

BEFORE THE DEPARTMENT OF WATER RESOURCES

COPY

OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 3348 IN)
THE NAME OF JACK CHRISTOPHERSON)

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On June 16, 1987, Jack Christopherson (applicant) filed Application for Transfer #3348 with the department proposing to change the nature of use and the source for 0.23 cfs of decree No 29-00275.
2. Application for Transfer #3348 was advertised in the Idaho State Journal on Aug 6 and 13, 1987. On August 18, 1987, a protest was received on behalf of Dr. and Mrs. Jim Shaw.
3. On Nov 16, 1987, a prehearing conference was held on this matter in Pocatello, Id, but no resolution was reached. Based on the applicant's request on Jan 8, 1988, the hearing was delayed for up to one year.
4. On Jan 20, 1992, Randall Kline, Attorney for the Protestant sent a letter of inquiry to the department inquiring as to the status of transfer #3348. He was advised that an adjudication claim was filed on that portion of Decree #29-00275 in the name of Mink Creek Utility Association. Since that time the Utility Association has withdrawn that claim.
5. The only adjudication claim now on record as of July 13, 1999, is in the name of Mink Creek Irrigation Corporation.

6. On Jan 16, 1996, the department corresponded with Mr. Christopherson and advised him that the Mink Creek Utility Association had no interest in pursuing transfer #3348. A transfer withdrawal form was included for Mr. Christopherson's use. However, no withdrawal was made and no hearing date was requested.
7. On Jan 12, 1998, the department sent the applicant a Notice of Intent to Void Transfer #3348. The applicant was initially given 30 days to respond. After a phone call from the applicant that response time was extended to 60 days.
8. On May 11, 1998 a letter was received from the applicant requesting a hearing date which was later changed to an informal meeting request with the protestant. No resolution was agreed upon by the parties.

CONCLUSIONS OF LAW

1. Section 42-204, Idaho Code, provides in pertinent part as follows:

If the application is returned to the applicant or the department shall request additional information and the applicant fails to return the corrected application or to supply the needed information within thirty (30) days, the department may void the record of said application and notify the applicant of such action.

2. The applicant has not responded to the department and has not provided the information requested.
3. The department should void the record of the application pursuant to Section 42-204, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 3348 in the name of Jack Christopherson is **VOIDED** pursuant to the provisions of Section 42-204, Idaho Code.

Dated this 26th day of July, 1999.


Regional Supervisor

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

COPY

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5. The only adjudication claim now on record as of April 23, 1998, is in the name of Mink Creek Irrigation Corporation.

6. On Jan 16, 1996, the department corresponded with Mr. Christopherson and advised him that the Mink Creek Utility Association had no interest in pursuing transfer #3348. A transfer withdrawal form was included for Mr. Christopherson's use. However, no withdrawal was made and no hearing date was requested.
7. On Jan 12, 1997, the department sent the applicant a Notice of Intent to Void Transfer #3348. The applicant was initially given 30 days to respond. After a phone call from the applicant that response time was extended to 60 days. As of this date, April 23, 1998, no response has been received.

CONCLUSIONS OF LAW

1. Section 42-204, Idaho Code, provides in pertinent part as follows:

If the application is returned to the applicant or the department shall request additional information and the applicant fails to return the corrected application or to supply the needed information within thirty (30) days, the department may void the record of said application and notify the applicant of such action.

2. The applicant has not responded to the department and has not provided the information requested.
3. The department should void the record of the application pursuant to Section 42-204, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 3348 in the name of Jack Christopherson is **VOIDED** pursuant to the provisions of Section 42-204, Idaho Code.

Dated this 23rd day of April, 1998.


Regional Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3348APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant JACK T. CHRISTOPHERSON Phone H (602) 964-9040
W (602) 255-7691
Post Office address 1022 EAST SORENSON, MESA, ARIZONA 85203

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A subdivision now exists on applicants property
and changing the p/d to a spring above the homes will allow the subdivision to store
and use water for domestic use and abandon the old irrigation use and Mink Creek
point of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------------|-----------------------|-------------------|----------------------------|
| <u>29-0275B</u> | <u>9-07-04</u> | <u>0.23</u> | <u>Domestic</u> | <u>1-1</u> to <u>12-31</u> |
| | | | <u>(24 units)</u> | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.23 cubic feet per second and/or 14.4 acre-feet per annum.
3. Source of water Spring tributary to Mink Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NW	30	7S	35E	Bannock	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35E	19															D/2	D/20	
		20											D/2						
															</				

Received 09-10-99 at State Office IDWR

Total acres _____

PART 1**6. General Information:**

a. Description of diversion system Sealed spring box w/4" pipe and valves to select one or both 12,500 gallon domestic storage tanks w/ overflow to creek and service lines to 24 homes or lots.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The use of this ground has been changed to a housing subdivision.

d. Remarks:

I have interpreted the decree to imply 0.02 cfs/acre or 75 acres in total right.

I am converting an implied 11.5 acres of irrigated ground (0.23 cfs) to domestic use. This leaves 63.5 acres and 1.27 cfs as a remainder in Part A of this right.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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SEP 21 1977

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 29-0275 Decreed to Arthur Say

In case of <u>Smith, Admin.</u>	vs. <u>City of Pocatello, et al.</u>
dated <u>6/5/1926</u>	in <u>5th Dist. Court</u> county of <u>Bannock</u>
b. License No. _____	issued by the Idaho Department of Water Resources.
c. Claim No. _____	on file with the Idaho Department of Water Resources.
d. Transfer No. <u>1715</u>	which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Mink Creek tributary to Portneuf River

4. Date or priority 6-5-1926 9-7-1904

5. Water is used for the following purpose:

amount <u>1.50 cfs</u>	for <u>Irrigation</u>	purposes from <u>4/15</u>	to <u>9/15</u>
(cfs/ac-ft)			
amount _____	for _____	purposes from _____	to _____
(cfs/ac-ft)			
amount _____	for _____	purposes from _____	to _____
(cfs/ac-ft)			

6. Total amount of water under right 1.5 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	29	7S	35E	Bannock	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	35E	19																	
		20												*					
		29												*					
		30			*														

Total acres * Not Listed

9. Describe any other water rights used for the same purpose as described above N/A

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SEP 21 1999

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.23 cfs for Irrigation purposes from 4/15 to 9/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	29	7S	35E	Bannock	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	35E	19																7.5	7.5
		20											4.0						4.0

Total acres 11.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.27 cfs for Irrigation purposes from 4/15 to 9/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	29	7S	35E	Bannock	
				32			W2	
							WN	
							NE	

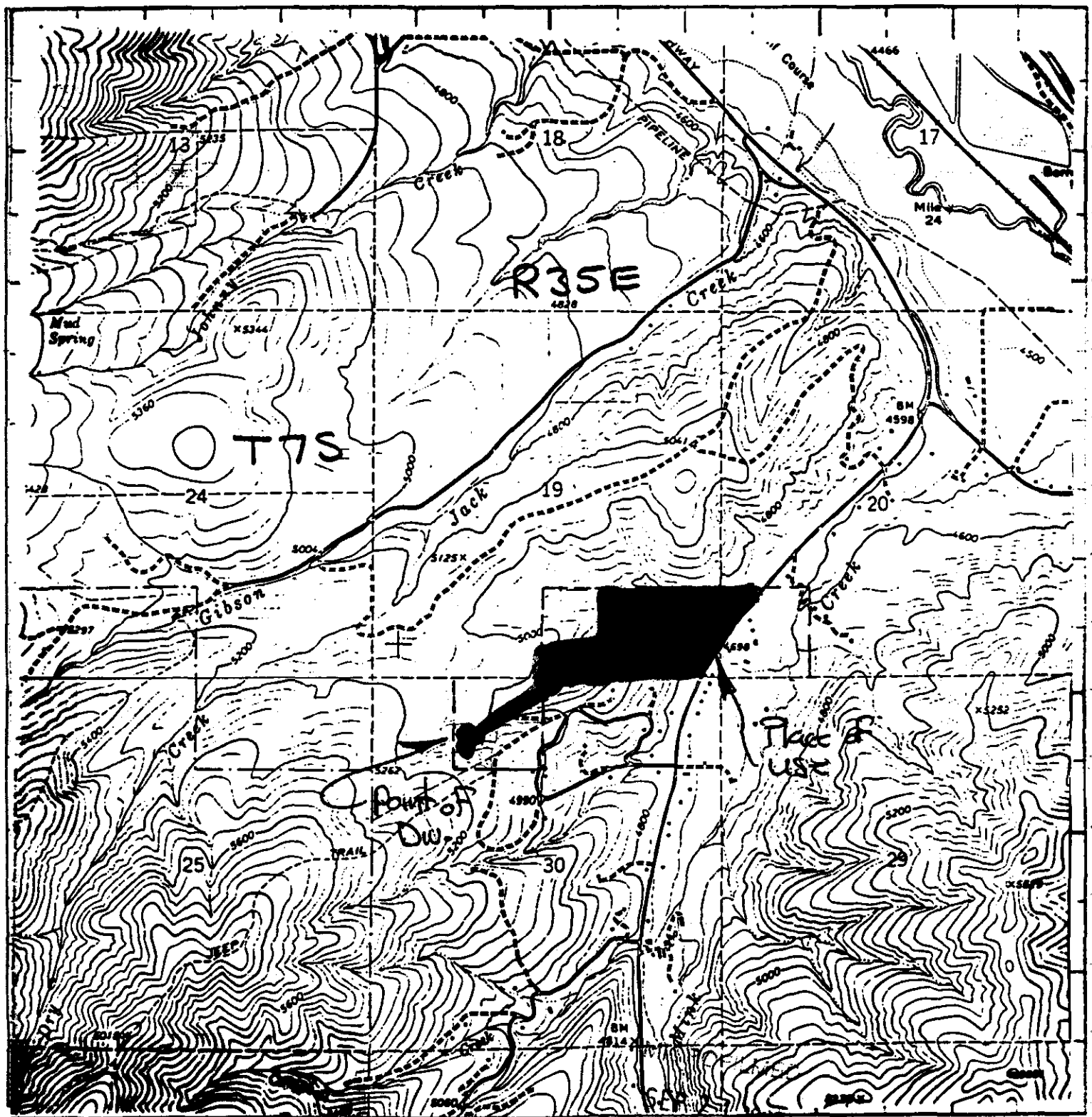
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	35E	19																*	
		20											*						
		29						*											
		30	*																

Total acres SEE REMARKS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

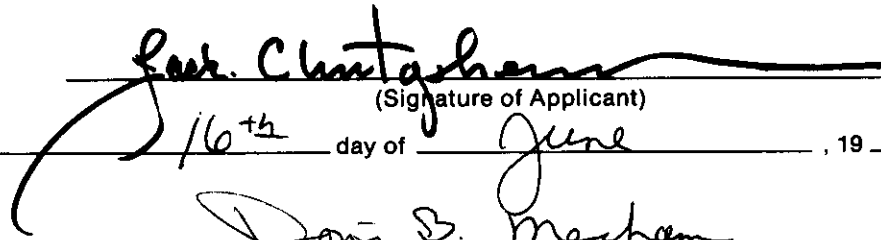
PART 3**B. CHANGES IN NATURE OF USE**

1.

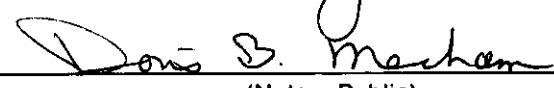
<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Domestic</u>	<u>0.23 cfs/14.4 af</u>	<u>1-1</u>	<u>to 12-31</u>
_____	_____	_____	<u>to _____</u>
2. Quantity and quality of return flows and location of discharge:
There is a storage system for domestic water with an overflow pipe. Water used
is not returned to the creek.
3. Describe effects on other water uses resulting from the proposed change:
(See Claim 29-4076) I would be removing myself from the point of diversion used
by other decreed right holders and return to a p/d which may have been the original
source of the Arthur Say right.
Consumptive use afa based on adjusted Pocatello C.U. which is 1.88 afa X acres.

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)

Subscribed and sworn to before me this 16th day of June, 19 87.


 (Notary Public)

My commission expires 5/21/89

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by CW Date 6-29-87 Protest filed by Franklin Kline

Prelim. check by HWJ Fee \$50 for Mr. & Mrs. Jim Shaw

Receipted by MJR Date 4-3-1987 #41142

Published in ID State Journal, 7-29-87 Copies of protest forwarded by _____

Pub. dates 8-6 + 8-13-87, day Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

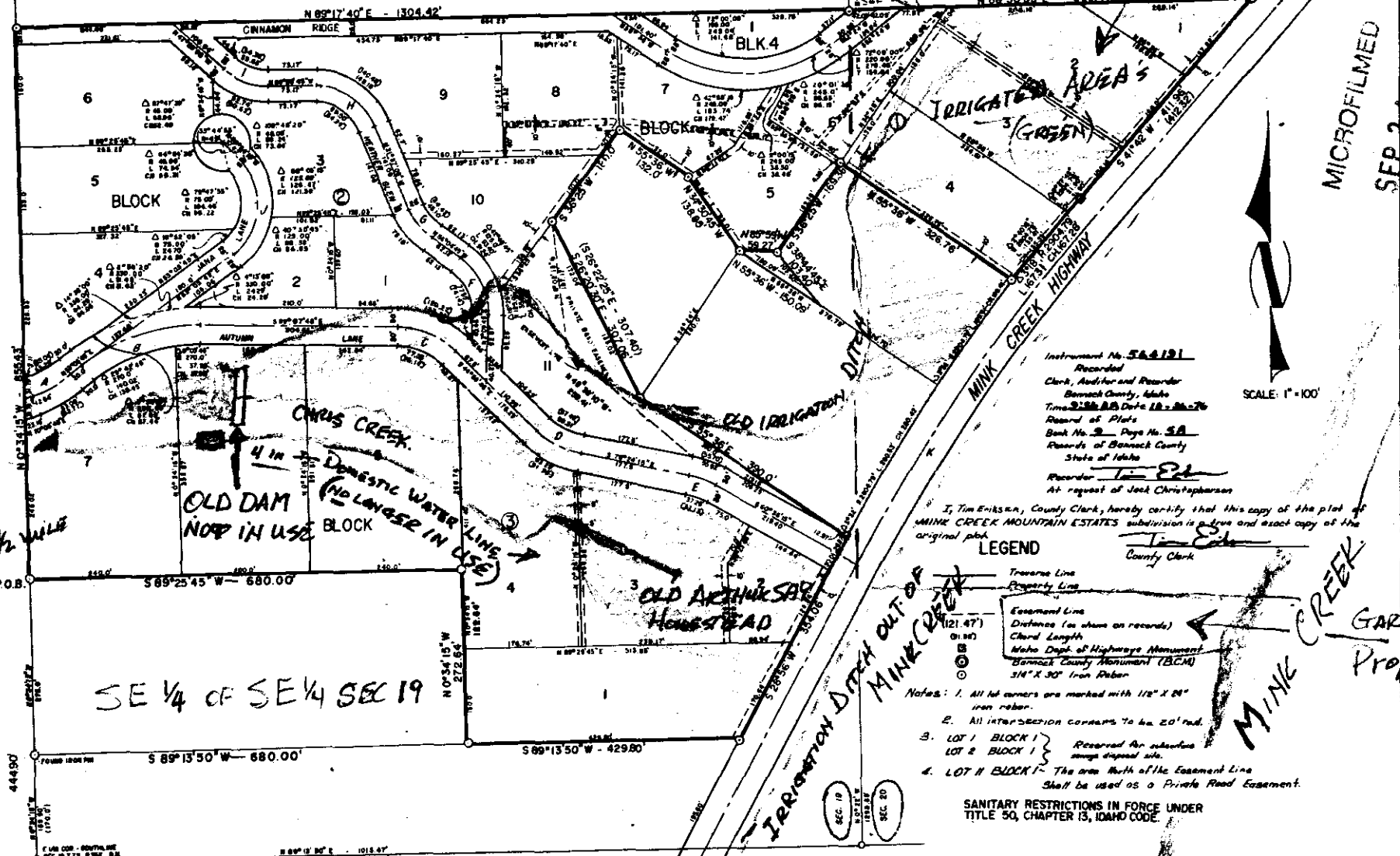
MICROFILMED

SEP 21 1999

THESE ARE THE HOME SITES USING WATER FROM SPRING

MINK CREEK MOUNTAIN ESTATES

SW 1/4 OF SW 1/4 OF SEC 20



Instrument No. 544191

Recorded

Clark, Auditor and Recorder

Bannock County, Idaho

Time 2:28 PM Date 10-26-76

Record of Plots

Book No. 3 Page No. 3A

Records of Bannock County

State of Idaho

Recorder Tim Edin

At request of Jack Christopherson

I, Tim Edin, County Clerk, hereby certify that this copy of the plat of MINK CREEK MOUNTAIN ESTATES subdivision is a true and exact copy of the original plat.

LEGEND

Traverse Line

Property Line

Easement Line

Distances (as shown on records)

Chord Length

Ratio Length of Highway Monument

Bannock County Monument (BCM)

514" X 30" Iron Peg

- Notes: 1. All lot corners are marked with 1/2" X 3/4" iron rebar.
2. All intersection corners to be 20' radius.
3. LOT 1 BLOCK 1 } Reserved for subsurface usage disposal site.
LOT 2 BLOCK 1 }
4. LOT 11 BLOCK 1- The area north of the Easement Line shall be used as a Private Road Easement.

SANITARY RESTRICTIONS IN FORCE UNDER TITLE 50, CHAPTER 13, IDAHO CODE.

CURVE DATA

	A	B	C	D	E	F	G	H	I	J	K
A	17°00'00"	57°48'30"	44°02'00"	33°24'30"	17°48'00"	39°14'30"	34°27'40"	68°22'40"	42°30'40"	98°40'00"	12°46'00"
R	250.00	300.00	150.00	150.00	150.00	100.00	100.00	100.00	100.00	100.00	2904.79
T	37.36	102.84	52.70	39.01	23.49	36.86	31.01	67.93	38.90	116.39	324.94
L	74.18	197.79	100.13	75.80	46.80	103.40	60.15	119.34	74.20	172.20	647.25
Ch	73.80	194.23	97.68	74.73	46.41	98.85	59.24	112.38	72.50	151.70	645.91
E	2.78	17.07	10.28	5.73	1.83	15.03	4.70	20.89	7.30	53.43	18.12

MINK CREEK MOUNTAIN ESTATES

A SUBDIVISION IN THE SE 1/4 SE 1/4, SEC. 19, AND SW 1/4 SW 1/4, SEC. 20, T.7S, R.35E., B.M. BANNOCK COUNTY IDAHO

HAMILTON AND VOELLER CONSULTING ENGINEERS
428 SO. MAIN POGATELLO 707 N. MAIN MOSCOW 7225 BETHEL ROSE

SCALE 1" = 100'

REV 9/29/75

REV

OWN DS

DATE 2/27/75

JOB 4473

SHEET 1 OF 2

ENG. NO.

While this is a scale reproduction of the recorded plat, this company assumes no liability for variations, if any, with a re-survey.
AMERICAN LAND TITLE CO.

Dworsen DITCH

REAL PROPERTY TAX

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
5,120	36	R4013049600	R02531

TR NE4NW4 TAX 150 1.0 AC
S30-T7S-R35E

This is the Tract of Land where my
WATER Spring & Diversion System is Located

TAXABLE

5,120

JACK T CHRISTOPHERSON
1022 E SORENSON
MESA

AZ 85203

DELINQUENT CERT.

COUNTY	.003795
COUNTY RD&BRG	.000835
POC SCH #25	.006918
PORT FREE LIB	.000423
POC VAL FIRE	.002753

19.42
4.28
35.43
2.17
14.10

TAX
PEN.
SUB TOT.
INT.
TOT.
1ST INSTA
TAX
PEN.
SUB TOT.
INT.
TOT.
2ND INSTA
TAX
PEN.
SUB TOT.
INT.
TOT.

See Tax. Stmt # 943⁰² 1/2 = 471⁵¹
1st 1/2 mail of Dec 20, 86

TOTAL TAX

75.40

COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT

CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
2,471	36	R4013021600	R02163

TR SE4SE4 TAX 76 4.29 AC
S19-T7S-R35E

IS
IE

TAXABLE

2,471

JACK T CHRISTOPHERSON
1022 E SORENSON
MESA

AZ 85203

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECE
COUNTY	.003795	9.38	TAX
COUNTY RD&BRG	.000835	2.06	PEN.
POC SCH #25	.006918	17.09	SUB TOT
PORT FREE LIB	.000423	1.05	INT.
POC VAL FIRE	.002753	6.80	TOT.
			1ST INSTA
			TAX
			PEN.
			SUB TOT
			INT.
			TOT.
			2ND INSTA
			TAX
			PEN.
			SUB TOT
			INT.
			TOT.
TOTAL TAX		36.38	

COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT

CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
500	36	RRCR1000902	R30389

TR LOT 8 TAX 2
CARIBOU ACRES 1ST ADDN REPLAT

This Tax Notice is only one of the
original Arthur Sag Property.

TAXABLE

500

JACK CHRISTOPHERSON
1022 E SORENSON
MESA

AZ 85203

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECE
COUNTY	.003795	1.89	TAX
COUNTY RD&BRG	.000835	.42	PEN.
POC SCH #25	.006918	3.46	SUB TOT
PORT FREE LIB	.000423	.21	INT.
POC VAL FIRE	.002753	1.38	TOT.
			1ST INSTA
			TAX
			PEN.
			SUB TOT
			INT.
			TOT.
			2ND INSTA
			TAX
			PEN.
			SUB TOT
			INT.
			TOT.
TOTAL TAX		7.36	

MICROFILMED

SEP 21 1999

**BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
2,101	36	R4013023306	R02188
TR 8W48E4 TAX 52 16.24 AC			
TR 828W4 TAX 101 54.05 AC			
S19-T7S-R35E			

HS
HE

TAXABLE

2,101

JACK T CHRISTOPHERSON
1022 E SORENSON
MESA

AZ 85203

DELINQUENT CERT.

COUNTY	.003795	7.98	TAX
COUNTY RD&BRG	.000835	1.75	PEN.
POC SCH #25	.006918	14.54	SUB TOT.
PORT FREE LIB	.000423	.89	INT.
POC VAL FIRE	.002753	5.78	TOT.
			1ST INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.

TOTAL TAX

30.94

**COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT**

**CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
500	36	R4013023501	R02194
TR SE4SW4 TAX 85 0.24 AC			
TR SW4SW4 TAX 87 0.28 AC			
S19-T7S-R35E			

HS
HE

TAXABLE

500

JACK T CHRISTOPHERSON
1022 E SORENSON
MESA

AZ 85203

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECI
COUNTY	.003795	1.89	FULL PA
COUNTY RD&BRG	.000835	.42	TAX
POC SCH #25	.006918	3.46	PEN.
PORT FREE LIB	.000423	.21	SUB TOT.
POC VAL FIRE	.002753	1.38	INT.
			TOT.
			1ST INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.

TOTAL TAX

7.36

**COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT**

**CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
2,462	36	R4013049501	R02527
TR NW4 TAX 191 80.46 AC			
S30-T7S-R35E			

HS
HE

TAXABLE

2,462

JACK T CHRISTOPHERSON
1022 E SORENSON
MESA

AZ 85203

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECI
COUNTY	.003795	9.34	FULL PA
COUNTY RD&BRG	.000835	2.06	TAX
POC SCH #25	.006918	17.04	PEN.
PORT FREE LIB	.000423	1.04	SUB TOT.
POC VAL FIRE	.002753	6.78	INT.
			TOT.
			1ST INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.

TOTAL TAX

MICROFILMED

SEP 21 1999 36.26

**BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
5,280	36	RRMCM000600	R31531

COUNTY	RATE	AMOUNT	TAX
COUNTY RD&BRG	.000835	4.41	PEN.
POC SCH #25	.006918	36.53	SUB TOT.
PORT FREE LIB	.000423	2.23	INT.
POC VAL FIRE	.002753	14.54	TOT.

LOT 6
BLOCK 1
MINK CREEK MTN ESTATES

1ST IN:

TAX
PEN.
SUB TOT.
INT.
TOT.

2ND IN:

TAX
PEN.
SUB TOT.
INT.
TOT.

TOTAL TAX 77.74

**COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT**

**CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
5,244	36	RRMCM001000	R31535

TAXING DISTRICT	RATE	AMOUNT	RE
COUNTY	.003795	19.90	FULL TAX
COUNTY RD&BRG	.000835	4.38	PEN.
POC SCH #25	.006918	36.28	SUB TOT.
PORT FREE LIB	.000423	2.22	INT.
POC VAL FIRE	.002753	14.44	TOT.

LOT 10
BLOCK 1
MINK CREEK MTN ESTATES

1ST IN:

TAX
PEN.
SUB TOT.
INT.
TOT.

2ND IN:

TAX
PEN.
SUB TOT.
INT.
TOT.

TOTAL TAX 77.22

**COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT**

**CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
5,775	36	RRMCM001100	R31536

TAXING DISTRICT	RATE	AMOUNT	RE
COUNTY	.003795	21.92	FULL TAX
COUNTY RD&BRG	.000835	4.82	PEN.
POC SCH #25	.006918	39.96	SUB TOT.
PORT FREE LIB	.000423	2.44	INT.
POC VAL FIRE	.002753	15.90	TOT.

LOT 11
BLOCK 1
MINK CREEK MTN ESTATES

1ST IN:

TAX
PEN.
SUB TOT.
INT.
TOT.

2ND IN:

TAX
PEN.
SUB TOT.
INT.
TOT.

TOTAL TAX 85.04

MICROFILMED

SEP 21 1999

**BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
5,280	36	RRMCM001300	R31538
LOT 2 BLOCK 2 MINK CREEK MTN ESTATES			
TAXABLE 5,280 JACK T CHRISTOPHERSON 1022 E SORENSON MESA AZ 85203			
DELINQUENT CERT.			

COUNTY	.003795	20.03	TAX
COUNTY RD&BRG	.000835	4.41	PEN.
POC SCH #25	.006918	36.53	SUB TOT.
PORT FREE LIB	.000423	2.23	INT.
POC VAL FIRE	.002753	14.54	TOT.
			1ST INSTA
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTA
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL TAX		77.74	

**COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT**

CONSOLIDATED TAX NOTICE AND RECEIPT BANNOCK COUNTY REAL PROPERTY TAX 1986			
MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
7,013	36	RRMCM001800	R31543
LOT 1 BLOCK 3 MINK CREEK MTN ESTATES			
TAXABLE 7,013 JACK T CHRISTOPHERSON 1022 E SORENSON MESA AZ 85203			
DELINQUENT CERT.			

TAXING DISTRICT	RATE	AMOUNT	RECE
COUNTY	.003795	26.60	FULL PAY
COUNTY RD&BRG	.000835	5.86	TAX 1
POC SCH #25	.006918	48.52	PEN.
PORT FREE LIB	.000423	2.97	SUB TOT.
POC VAL FIRE	.002753	19.31	INT.
			TOT.
			1ST INSTA
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTA
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL TAX		103.26	

**COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT**

CONSOLIDATED TAX NOTICE AND RECEIPT BANNOCK COUNTY REAL PROPERTY TAX 1986			
MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
6,188	36	RRMCM002100	R31546
LOT 4 BLOCK 3 MINK CREEK MTN ESTATES			
TAXABLE 6,188 JACK T CHRISTOPHERSON 1022 E SORENSON MESA AZ 85203			
DELINQUENT CERT.			

TAXING DISTRICT	RATE	AMOUNT	RECE
COUNTY	.003795	23.48	FULL PAY
COUNTY RD&BRG	.000835	5.17	TAX
POC SCH #25	.006918	42.81	PEN.
PORT FREE LIB	.000423	2.62	SUB TOT.
POC VAL FIRE	.002753	17.04	INT.
			TOT.
			1ST INSTA
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTA
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL TAX		91.12	

**MICROFILMED
SEP 21 1999**

**BANNOCK COUNTY
REAL PROPERTY TAX**

1986

COUNTY
COUNTY RD&BRG
POC SCH #25
PORT FREE LIB
POC VAL FIRE

.003795
.000835
.006918
.000423
.002753

21.34
4.70
38.91
2.38
15.49

TAX
PEN.
SUB TOT.
INT.
TOT.
1ST INST
TAX
PEN.
SUB TOT.
INT.
TOT.
2ND INST
TAX
PEN.
SUB TOT.
INT.
TOT.

MARKET VALUE 5,625 TAX CODE AREA 36 PARCEL NUMBER RRMCM002300 BILL NUMBER R31548

LOT 6
BLOCK 3
MINK CREEK MTN ESTATES

TAXABLE 5,625 JACK T CHRISTOPHERSON
1022 E SORENSON
MESA AZ 85203

DELINQUENT CERT.

TOTAL TAX

82.82

COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT

**CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE 5,625 TAX CODE AREA 36 PARCEL NUMBER RRMCM002400 BILL NUMBER R31549

LOT 7
BLOCK 3
MINK CREEK MTN ESTATES

TAXABLE 5,625 JACK T CHRISTOPHERSON
1022 E SORENSON
MESA AZ 85203

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RECE
COUNTY	.003795	21.34	TAX
COUNTY RD&BRG	.000835	4.70	PEN.
POC SCH #25	.006918	38.91	SUB TOT.
PORT FREE LIB	.000423	2.38	INT.
POC VAL FIRE	.002753	15.49	TOT.
			1ST INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INST
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL TAX		82.82	

COPY OF LEVIES IN OFFICE
YOUR CANCELLED CHECK IS YOUR RECEIPT

**CONSOLIDATED TAX NOTICE AND RECEIPT
BANNOCK COUNTY
REAL PROPERTY TAX**

1986

MARKET VALUE 4,860 TAX CODE AREA 36 PARCEL NUMBER RRMCM002500 BILL NUMBER R31550

LOT 1
BLOCK 4
MINK CREEK MTN ESTATES

TAXABLE 4,860 JACK T CHRISTOPHERSON
1022 E SORENSON
MESA AZ 85203

DELINQUENT CERT.

TAXING DISTRICT	RATE	AMOUNT	RE
COUNTY	.003795	18.44	TAX
COUNTY RD&BRG	.000835	4.06	PEN.
POC SCH #25	.006918	33.62	SUB TOT.
PORT FREE LIB	.000423	2.06	INT.
POC VAL FIRE	.002753	13.38	TOT.
			1ST INE
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND IN
			TAX
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL TAX		71.56	

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SEP 21 1999



June 5, 1987

From the desk of **JACK CHRISTOPHERSON**

It is my understanding that the owner of
Subdivision Utilities, must maintain control
until 75% of the lots are sold.

MINK CREEK MOUNTAIN ESTATES, operates under
a Homeowners Assn. that is registered with
the State of Idaho, but I have not transferred
ownership of the system's (sewer & water) at
this time. The Homeowners have & do keep all

funds collected for the use of the Utilities.

RECEIVED

MICROFILMED

JUN 8 1987

SEP 21 1988

Department of Water Resources
"People Make It Happen - With Excellence!"

Eastern District Office

Thank you.
JTC



From the desk of **JACK CHRISTOPHERSON**

Re-done. per. your request.
of re-submitted. _____

JTC.
MICROFILMED

SEP 21 1999

"People Make It Happen - With Excellence!"

Page 1 of 6

VOID

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT**PART 1**

255-7691

Name of applicant Jack T. Christopherson Phone (602) 964-9040Post Office address 1022 East Sorenson, Mesa, Arizona**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A subdivision now exists on applicants property
and changing the p/d to a spring above the homes will allow the subdivision to store
and use water for domestic use and abandon the old irrigation use and Mink Creek
point of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------|-----------------------|------------------|----------------|
| 29-2075B | 9-07-04 | 0.23 | Domestic | 1-1 to 12-31 |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.23 cubic feet per second and/or 14.4 acre-feet per annum.
3. Source of water Spring tributary to Mink Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NW	30	7S	35E	Bannock	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35E	19															D/2	D/20	
		20											D/2						

MICROFILMED
SEP 21 1999

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Sealed spring box w/4" pipe and valves to select one or both 12,500 gallon domestic storage tanks w/overflow and lines to 24 homes or lots.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The use of this ground has been changed to a housing subdivision.

d. Remarks:

I have interpreted the decree to imply 0.02 cfs/acre or 75 acres in total right.

I am converting an implied 11.5 acres of irrigated ground (0.23 cfs) to domestic

use. This leaves 63.5 acres and 1.27 cfs as a remainder in Part A of this right.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of MICROFILMED, 19 _____.

SEP 21 1999

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 29-0275 Decreed to Arthur Say
in case of Smith, Admin. vs. City of Pocatello, et al
dated 6/5/1926 in 5th Dist. Court county of Bannock
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1715 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Mink Creek tributary to Portneuf River

4. Date or priority 6-5-1926

5. Water is used for the following purpose:

amount 1.50 cfs for Irrigation purposes from 4/15 to 9/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.50 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	---	NW	NW	29	7S	35E	Bannock	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35E	19																*	
		20										*							
		29					*												
		30	*																

Total acres * Not Listed

9. Describe any other water rights used for the same purpose as described above N.A.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.23cfs for Irrigation purposes from 4/15 to 9/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	30	7S	35E	Bannock	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35E	19																D/2D/20	
		20											D/2						

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.27 cfs for Irrigation purposes from 4/15 to 9/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	--	NW	NW	29	7S	35E	Bannock	

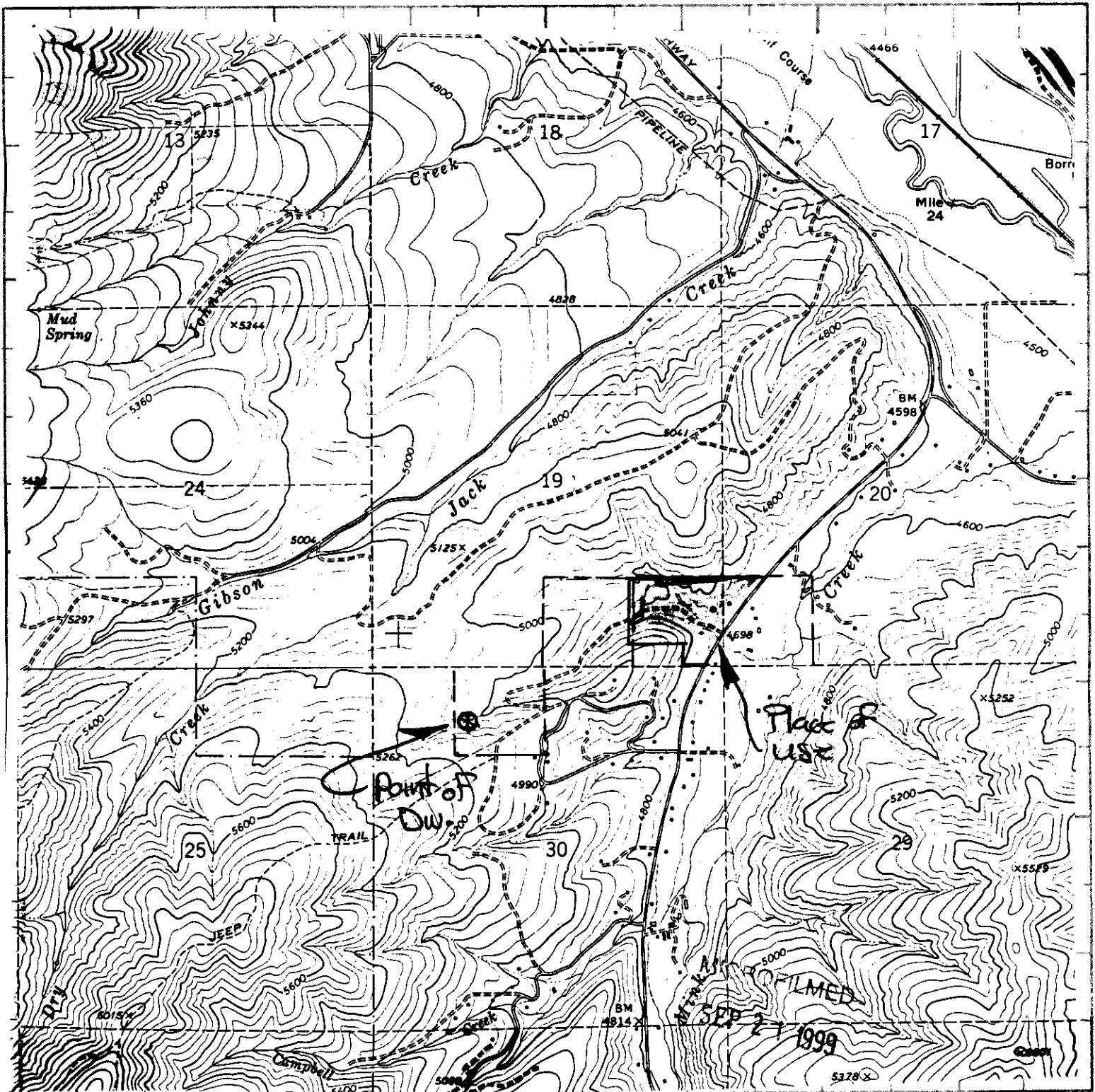
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35E	19																*	
		20											*						
		29						*											
		30	*																

Total acres _____ See Remarks

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	Domestic	0.23 cfs/14.4af		1-1 to 12-31
				to

2. Quantity and quality of return flows and location of discharge:

There is a storage system for domestic water with an overflow pipe. Water used is not returned to creek.

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

(See Claim 29-4076) I would be removing myself from the point of diversion used by other decreed right holders and return to a p/d which may have been the original source of the Arthur Say right.

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.

Subscribed and sworn to before me this 12th day of April, 19 87.

Calleen Wray
(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by EMC Date 2 April 1987 Protest filed by _____

Prelim. check by ES Fee _____

Receipted by Wray Date 4-3-1987 #41142

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

SEP 21 1999

JACK CHRISTOPHERSON

1022 EAST SORENSON • MESA, ARIZONA 85203

December 10, 1981

State of Idaho
Dept. of Water Resources
150 Shoup
Idaho Falls, Idaho 83401

RECEIVED

DEC 14 1981

Department of Water Resources
Eastern District Office

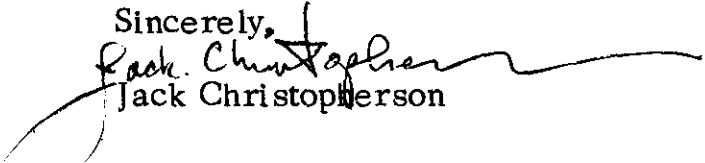
Dear Mr. Jones:

Thank You for your prompt attention to my phone request on my Domestic Water use at "Mink Creek Mountain Estates". The Decree of 1925, (copy) which you sent me was very helpful.

Enclosed find documents to support my ownership of parts of the Arthur Say, property on Mink Creek. I also own, in addition to these documented property parcels; another 186 Acres of the Arthur Say property.

Please advise if you need additional information.

Sincerely,


Jack Christopherson

MICROFILMED

SEP 21 1999

TAX NOTICE

BANNOCK COUNTY

POCATELLO, IDAHO

PLEASE BRING OR SEND THIS COMPLETE NOTICE WHEN PAYING TAXES.

Jack T. Christopherson
Mink Creek Rd.
Pocatello, Idaho

D 1648

11

Tr. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Tax 32 4.72 Ac.
Tr. SE $\frac{1}{4}$ SE $\frac{1}{4}$ Tax 33 21.44 Ac.
S19-T7S-R35E

DELINQUENT TAXES

1970	
1971	
1972	

**PERSONAL CHECKS ACCEPTED
SUBJECT TO BANK CLEARANCE**

All checks and drafts should be
made payable to:

VIVIAN CROZIER
Bannock County Tax Collector
P. O. Box 4626
POCATELLO, IDAHO 83201

1973

DISTRIBUTION OF CONSOLIDATED TAXES

CASH VALUE	COUNTY	GENERAL SCHOOL	CITY TAX	SCHOOL TAX	LIBRARY	CEMETERY	OTHER	EQUALIZED VALUE	TOTAL TAX
523		.67		4.23		.00		87	
	1.76		.00		.17		.41		7.24

PLEASE READ: You are hereby notified that the property described in this notice has been assessed in your name and certain taxes levied on said property as shown.

Please Do Not Lose or Destroy This Notice.

This becomes a receipt when properly validated and **MUST** be brought with you when paying taxes.

The fact that you did not receive a tax notice on any property that you may own does not excuse you from the penalty for non-payment.

PLEASE NOTIFY OF ANY CHANGE OF ADDRESS.

Concerning Section 63-1103, Idaho Code, the total assessed value on this Tax Notice is the same as the Taxpayer's Statement previously mailed by the Bannock County Assessor.

ELDERLY EXEMPTION		
TOTAL TAX		
PENALTY		
TAX+PEN.		
INTEREST		
COST		
TOTAL		

CASHIER'S RECEIPT. FIRST INSTALLMENT

MICROFILMED

CASHIER'S RECEIPT. SECOND INSTALLMENT

SEP 21 1999 PAID 03974 DEC 20 73

7241-

P

TAX NOTICE

BANNOCK COUNTY

POCATELLO, IDAHO

PLEASE BRING OR SEND THIS COMPLETE NOTICE WHEN PAYING TAXES.

Jack T. Christopherson
Mink Cr. Rd.
Pocatello, Idaho

D 1649

11

Tr. SE 1/4 SE 1/4 Tax 29 2 Acres
Tr. S 1/4 S 1/4 Tax 38 1.88 Acres
S19-17S-R35E

DELINQUENT TAXES

1970

1971

1972

**PERSONAL CHECKS ACCEPTED
SUBJECT TO BANK CLEARANCE**

All checks and drafts should be
made payable to:

VIVIAN CROZIER

Bannock County Tax Collector

P. O. Box 4626

POCATELLO, IDAHO 83201

1973

DISTRIBUTION OF CONSOLIDATED TAXES

CASH VALUE	COUNTY	GENERAL SCHOOL	CITY TAX	SCHOOL TAX	LIBRARY	CEMETERY	OTHER	EQUALIZED VALUE	TOTAL TAX
6,005	20.03	7.71	.00	48.51	1.93	.00	4.72	997	82.90

PLEASE READ: You are hereby notified that the property described in this notice has been assessed in your name and certain taxes levied on said property as shown.

Please Do Not Lose or Destroy This Notice.

This becomes a receipt when properly validated and **MUST** be brought with you when paying taxes.

The fact that you did not receive a tax notice on any property that you may own does not excuse you from the penalty for non-payment.

PLEASE NOTIFY OF ANY CHANGE OF ADDRESS.

Concerning Section 63-1103, Idaho Code, the total assessed value on this Tax Notice is the same as the Taxpayer's Statement previously mailed by the Bannock County Assessor.

ELDERLY EXEMPTION		
TOTAL TAX		
PENALTY		
TAX + PEN.		
INTEREST		
COST		
TOTAL		

CASHIER'S RECEIPT, FIRST INSTALLMENT

MICROFILMED

SEP 21 1999

CASHIER'S RECEIPT, SECOND INSTALLMENT

PAID 03975 DEC 20 73

82.90 - PAI

TAX NOTICE

BANNOCK COUNTY

POCATELLO, IDAHO

PLEASE BRING OR SEND THIS COMPLETE NOTICE WHEN PAYING TAXES.

Jack T. Christopherson
Mink Creek Rd.
Pocatello, Idaho

D 1672

11

Tr. SW $\frac{1}{4}$ SW $\frac{1}{4}$
Tax 88 3.92 Acres
S20-17S-R35E

DELINQUENT TAXES

1970	
1971	
1972	

PERSONAL CHECKS ACCEPTED SUBJECT TO BANK CLEARANCE

All checks and drafts should be
made payable to:

VIVIAN CROZIER
Bannock County Tax Collector
P. O. Box 4626
POCATELLO, IDAHO 83201

1973

DISTRIBUTION OF CONSOLIDATED TAXES

CASH VALUE	COUNTY	GENERAL SCHOOL	CITY TAX	SCHOOL TAX	LIBRARY	CEMETERY	OTHER	EQUALIZED VALUE	TOTAL TAX
1,058		1.36		8.56		.00		176	
	3.55		.00		.34		.83		14.64

PLEASE READ: You are hereby notified that the property described in this notice has been assessed in your name and certain taxes levied on said property as shown.

Please Do Not Lose or Destroy This Notice.

This becomes a receipt when properly validated and **MUST** be brought with you when paying taxes.

The fact that you did not receive a tax notice on any property that you may own does not excuse you from the penalty for non-payment.

PLEASE NOTIFY OF ANY CHANGE OF ADDRESS.

Concerning Section 63-1103, Idaho Code, the total assessed value on this Tax Notice is the same as the Taxpayer's Statement previously mailed by the Bannock County Assessor.

ELDERLY EXEMPTION		
TOTAL TAX		
PENALTY		
TAX + PEN.		
INTEREST		
COST		
TOTAL		

CASHIER'S RECEIPT, FIRST INSTALLMENT

CASHIER'S RECEIPT, SECOND INSTALLMENT

SEP 21 1999

PAID 03973 DEC 20 73

14641-

Lawyers Title Insurance Corporation

A Stock Company
Home Office - Richmond, Virginia
STANDARD COVERAGE POLICY

ORDER NO. 1-13742-V

SCHEDULE A

AMOUNT

\$20,000.00

EFFECTIVE DATE

FEBRUARY 22, 1972
4:20 PM

INSURED

JACK T. CHRISTOPHERSON AND JANET A. CHRISTOPHERSON, HUSBAND AND WIFE

1. The title to the **FEE SIMPLE** estate or interest in the land described below is at the date hereof vested in:

JACK T. CHRISTOPHERSON AND JANET A. CHRISTOPHERSON, HUSBAND AND WIFE

2. The land referred to in this policy is described as follows:

A TRACT OF LAND IN SECTIONS 19, 20 AND 30, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST 1/16 LINE OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M., THAT IS NORTH 170.00 FEET FROM THE EAST 1/16 CORNER ON THE NORTH LINE OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M., THENCE NORTH ON THE EAST 1/16 LINE OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M., TO THE SOUTH 1/16 LINE OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M.; THENCE EAST ALONG THE SOUTH 1/16 LINE OF THE SOUTH 1/16 CORNER BETWEEN SECTION 19 AND 20, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M.; THENCE SOUTH 38°45' EAST, 637.93 FEET, MORE OR LESS, ALONG THE SOUTH 1/16 LINE OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M., TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF MINK CREEK ROAD; THENCE SOUTH 41°42' WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE 412.32 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,904.79 FEET AND A CENTRAL ANGLE OF 12°46'; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE OF SAID CURVE 167.08 FEET; THENCE NORTH 55°36' WEST, 553.40 FEET; THENCE SOUTH 36°25' WEST, 199.36 FEET; THENCE NORTH 55°35' WEST, 47.74 FEET; THENCE SOUTH 34°24' WEST, 280.00 FEET; THENCE SOUTH 55°36' EAST, 701.14 FEET, MORE OR LESS, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF MINK CREEK ROAD, SAME BEING THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 29°58' WEST, ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF MINK CREEK ROAD 380.00 FEET, MORE OR LESS, TO A LINE THAT IS 170.00 FEET NORTH AND PARALLEL TO THE NORTH LINE OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M.; THENCE WEST ON A LINE THAT IS 170.00 FEET NORTH AND PARALLEL TO THE NORTH LINE OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 35 E., B. M., 1,109.52 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTINUED

Countersigned
AMERICAN LAND TITLE COMPANY, INC.

Issued at: BOCA RATON, FLA.

Page 1 of Sched. A-Pol No. **T 986941**

ORIGINAL

MICROFILMED
SEP 21 1999

Lawyers Title Insurance Corporation

A Stock Company

Home Office - Richmond, Virginia

SCHEDULE A - cont'd.

EXCEPT: A STRIP OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 35 E. B. M., SAID STRIP OF LAND BEING 60 FEET WIDE THE CENTER LINE OF WHICH IS ALONG THE CENTER OF AN EXISTING ROADWAY AND IS DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST 1/16 CORNER OF SAID SECTION 19; THENCE SOUTH ALONG THE EAST 1/16 LINE OF SAID SECTION 19, 525.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 53° 22' EAST 158.0 FEET; THENCE NORTH 80° 22' EAST 158.0 FEET; THENCE SOUTH 87° 38' EAST 337.0 FEET; THENCE SOUTH 77° 39' EAST 236.0 FEET; THENCE SOUTH 60° 52' EAST 215.0 FEET TO THE POINT OF WAY BOUNDARY LINE OF THE BANNOCK HIGHWAY...

THIS STRIP OF LAND IS FOR A ROAD — DEEDED
TO JACK & JANET CHRISTOPHERSON IN ACOMPANYING
DEED — THEN DEEDED TO BANNOCK COUNTY.
FOR A PUBLIC ROAD —

1990

... **CONVEYERS** ...

1. WILLIAM J. BROWN, JR., 1115 S. 10TH ST., APT. 10, DENVER, CO. 80202

[illegible]

and that he will support and defend the same from all lawful claims whatsoever.

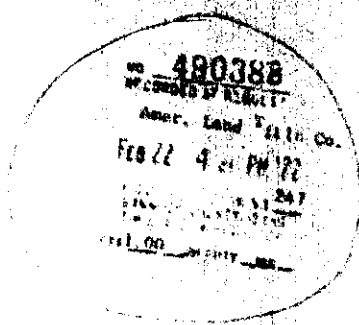
February 18, 1972.

Joseph W. Loomis

STATE OF IDAHO, COUNTY OF ADAMS
 on this 21st day of February, 1978
 before me, a Notary Public for and the said State, personally
 appeared _____
 known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to
 me that he executed the same for the purposes and
 consideration therein expressed.

[Signature]

Notary Public
 My Commission Expires _____
 Idaho



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2009 BY 60322

original Sent to Vernon For = 8

WARRANTY DEED

For Value Received VERNON McPHERSON and EDNA McPHERSON,
husband and wife ,

the grantor , do hereby grant, bargain, sell and convey unto JACK T. CHRISTOPHERSON
and JANET A. CHRISTOPHERSON, husband and wife, 269 Fairway Dr.,

Pocatello, Idaho

the grantees , the following described premises, in Bannock County Idaho, to-wit:

A strip of land in the Southeast quarter of the
Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Nineteen
(19), Township 7 South, Range 35 F.B.M., said
strip of land being 60 feet wide the center line
of which is along the center of an existing road-
way and is described as follows, to-wit:

Commencing at the Southeast 1/16 corner of said
Section 19; thence South along the East 1/16 line
of said Section 19 598.0 feet to the true point of
beginning; thence N 53° 22' E 144.0 feet; thence
N 80° 22' E 168.0 feet; thence S 87° 38' E 280.0
feet; thence S 54° 08' E 337.0 feet; thence S 77°
30' E 236.0 feet; thence S 60° 52" E 215.0 feet to
the Westerly right of way boundary line of the
Bannock Highway.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee s, that the y the owner s in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

STATE OF IDAHO, COUNTY OF

On this day of , 19 ,
before me, a notary public in and for said State, personally
appeared

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

Notary Public
Residing at , Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at minutes past o'clock m.,
this day of ,
19 , in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By

Deputy.

Fees \$
Mail to:

INSTRUMENT No.

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

AUG 17 1987

Department of Water Resources
Eastern District Office

Sandra K. Herald

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 29-0275B

Notice is hereby given that Jack T. Christopherson, Mesa, Arizona, has applied to the Department of Water Resources for a change in the point of diversion of water from Mink Creek tributary to Portneuf River. The right sought to be changed is evidenced by decree to Arthur Say in case of Smith, Admin. vs. City of Pocatello, et al, dated 6-5-1926 in 5th District Court County of Bannock and is recorded as follows:

AMOUNT: 1.50 cfs

PRIORITY: September 7, 1904

POINT OF DIVERSION: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T.7S

R. 35E, B.M., Bannock County

The water is used to irrigate lands within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7S, R. 35E.

TO BE CHANGED AS FOLLOWS

Only 0.23 cfs of the water will be diverted from a spring tributary to Mink Creek within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 7S, R. 35E and used for domestic purposes and irrigation of 24 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 7S, R. 35E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before August 24, 1987.

S/Norm Young
Acting Director
August 6, 13, 1987
No. 720

being first duly sworn on oath deposes and says: That she
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:

<u>August 6</u>	<u>19 87</u>	<u>19</u>
<u>August 13</u>	<u>19 87</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>
<u> </u>	<u>19</u>	<u>19</u>

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.

Sandra K. Herald

Subscribed and sworn to before me this 14th

day of August, 1987.

Julie L. Larsen

Notary Public, State of Idaho

Residence: Pocatello, Idaho

MICROFILMED

SEP 2 1987

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Members of Mink Creek Irrigation Corporation (See Exhibit "A", attached)
Post office address c/o Neil Gardner, Mink Creek Road, Pocatello, Idaho
2. Right obtained by:
- a. Decree to Arthur Say (SAY) in Case of Sam B. Smith, et. al.
vs. City of Pocatello (Name), Dated 6-5-26 in _____ District
(Name of Court)
Court. County of Bannock 29-0275
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Mink Creek tributary to Portneuf
(Name of stream or source)
4. Date of Priority 9-7-04
5. Amount of water a. 1.1/2 c.f.s. and/or 75 miners inches
b. _____ acre feet/annum
6. Water is used for pasture irrigation from April 15 to September 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE 1/4 SE 1/4 of Section 19,
Township 7 South, Range 35 East, B.M., in Bannock County,;
~~ADDITIONAL POINT OF DIVERSION~~ which is the decreed point of diversion but
which water is actually diverted to an irrigation canal at SW 1/4 SW 1/4,
Section 32, Township 7 South, Range 35 East B.M.
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 S.	35 E.	19																X	

(See Exhibit "B" hereto attached)

Total number of acres presently irrigated _____

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See Attached
Exhibit "B"

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

MICROFILMED

9. If applicant was not the original holder of this right explain how it was acquired:_____

Rights acquired by transfer from Arthur Say

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 1.1/2 c.f.s. and/or 75 min. inches acre feet

b. New point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29, Township 7
South, Range 35 E., B.M.

c. Description of method of diversion and conveyance from new points of diversion: Pumped from creek through pipes to irrigation ditch for distribution or sprinkling system

d. Is water to be conveyed to the lands previously irrigated? Yes X No .

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

The present point of diversion is several miles upstream and travels through irrigation ditch that goes across roads through private property and presents hazards during time of irrigation. The new point of diversion would eliminate this water transportation through the ditch.

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? Yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated. (See Exhibit "B")

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right. No new lands

[illegible]

Total number of acres to be irrigated_____

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

See above

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: See above

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

MINK CREEK IRRIGATION CORPORATION

By: [Signature]

(signature of applicant)

President

Subscribed and sworn to before me this 21st day of February, 19 73

[Signature]
(notary public)

My commission expires 2-15-76

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 29-0275,

and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. This transfer is subject to a reduction for conveyance loss from the former to the new point of diversion; said loss to be determined by the Department based upon measurements to be made during the 1973 irrigation season.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2nd day of May, 19 73

[Signature]
Director

Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by BA Date 2-22-73

Protest filed by: _____ Date _____

Prelim. check by NCY Date 3-2-73

Fee received by BA Date 3-2-73 Fee \$ 30.00 # 7108

Approved for publication by NCY - 3/2/73

Published in Journal State Dates 3-8-73 + 4-5-73

Pub. approved by 4/26 RWS

Hearing held _____

Watermaster Recommendation sent 4-16-73

Publication
app'd 4/20/73 NCY

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 20 day of Dec., 1972.

Neil Gardner
Husband

Carrie Lee Gardner
Wife

C. A. Ward
Witness

W. H. H. H. H. H.
Witness

RECORDED

EXHIBIT "A"

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 15th day of January, 1973

Robert M. Baker
Husband

(none)
Wife

Ray Gardner
Witness

William Ferguson
Witness

RECORDED

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 22nd day of Jan, 1973

H. Wallace Hingand
Husband

L. Verna H. Hingand
Wife

Ray C. Bradner
Witness

Gale L. Bell
Witness

RECORDED

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 20th day of December, 1972.

Frederic D. Hymn
Husband

Bertina D. Hymn
Wife

C. A. Lewis
Witness

H. W. C. C. C.
Witness

Pl - 25⁰⁰

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 20 day of DECEMBER, 1972.

Arthur J. Henriksen
Husband

Barbara J. Henriksen
Wife

C.A. Lward
Witness

Harold Gardner
Witness

Pd - 25⁰⁰

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 20 day of Dec., 1972

Ralph M. Keller
Husband

Jean E. Keller
Wife

C. A. Seward
Witness

Harold Gardner
Witness

Paid 37⁵⁰

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 6 day of January, 19 13.

Harry D. Williams
Husband

Mary Ellen Williams
Wife

W. Wallace Wagoner
Witness

Henry Gardner
Witness

pd - 25-00

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 23 day of Dec, 19 72

Kenneth E. Olason
Husband

Lila C. Olason
Wife

C. A. Sward
Witness

W. J. Gardner
Witness

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 3 day of January, 1973.

Wayne T. Cottle
Husband

Heraldine J. Cottle
Wife

Harold Chandler
Witness

William H. Hargan
Witness

RECORDED

money 1st of the yr.

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this _____ day of _____,

Lionel H. Bell
Husband

Adna L. Bell
Wife

Harold Gardner
Witness

William H. Hargrave
Witness

Pl - 3750

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this Dec day of 20th, 1972

CA Sward
Husband

Lara Sward
Wife

Harold Gardner
Witness

Walter H. Hays
Witness

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 26th day of December, 1972

Gale Bell
Husband

Thelma Bell
Wife

Walter Hengeman
Witness

Ray Gardner
Witness

RECORDED

TO: The Officers and Directors of
Mink Creek Irrigation Corporation

Gentlemen:

This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this 3rd day of January, 1973

B. B. Tanner
Husband

Raylene K. Tanner
Wife

Ray E. Gardner
Witness

H. Wallace Hargrett
Witness

RECORDED
INDEXED

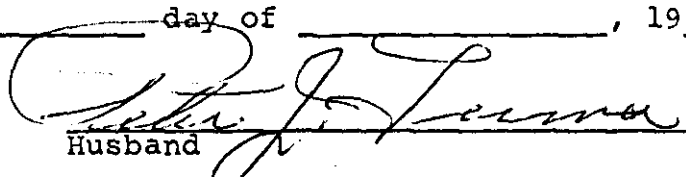
TO: The Officers and Directors of
Mink Creek Irrigation Corporation

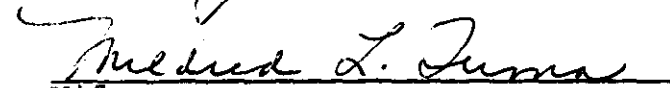
Gentlemen:

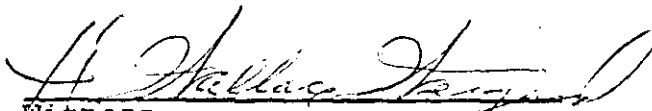
This is to authorize Mink Creek Irrigation, a non-profit corporation, to make application to the Water Resource Board, State of Idaho, for change of point of diversion of my water right which we derived from Arthur Say, decree recorded in Book 5, Page 78, Fifth Judicial District, Bannock County, Idaho, on June 6, 1926, to a point downstream at the southerly border of the Gale L. Bell property which is the southerlymost portion of the real property to which the said Arthur Say water right applies. From the new point of diversion, water is to be pumped to an irrigation ditch or canal for distribution.

We will be members of the Mink Creek Irrigation Corporation, and as such, will comply with all reasonable rules, regulations and assessments for the diversion construction, pumping and maintenance of said water as may be set forth by the By-Laws and Directors of the Mink Creek Irrigation Corporation.

Dated this _____ day of _____, 19____.


Husband


Wife


Witness


Witness

E. Hayden

Joseph Munn

Cecil R. Dodge

Arthur Say

Lynne R. Holladay

Arthur J. Hamilton

Jack T. Christopherson

Elvis O. Hart

Robert C. Johnson

Wm. M. Johnson

Max Clare Armstrong

Lee Lloyd

Garry E. Myler

Edward R. Dewey

Vernon D. Permann

Arthur J. Hamilton

Thomas E. Eisen

Roy L. Andrews

Charles Sudweeks

Richard S. Browning

Troy L. Lacey

Mary Lee McKee

Koyle G. Matkin

Leland Raymond

Robert M. Baker

Bob R. Tonner

Gardner

Paul J. Turner

Paul Freckleton

Willard Ellessen

George Wood

Odell Madsen

Naomi Stanger

Ted Bollwinkel

Harry

Charles A. S.

Ralph M.

Bob R. Tonner

Arthur Henriksen

Fred Kew

Lee

Lee

Lee

Go

Proposed point of Diversion (approx)

Fraziers Inc.

James S.

Alice H. Anderson

Joel A. Anderson

Kenneth Chaney

Robert Davis

Kenneth Chaney

James F. Cullen

O.G. Myler

Thomas E. Edgar

Rex C. Freckleton

Lee A. Richardson

Neal W. Freckleton

Travis L. Brown

Lee A. Richardson

J. H. Mc

Present Point of Diversion - approx

31

32

EXHIBIT "B"

Wm B. Smith et al

SOURCE Mink Creek & Campbell Creek

PAGE

VS.

WATER DIST. 29-C

COUNTY Blaine

City of Pocatello et al

JUDICIAL DIST. 5

JUDGE O. R. Dunn

DATE OF DECREE 6-5-26

RECORDED IN BOOK NO. 5 AT PAGE NO. 78

FILE NO. 178-1

CH.	CR.	LEGREED OWNER	NAME	PRESENT OWNER	AMT. INCHES	PRIORITY	DIVERSION	REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
23	263	W. B. Smith Est.			10.	2-26-63	center 20 7 S. 3SE	NE 1/4, NW 1/4, SW 1/4, 17, SW 1/4, SW 1/4 8 T 7S-R35 E	10.
23	265	Blairhorn Dairy & Livestock Co.			15.	"	"	SE 1/4, NE 1/4, E 1/2 SW 1/4 17	25.
23	267	Joseph Murn			5.	"	"	SE 1/4, NE 1/4 18. N 18 A. of SW 1/4, NW 1/4 17	30.
23	268	Wm. H. Edwards			20.	"	"	N 1/4, NW 1/4 18	50.
23	271	City of Pocatello			161.1	"	At a point 36383 ft. 728.364 from E. corner 3.15-92-34 E.	Municipal purposes	211. 1.
23	276	Big Elk Indian Allotment			58.71	"		Plus one additional inch of water for each additional acre added to the present irrigated area ----- which is 97.17 acres.	239. 8
23	278	Moine			37.46	"		See above.	307. 26
23	278	City of Pocatello			28.	10-1-01	See Above.		308. 20
23	278	James S. Campbell		✓	70.	6-17-02	Mink Creek and Campbell Cr. (H.D. in)	SE 1/4, NE 1/4, E 1/2 SE 1/4 30, NE 1/4 Sec. 31, T. 7S.-R. 35 E. NW 1/4, S. 31-7S.-3SE.)	415. 26
23	284	W. B. Smith Est.			44.65	7-21-12	Center 20 7 S. 35E.	See above.	459. 91
23	286	Blairhorn Dairy and Livestock Co.			47.22	"	"	" "	507. 13
23	288	Joseph Murn			26.98	"	"	See above.	534. 11
23	270	Wm H. Edwards			31.53	"	"	" "	553. 64
23	275	Arthur Say (SAY)			75.	2-7-04	SE 1/4, SE 1/4 19	SE 1/4, SE 1/4 19, NE 1/4, NE 1/4 30, NW 1/4 29, SW 1/4, SE 1/4 20.	510. 04
23	276	W. F. Galloway			20.	2-7-07	SW 1/4, SE 1/4 20	NE 1/4, SE 1/4, NW 1/4, SE 1/4 20	600. 04
23	277	J. H. McKinnon			12.	7-10-10	NE 1/4, SE 1/4 31	SE 1/4, NE 1/4, SE 1/4, NE 1/4, SE 1/4 31	572. 64
23	270	City of Pocatello			60.9	10-1-17	See Above.	See above.	733. 54

PROOF OF PUBLICATION

RECEIVED

MAR 19 1973

Department of Water Administration
Eastern District Office

STATE OF IDAHO }
County of Bannock } ss.

Arleen Turner

being first duly sworn on oath deposes and says: That she 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:

March 8	1973	19
March 15	1973	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.

Arleen Turner

Subscribed and sworn to before me this 15th day of March, 1973.

Bella L. Leonard

Notary Public, State of Idaho
Residence: Pocatello, Idaho

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

Arleen Turner, that
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March 8, 15, 1973
No 116

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 29-0275

Notice is hereby given that Members of Mink Creek Irrigation Corporation, c/o Neil Gardner, Mink Creek Road, Pocatello, Idaho, have applied to the Dept. of Water Administration for a change of the point of diversion of the waters of Mink Creek, tributary to the Portneuf River. The right sought to be changed is evidenced by decree to Arthur Say in the case of Sam B. Smith, et al, vs. the City of Pocatello, dated June 5, 1926 in the District Court of Bannock County and is recorded as follows:

Amount: 1.5 cfs
Priority: September 7, 1994
Decreed Point of Diversion:
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3S, R. 35E, B.M., Bannock County

The water is used for irrigation purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 7S, R. 35E, B.M.,

TO BE CHANGED AS FOLLOWS
The water will be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7S, R. 35E, B.M., Bannock County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, 240 South Holmes Ave., Idaho Falls, Idaho, 83401, on or before March 26, 1973.

R. KEITH HIGGINS
Director
March 8, 15, 1973
No 116

_____ *Arden Gardner* _____

being first duly sworn on oath deposes and says: That *Arden Gardner* 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:

_____ *Arden Gardner* _____, 1973
_____ *Arden Gardner* _____, 1973
_____, 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.

_____ *Arden Gardner* _____

Subscribed and sworn to before me this 15th _____ day of *March*, 1973.

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

R E

MAR 21 1973

Arleen Turner

Department of Labor Administration
Pocatello, Idaho

being first duly sworn on oath deposes and says: That she 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.

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March 8, 1973	19.....
March 15, 1973	19.....
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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.

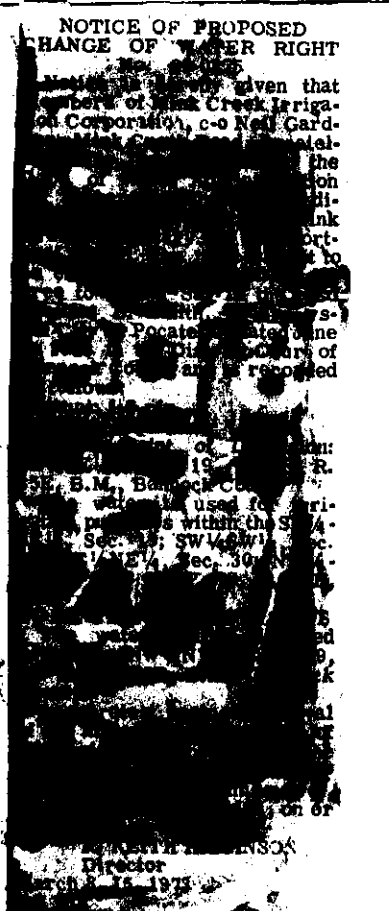
Arleen Turner

Subscribed and sworn to before me this 15th

day of March, 1973.

Arleen Turner

Notary Public, State of Idaho
Residence: Pocatello, Idaho



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 29-0275

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Amount: 1.5 cfs
Priority: September 7, 1904
Decreed Point of Diversion:
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 7S, R. 35E, B.M., Bannock County

The water is used for irrigation purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 7S, R. 35E, B.M.

TO BE CHANGED AS FOLLOWS

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R. KEITH HIGGINSON
Director

March 8, 15, 1973
No 116

Arleen Linn

being first duly sworn on oath deposes and says: That she 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:

March 15, 1973

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March 16, 1973

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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.

Arleen Linn

Subscribed and sworn to before me this 15th

day of March, 1973.

Notary Public, State of Idaho

Residence: Pocatello, Idaho

PROOF OF PUBLICATION

DECE

STATE OF IDAHO
County of Bannock

ss.

Arleen Turner

APR 1973
Department of Water
Eastern District
Notary Public

NOTICE OF CORRECTION
Notice is hereby given that Application for Transfer No 29-0275 in the name of Members of Mink Creek Irrigation Corporation was advertised incorrectly on March 8 and 15, 1973. The place of use was advertised as being within the SE 1/4 SE 1/4, Sec. 19; SW 1/4 SW 1/4, Sec. 20; NE 1/4 NE 1/4, Sec. 30; NW 1/4 NW 1/4, Sec. 31, T. 7S, R. 35E, B.M.;

WHEREAS, the actual place of use is within the SE 1/4 SE 1/4, Sec. 19; SW 1/4 SW 1/4, Sec. 20; NE 1/4 NE 1/4, Sec. 30; NW 1/4 NW 1/4, Sec. 29, T. 7S, R. 35E, B.M.

Any protests against the granting of this transfer as a result of this correction must be filed with the Idaho Department of Water Administration, 240 South Holmes Avenue, Idaho Falls, Idaho, 83401, on or before April 23, 1973.

R. KEITH HIGGINSON
Director

April 5, 12, 1973
No. 165

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:

_____ April 5, 1973. _____, 19____
_____ April 12, 1973. _____, 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.

Arleen Turner

Subscribed and sworn to before me this _____ 12th

day of _____ April _____, 1973.

Reula L. Lindmark

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Bannock } ss.

NOTICE OF CORRECTION
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R. KEITH HIGGINSON
Director
April 5, 12, 1973
No. 165

Arlene Turner

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Subscribed and sworn to before me this 12th day of April, 1973.

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

R E

MAR 20 1973

Arleen Turner

Department of Water Resources
Pocatello, Idaho

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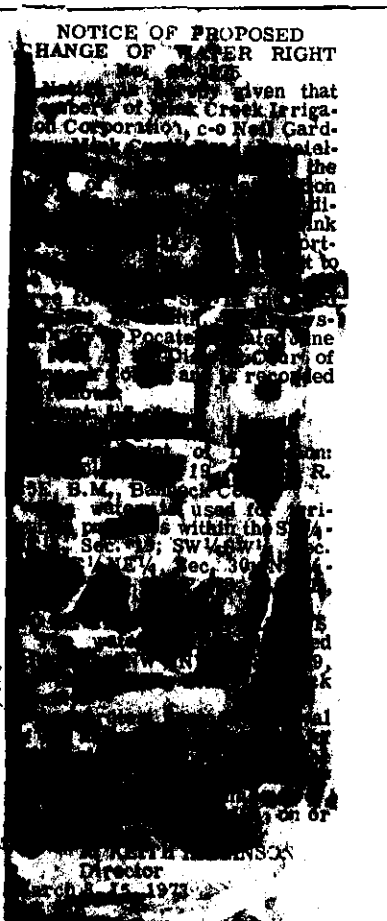
Arleen Turner

Subscribed and sworn to before me this 15th

day of March, 1973.

Notary Public, State of Idaho

Residence: Pocatello, Idaho



PROOF OF PUBLICATION

RECEIVED
APR 1973
Department of Water
Eastern District
she

STATE OF IDAHO
County of Bannock

ss.

Arleen Turner

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WHEREAS, the actual place of use is within the SE 1/4 SE 1/4, Sec. 19; SW 1/4 SW 1/4, Sec. 20; NE 1/4 NE 1/4, Sec. 30; NW 1/4 NW 1/4, Sec. 29, T. 7S, R. 35E, B.M.

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R. KEITH HIGGINSON
Director

April 5, 12, 1973
No. 165

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Arleen Turner

Subscribed and sworn to before me this 12th

day of April, 1973.

Della L. Landford

Notary Public, State of Idaho
Residence: Pocatello, Idaho

INTER-DEPARTMENT MEMO

TO: Vault, Pam, Colan

RECEIVED

SUBJECT: Tr. applic. 3348FROM: H.W. Jones

SEP 10 1999

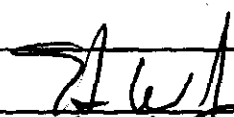
DATE: 9-1-99

Department of Water Resources

As you can see from the preliminary order, I am recommending voiding the applic. for transfer. The applicant received the order on 8-11-1999 & has not responded as of this date.

MICROFILMED

SEP 21 1999

☐ For your information☐ Response required
signature

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JACK CHRISTOPHERSON
1022 E SORENSEN
MESA AZ 85203

4a. Article Number

Z 555 922 134

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

7. Date of Delivery

8-11-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

Jack Christopherson

8. Addressee's Address and fee is paid)



PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

SEP 21 1999
MICROFILMED

Transfer #3348

RECEIVED

AUG 17 1999

Department of Water Resources
Eastern Region

20



RECEIVED
MAY 1 1998
Department of Water Resources
Eastern Office

May 6, 1998

Mr. Harold Jones
Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

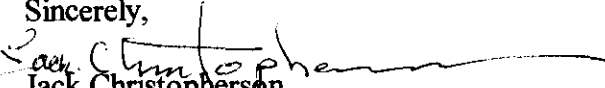
Mr. Jones:

In reference to your letter dated January 12, 1997 (should have been 1998, as I received it on January 17, 1998). When I called you by phone in February, you gave me an extension into mid March, for responding to a possible date that I could be in Idaho for a hearing into my water rights. In mid March I called again and you were unavailable at the time, so I talked with Mr. Earnie Carlson, who said he would advise you that I would be available the middle week in June, 1998, for the hearing. Mr. Carlson, indicated you would get back to me with a firm date.

I now find that my travel plans should make me available in Pocatello, between June 18, and June 23, 1998. Please advise me when this hearing can be scheduled.

Thank you for your help and patience in this matter.

Sincerely,


Jack Christopherson

1022 E. Sorenson
Mesa, AZ 85203

work phone 602 640-2433 home 602 980-0226

890

MICROFILMED
SEP 21 1999

April 23, 1998

RE: In the Matter of Application for Transfer #3348 in the
name of Jack Christopherson

Dear Interested Party:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243 (3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

AND TO COMED

SEP 21 1999

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246 (5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

RECEIVED
SEP 21 1959

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of this order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



RONALD D CARLSON
Eastern Regional Manager

RDC:sc

MAILED 1121

SEP 21 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

January 12, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jack Christopherson
1022 E. Sorenson
Mesa AZ 85203

RE: Notice of Intent to Void Application for Transfer #3348

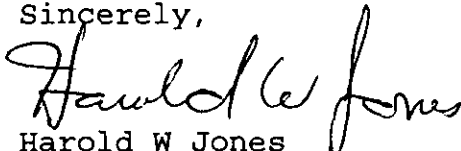
Mr. Christopherson:

It have been 10 years since you filed transfer application #3348 (Protested) on a spring tributary to Mink Creek for Domestic use. We have corresponded several times with no resolution apparent for this application.

I need you to either withdraw the application or give me a set of dates for the months of March, April or May of 1998 that you will be available for a formal hearing before a department hearing officer on this matter. The hearing will be held in Pocatello, ID.

I will need a response in writing within ^{60 days} ~~30~~ days of receipt of this letter or and Order to Void Application will be sent.

Sincerely,


Harold W Jones
Water Rights Supervisor

Enclosure

HWJ:sc

UNRECORDED

SEP 21 1999

January 16, 1996

Jack Christophenson^r
1022 E Sorenson
Mesa, AZ 85203

Mr. Christophenson^r:

I have talked to the Mink Creek Utility Association through Scott McButch and they indicate no interest in pursuing transfer 3348. Since they now have a well which supplies the system the spring is not being used.

I've enclosed a transfer withdrawal form for you to sign and return to me so I can finally clear this record.

Sincerely,

Harold W Jones^y
Water Rights Supervisor

HWJ:sc
^W

MAILED

SEP 21 1999

February 4, 1992

F. Randall Kline
PO Box 397
Pocatello, ID 83204

Mr. Kline:

I received your letter of January 20, 1992 referencing the application for transfer made by Jack Christoperson on a portion of water right 29-0275. Currently, Mink Creek Utility Association, Inc. has filed a claim in the SRBA on that portion of Right 29-0275 identified in the application for transfer.

Section 42-1416A, Idaho Code states in part that; (1) If any person entitled to the use of water has made a change in point of diversion, place of use or nature of use of all or part of the water... prior to entry of an order commencing a general adjudication pursuant to Section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is not required to be filed pursuant to section 42-222, Idaho Code...

It appears that the use of the water for domestic purposes from the spring took place prior to November 19, 1987 which is the date of the order commencing a general adjudication for the Snake River basin. I am inclined at this point to recommend that this claim be handled through the District Court and the SRBA.

A findings of fact, recommendation and protest ability would evolve when Basin 29 comes up for review. I have talked to our adjudication staff and they feel this is a viable way to handle the claim.

If you have any questions about this, please give me a call.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

NOT RECORDED
SEP 21 1993

The Law Offices of

F. Randall Kline, Chartered

A Professional Corporation

January 20, 1992

P.O. Box 397
427 N. Main, Suite L
Pocatello, Idaho 83204
Telephone (208) 232-9007

Ron D. Carlson
Eastern Regional Manager
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

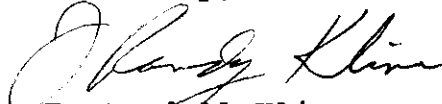
Re: Application of Jack T. Christopherson
Application No.: 29-0275B

Dear Mr. Carlson:

Inquiry is made into the current disposition of application number 29-0275B, the application of Jack T. Christopherson for utilization of an unnamed stream in Bannock County, Idaho. This matter came on for review on or about November 3, 1987, and the issue was continued thereafter. Additionally, Mr. John B. Kugler, attorney for the applicant, requested that the hearing be deferred for a period of one year.

On behalf of my clients, we request that if the matter has not already been dismissed that it be dismissed. In any event please advise as to the current status and disposition of this matter.

Sincerely,



F. Randall Kline

FRK:kld

cc: James Shaw

RECEIVED

JAN 23 1992

Department of Water Resources
Eastern District Office

NOTED

SEP 2 1999

JOHN B. KUGLER
1156 East Center Street
P.O. Box 4943
Pocatello, ID 83205-4943
Tel. (208) 233-6234

Attorney for Applicant

RECEIVED

JAN 8 1988

Department of Water Resources
Eastern District Office

COPY

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In Re: Application of Jack T.)
Christopherson)

Application No. 29-0275B)
_____)

NOTICE OF APPEARANCE
AND REQUEST FOR DEFERMENT

COMES NOW John B. Kugler, an attorney at law, whose correct mailing address and telephone number is set forth above, and does hereby give notice of appearance in the above entitled proceeding on behalf of and as attorney of record for the applicant, Jack T. Christopherson.

The applicant, Jack T. Christopherson, by and through his attorney, hereby requests deferral of hearing on protests in the above proceeding for a period of one year, on the grounds and for the reason that, in informal conference, it had been discussed and determined that collection of water flow data was desirable and will be of import in this proceeding.

JOHN B. KUGLER

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was served upon F. Randall Kline, P.O. Box 4758, Pocatello, ID 83205, and upon Ernest Carlsen, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, ID 83402, by U.S. Mail, postage prepaid, this 7th day of January, 1988.

SEP 21 1988

JOHN B. KUGLER



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 10, 1987

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

RE: Transfer Application # 29-0275B
Deferral of Hearing

Mr. Jack T. Christopherson
1022 East Sorenson
Mesa, AZ 85203

Dear Mr. Christopherson:

This letter will serve to confirm a decision to defer scheduling a hearing for the above captioned transfer application. This action is based on your request for additional time to monitor the quantity of water flowing from the spring in question.

You indicated the members of Mink Creek Mountain Estates had discussed collection of this data for a period of one year. Since there has been no formal proposal, the granting of your verbal request is contingent upon a written request being submitted to the Department. This request should state what will be done and how much time will be needed.

To continue deferment of the hearing, the study request must be submitted within 30 days of the date to this letter. At the end of this period, if the request has not been received, this office will commence action to promptly schedule the hearing.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:cw

cc: F. Randall Kline
Scott Schiers

bc: Bob Fleenor

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SEP 21 1999

LAW OFFICES

WARD, MAGUIRE, BYBEE & KLINE

353 E. LANDER
P.O. BOX 4758
POCATELLO, IDAHO 83205-4758
(208) 232-5167

MARTIN R. WARD
DAVID H. MAGUIRE
D. KIRK BYBEE
F. RANDALL KLINE

RECEIVED

DEC 9 1987

Department of Water Resources
Eastern District Office

FORMERLY
MAGUIRE, WARD,
MAGUIRE & BYBEE

HUGH C. MAGUIRE, JR.
OF COUNSEL

December 8, 1987

Ernest Carlsen
Water Rights Supervisor
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

RE: TRANSFER APPLICATION 29-0275B, Jack Christopherson

Dear Mr. Carlsen:

We have received your letter of November 27, 1987. Although we have not reached a resolution of the matter, we wish to continue to have the lines of communication open in an attempt to resolve the water dispute.

With regard to your request for the hearing tentatively set for December 14, 1987, I must respectfully request that another date following that be chosen. I have conflicts on December 14, 1987, which would prevent my participation. If other dates are available, please advise.

Sincerely,

Randy Kline
F. RANDALL KLINE

FRK (ah)
1444E

cc: Dr. & Bonnie Shaw

MC-10-1121
SEP 21 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

November 27, 1987

F. Randall Kline
Ward, Maquire, Bybee & Kline
P.O. Box 4758
Pocatello, Idaho 83205-4758

RE: Transfer Application 29-0275B, Jack Christopherson

Dear Mr. Kline:

Enclosed for your records is a copy of the attendance roster for the administrative conference held on November 16, 1987, to consider the protest of your client in the above captioned matter.

This conference was continued so the parties may evaluate the premise and desirability of the transfer, plus explore a possible settlement. I am proceeding with scheduling the administrative hearing to prevent needless delay should negotiations fail to result in an agreement. The hearing is tentatively set for December 14, 1987.

Please notify this office if an agreement is likely or if there are extenuating circumstances conflicting with a hearing on this date.

Respectfully submitted,

A handwritten signature in cursive script, reading "Ernest Carlsen", is written over the typed name.

Ernest Carlsen
Water Rights Supervisor

dg
Enclosure
cc Jack Christopherson
James F. Shaw
Thomas C. Schiers

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SEP 21 1989

29-0275 B-

16 Nov. '87

counsel
protestant. Randall Kline, attorney representing Shaw's.
app. Jack Christopherson.
protest James Shaw
protest. Bonnie Shaw.

Christopherson - installed present water system in 1977, to supply water to Mink Creek Mountain Estates. All water for subdivision is diverted from spring used for domestic and irrigation of lawns around homes. Now has 10 homes on system. started with 2 in 1977. System consists of two 125,000 gal tanks. = 25,000 gals.

Shaw - p.d. about 1 mile below spring. In August, 1982 stream reaching Shaw property measured .1578 cfs.

Dennis Frazier irrigated old orchard starting in 1946.

Issues - Expansion & potential loss through none use.

- How many acres were irrigated above road
- No measurements of spring flow.

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SEP 21 1999

Parties agreed to continue conference so a more thorough study of the spring flows can be conducted and the parties ~~also~~ possibly negotiate a minimum flow to be left in the spring. If negotiations fail, consider scheduling a hearing for Dec 14.th

Send copy of hearing roster to Randall Kline.

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SEP 21 1999

T 29-0275B - CHRISTOPHERSON

Conference Room, Pocatello Municipal Airport
Pocatello, Idaho

Monday, November 16, 1987 - 10:00 a.m.

ROSTER OF ATTENDANCE

Hearing Officer: _____

Name	Representing	Address
Eric P. Bilinski (MINK CREEK HOMEOWNER)		9167 CINNAMON RIDGE
THOMAS C. SCHIERS (MINK CREEK HOMEOWNER)		9416 W. AUTUMN LANE
Scott MacButch (MINK CR. HOMEOWNER)		2201 NO. JANA LANE
Alvin Flogan		Flogan Inc.
Harold Kline	Shaw's	353 E. Jarden Pocatello, Idaho 83204 P.O. Box 8758
Jack CHRISTOPHERSON	Self.	1022 E. Sorenson. Mesa, Az 85203
Bonnie Shaw	Self	2092 N. Mink Creek
James F. Shaw	"	"
Ray Gardner		1225 Colina

FILED

SEP 21 1987

November 9, 1987

Pocatello Municipal Airport
Cattle Baron Restaurant
ATTN: Cliff
P.O. Box 1021
Pocatello, ID 83201

Gentlemen:

This is to confirm the use of the Conference Room in the Pocatello Airport for a water right conference to be held by this Department on Monday, November 16, 1987, beginning at 10:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED

SEP 21 1988

NAME AND
ADDRESS
OF SENDERDEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

Indicate type of mail

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☐ Insured
☐ COD
☒ Certified ☐ Express MailCheck appropriate block for
Registered Mail:☐ With Postal Insurance
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additional copies of this bill.

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1	0118	J. Randall ~~W. Line~~ PO Box 7758 Pocatello	22	15					70			29-02758
2	0119	Jack J. Christyerson 1022 E. Sorenson										"
3	0120	John P. Nelson 24 W 200 N Hyde Park										11-7367
4	0121	Clyde Nelson PO Box 797 Preston										"
5	0122	Edward + Beila Shepherd PO Box 160										"
6	0123	Ralph Miller PO Box 60 Chester										21-0022
7	0124	Mary Smith PO Box 427 Lerburg										"
8	0125	Tremont Madison PO Box 15										21-0022
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★ U.S. G.P.O. 1985-478-804

ORM 3811, July 1983 447-845

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- 1 ☐ Show to whom, date and address of delivery
2 ☐ Restricted Delivery

3. Article Addressed to:
*J. Randall Kline
Atty at Law
P.O. Box 4758
Pocatello, Id 83205*

4. Type of Service:	Article Number
☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail	0118

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
Holly Robinson

7. Date of Delivery
KP

8. Addressee's Address (ONLY if requested and fee paid)

29-02750³

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SEP 21 1999

**RETURN
TO**

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NOV 6 1987

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE

(No. and Street, Apt., P.O. Box or R.D. No.)

150 SHOOT

IDAHO FALLS, IDAHO 83401
(City, State, and ZIP Code)

Department of Water Resources
Eastern District Office

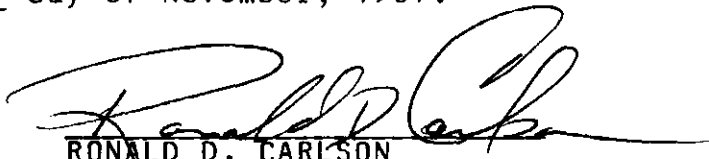
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER NO. 29-0275B IN THE NAME	)	NOTICE OF HEARING
OF JACK T. CHRISTOPHERSON	)	&/OR CONFERENCE
_____	)	

On June 29, 1987, Jack T. Christopherson filed with the Department of Water Resources application No. 29-0275B to transfer the public waters of the State of Idaho. On August 18, 1987, the Department received a protest from F. Randall Kline, Attorney at Law, in behalf of Dr. James Shaw and Bonnie Shaw.

The Department has set the matter of protest for hearing for 10:00 a.m., Monday, November 16, 1987, in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 3rd day of November, 1987.


RONALD D. CARLSON
Eastern Regional Manager

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SEP 21 1999

October 2, 1987

RE: Application for Transfer No. 29-02758
Reschedule Administrative Hearing

Mr. Jack T. Christopherson
1022 East Sorenson
Mesa, Arizona 85203

Dear Mr. Christopherson:

The administrative conference and/or hearing on protested transfer application of water right 29-02758 scheduled for 26 October 1987 has been postponed. It is being rescheduled for the morning of 16 November 1987 in Pocatello. You will receive confirmation of the time and location by certified mail.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:cw

cc: Randy Kline

MICROFILMED
SEP 21 1999

September 9, 1987

RE: Application for Transfer No. 29-02758 JACK CHRISTOPHERSON

Mr. F. Randall Kline
Attorney at Law
P.O. Box 4758
Pocatello, ID 83205-4758

Dear Mr. Kline:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:CM

cc: IDWR - State Office

MICROFILMED
SEP 21 1999

September 9, 1987

RE: Application for Transfer No. 29-02758

Mr. Jack T. Christopherson
1022 East Sorenson
Mesa, AZ 85203

Dear Mr. Christopherson:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at a proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:CM

Enclosure

cc: IDWR - State Office

MICROFILMED

SEP 21 1999

LAW OFFICES

WARD, MAGUIRE, BYBEE & KLINE

353 E. LANDER
P.O. BOX 4758
POCATELLO, IDAHO 83205-4758
(208) 232-5167

RECEIVED

SEP 10 1999

MARTIN R. WARD
DAVID H. MAGUIRE
D. KIRK BYBEE
F. RANDALL KLINE

Department of Water Resources

RECEIVED

AUG 18 1987

FORMERLY
MAGUIRE, WARD,
MAGUIRE & BYBEE
—
HUGH C. MAGUIRE, JR.
OF COUNSEL

Department of Water Resources
Eastern District Office

August 17, 1987

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

RE: NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 29-0275B

Dear Sirs:

Enclosed please find a NOTICE OF PROTEST with regard to the above matter. Please file the same along with any other pleadings or correspondence.

Thank you for your assistance in this matter. Should you have any comments or questions, please don't hesitate to contact me.

Sincerely,

Randy Kline
F. RANDALL KLINE

FRK:cah
1444E
Enclosure
cc: Dr. & Mrs. Jim Shaw

MICROFILMED

SEP 21 1999

F. RANDALL KLINE
WARD, MAGUIRE, BYBEE & KLINE
Professional Association
353 East Lander - P.O. Box 4758
Pocatello, ID 83205-4758
(208) 232-5167

RECEIVED

AUG 18 1987

Department of Water Resources
Eastern District Office

IN RE: Application of Jack T.)
Christopherson)

Application No. 29-0275B)

NOTICE OF PROTEST

TO: The Director Department of Water Resources, Idaho Falls
Division

Jack T. Christopherson, Mesa, Arizona

NOTICE IS HEREBY GIVEN THAT:

Pursuant to Idaho Law including I.C. 42-203A, that Dr. Jim Shaw and Bonnie Shaw, husband and wife, protest the application for change of water right sought by Jack T. Christopherson, Mesa, Arizona.

Jack T. Christopherson has applied to the Department of Water Resources for a change in the point of diversion of water from Mink Creek tributary to Portneuf River. The point of diversion is in the NW1/4NW1/4, Sec. 29, T.7S R. 35E, B.M., Bannock County. The proposed use is domestic in the amount of 0.23 CFS and irrigation 1.50 CFS. The date the application was filed was Thursday, August 6, 1987. The proposed area for use

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SEP 21 1989

of the waters in S1/2SE1/4, Sec. 19, SW1/4SW1/4, Sec. 20 T. 7S, R. 35E for approximately 24 acres

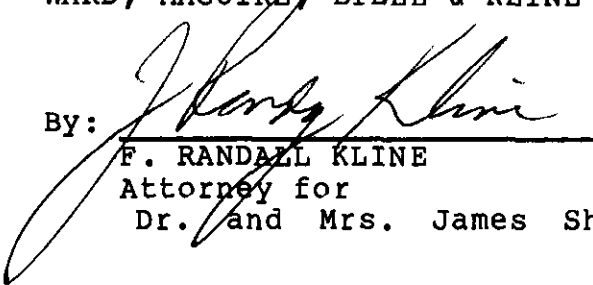
This Notice of Protest is being filed upon the grounds and reasons that Mink Creek is a fully appropriated stream and that downstream water owners, including but not limited to, the protestant Dr. James Shaw and Bonnie Shaw, husband and wife, and Dr. Ed DeSano are utilizing said waters for beneficial purpose pursuant to Idaho Law for domestic and irrigation purposes. That such appropriation will substantially diminish the stream flow thereby depriving downstream appropriators from beneficial use of the water.

Further, the Shaw's made application on 11-04-82 and sought a constitutional priority date back to 1905. Additionally, it should be noted that Neil Gardner filed an application of 11-02-77, also on the same stream.

Based upon the foregoing, we specifically request that the application be denied.

RESPECTFULLY Submitted this 17th day of August, 1987.

WARD, MAGUIRE, BYBEE & KLINE

By: 

F. RANDALL KLINE

Attorney for

Dr. and Mrs. James Shaw

MICROFILMED
SEP 21 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWT

1. Right number 29-2075 Applicant Jack Christopherson
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Change Nature of Use
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred: Request made for copy of subdivision plat from Engineers office in Bannock County HWT 7-10-87
- a. ☒ All of right.
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments Changes to year round use
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) Claims exist from this source
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____
4. By _____ Date _____

Protest date
8-24-87

July 30, 1987

Jack T. Christopherson
1022 East Sorenson
Mesa, Arizona 85203

RE: Application for Transfer of Water Right No. 29-02758

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification no. 29-02758. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in The Idaho State Journal. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlson
Assistant Regional Manager

EC/dg

MICROFILMED

SEP 21 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 29, 1987

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

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 billing to this office before AUGUST 24, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

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SEP 21 1999

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 29-0275B

Notice is hereby given that Jack T. Christopherson, Mesa, Arizona, has applied to the Department of Water Resources for a change in the point of diversion of water from Mink Creek tributary to Portneuf River. The right sought to be changed is evidenced by decree to Arthur Say in case of Smith, Admin. vs. City of Pocatello, et al, dated 6/5/1926 in 5th District Court County of Bannock and is recorded as follows:

AMOUNT: 1.50 cfs PRIORITY: September 7, 1904

POINT OF DIVERSION: NW1/4NW1/4, Sec. 29, T. 7S

R. 35E, B.M., Bannock County

The water is used to irrigate lands within the SE1/4SE1/4, Sec. 19, SW1/4SW1/4, Sec. 20, NW1/4NW1/4, Sec. 29, NE1/4NE1/4, Sec. 30, T. 7S, R. 35E.

TO BE CHANGED AS FOLLOWS

Only 0.23 cfs of the water will be diverted from a spring tributary to Mink Creek within the SW1/4NE1/4NW1/4, Sec. 30, T. 7S, R. 35E and used for domestic purposes and irrigation of 24 acres within the S1/2SE1/4, Sec. 19, SW1/4SW1/4, Sec. 20, T. 7S, R. 35E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before August 24, 1987.

Norm Young
Acting Director

Published August 6 & 13, 1987

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SEP 21 1999

dt27171 In720
ce 8-13-87
state of id dpt water re

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
NO. 29-0275B

Notice is hereby given that Jack T. Christopherson, Mesa, Arizona, has applied to the Department of Water Resources for a change in the point of diversion of water from Mink Creek tributary to Portneuf River. The right sought to be changed is evidenced by decree to Arthur Say in case of Smith, Admin. vs. City of Pocatello, et al, dated 6-5-1926 in 5th District Court County of Bannock and is recorded as follows:

AMOUNT: 1.50 cfs

PRIORITY: September 7, 1904

POINT OF DIVERSION: NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 29, T.7S

R. 35E, B.M., Bannock County

The water is used to irrigate lands within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 7S, R. 35E.

TO BE CHANGED AS FOLLOWS

Only 0.23 cfs of the water will be diverted from a spring tributary to Mink Creek within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 7S, R. 35E and used for domestic purposes and irrigation of 24 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 7S, R. 35E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before August 24, 1987.

S/Norm Young
Acting Director
August 6, 13, 1987
No. 720

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SEP 21 1999

29-0275 B =

Jack Christopherson

6669 Finding of Fact -
Judgment Book #8

Protestant

Dr. James Shaw & Bonnie Shaw -

Attorney - Randy Kline -

Water has been diverted since 1977 for Mink Ck Maintenance

Dr Shaw about 1 mile below →

12,500 gallon tank -

→
Hearing continued to allow applicant & protestant to reach
an agreement on distributing the right. Both appear to
have a portion of the original ^{Another} ~~Say~~ right.

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SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

5DF

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 10, 1987

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

RE: Transfer Application # 29-0275B
Deferral of Hearing

Mr. Jack T. Christopherson
1022 East Sorenson
Mesa, AZ 85203

Dear Mr. Christopherson:

This letter will serve to confirm a decision to defer scheduling a hearing for the above captioned transfer application. This action is based on your request for additional time to monitor the quantity of water flowing from the spring in question.

You indicated the members of Mink Creek Mountain Estates had discussed collection of this data for a period of one year. Since there has been no formal proposal, the granting of your verbal request is contingent upon a written request being submitted to the Department. This request should state what will be done and how much time will be needed.

To continue deferment of the hearing, the study request must be submitted within 30 days of the date to this letter. At the end of this period, if the request has not been received, this office will commence action to promptly schedule the hearing.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:cw

cc: F. Randall Kline
Scott Schiers

bc: Bob Fleenor

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SEP 21 1988

RECEIVED
JAN 11 1999

JOHN B. KUGLER
1156 East Center Street
P.O. Box 4943
Pocatello, ID 83205-4943
Tel. (208) 233-6234

Department of Water Resources

ok to file

BDF

Attorney for Applicant

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

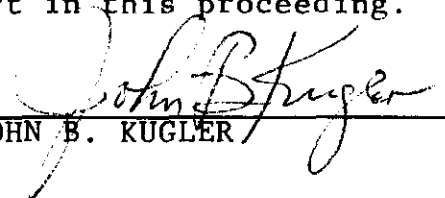
In Re: Application of Jack T.)
Christopherson)

Application No. 29-0275B)

NOTICE OF APPEARANCE
AND REQUEST FOR DEFERMENT

COMES NOW John B. Kugler, an attorney at law, whose correct mailing address and telephone number is set forth above, and does hereby give notice of appearance in the above entitled proceeding on behalf of and as attorney of record for the applicant, Jack T. Christopherson.

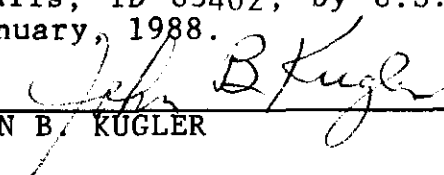
The applicant, Jack T. Christopherson, by and through his attorney, hereby requests deferral of hearing on protests in the above proceeding for a period of one year, on the grounds and for the reason that, in informal conference, it had been discussed and determined that collection of water flow data was desirable and will be of import in this proceeding.

MICROFILMED 
JOHN B. KUGLER

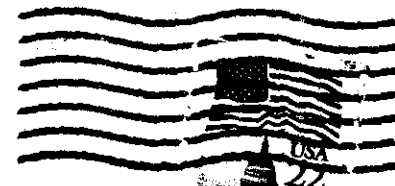
SEP 21 1999

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was served upon F. Randall Kline, P.O. Box 4758, Pocatello, ID 83205, and upon Ernest Carlsen, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, ID 83402, by U.S. Mail, postage prepaid, this 7th day of January, 1988.


JOHN B. KUGLER

JOHN B. KUGLER
ATTORNEY-AT-LAW
P.O. BOX 4943
POCATELLO, IDAHO 83205



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SEP 21 1999

Idaho Dept. of Water Resources
450 W. State
Boise, ID 83720

September 9, 1987

RE: Application for Transfer No. 29-02758 JACK CHRISTOPHERSON

Mr. F. Randall Kline
Attorney at Law
P.O. Box 4758
Pocatello, ID 83205-4758

Dear Mr. Kline:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC: CW

cc: IDWR - State Office

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SEP 21 1987

September 9, 1987

RE: Application for Transfer No. 29-0275B

Mr. Jack T. Christopherson
1022 East Sorenson
Mesa, AZ 85203

Dear Mr. Christopherson:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at a proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Water Rights Supervisor

EC:CM

Enclosure

cc: IDWR - State Office

MICROFILMED

SEP 21 1989

LAW OFFICES

WARD, MAGUIRE, BYBEE & KLINE

353 E. LANDER
P.O. Box 4758
POCATELLO, IDAHO 83205-4758
(208) 232-5167

MARTIN R. WARD
DAVID H. MAGUIRE
D. KIRK BYBEE
F. RANDALL KLINE

RECEIVED
AUG 18 1987

FORMERLY
MAGUIRE, WARD,
MAGUIRE & BYBEE
-
HUGH C. MAGUIRE, JR.
OF COUNSEL

Department of Water Resources
Eastern District Office

August 17, 1987

RECEIVED
SEP 11 1987

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Department of Water Resources

RE: NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 29-0275B

Dear Sirs:

Enclosed please find a NOTICE OF PROTEST with regard to the above matter. Please file the same along with any other pleadings or correspondence.

Thank you for your assistance in this matter. Should you have any comments or questions, please don't hesitate to contact me.

Sincerely,

Randy Kline
F. RANDALL KLINE

FRK:cah
1444E
Enclosure
cc: Dr. & Mrs. Jim Shaw

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SEP 21 1999

RECEIVED
SEP 11 1987

F. RANDALL KLINE
WARD, MAGUIRE, BYBEE & KLINE
Professional Association
353 East Lander - P.O. Box 4758
Pocatello, ID 83205-4758
(208) 232-5167

Department of Water Resources

RECEIVED

AUG 18 1987

Department of Water Resources
Eastern District Office

IN RE: Application of Jack T.)
Christopherson)

Application No. 29-0275B)

NOTICE OF PROTEST

TO: The Director Department of Water Resources, Idaho Falls
Division

Jack T. Christopherson, Mesa, Arizona

NOTICE IS HEREBY GIVEN THAT:

Pursuant to Idaho Law including I.C. 42-203A, that Dr. Jim Shaw and Bonnie Shaw, husband and wife, protest the application for change of water right sought by Jack T. Christopherson, Mesa, Arizona.

Jack T. Christopherson has applied to the Department of Water Resources for a change in the point of diversion of water from Mink Creek tributary to Portneuf River. The point of diversion is in the NW1/4NW1/4, Sec. 29, T.7S R. 35E, B.M., Bannock County. The proposed use is domestic in the amount of 0.23 CFS and irrigation 1.50 CFS. The date the application was filed was Thursday, August 6, 1987. The proposed area for use

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SEP 21 1999

of the waters in S1/2SE1/4, Sec. 19, SW1/4SW1/4, Sec. 20 T. 7S, R. 35E for approximately 24 acres

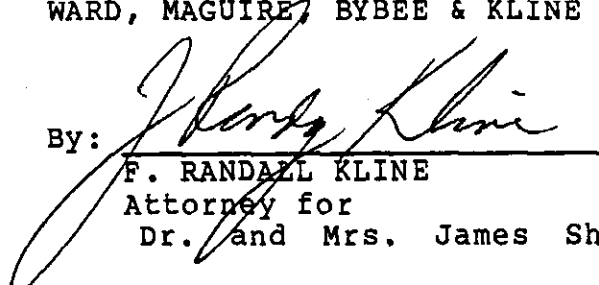
This Notice of Protest is being filed upon the grounds and reasons that Mink Creek is a fully appropriated stream and that downstream water owners, including but not limited to, the protestant Dr. James Shaw and Bonnie Shaw, husband and wife, and Dr. Ed DeSano are utilizing said waters for beneficial purpose pursuant to Idaho Law for domestic and irrigation purposes. That such appropriation will substantially diminish the stream flow thereby depriving downstream appropriators from beneficial use of the water.

Further, the Shaw's made application on 11-04-82 and sought a constitutional priority date back to 1905. Additionally, it should be noted that Neil Gardner filed an application of 11-02-77, also on the same stream.

Based upon the foregoing, we specifically request that the application be denied.

RESPECTFULLY Submitted this 17th day of August, 1987.

WARD, MAGUIRE, BYBEE & KLINE

By: 

F. RANDALL KLINE

Attorney for

Dr. and Mrs. James Shaw

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SEP 21 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 11 1987 Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant JACK T. CHRISTOPHERSON Phone H (602) 964-9040
W (602) 255-7691
 Post Office address 1022 EAST SORENSON, MESA, ARIZONA 85203

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A subdivision now exists on applicants property
and changing the p/d to a spring above the homes will allow the subdivision to store
and use water for domestic use and abandon the old irrigation use and Mink Creek
point of diversion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 29-0275B Priority 9-07-04 Amount 0.23 Nature of Use Domestic Period of Use 1-1 to 12-31
(24 units) to _____
 to _____
 to _____
2. Total amount of water being transferred 0.23 cubic feet per second and/or 14.4 acre-feet per annum.
3. Source of water Spring tributary to Mink Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	NW	30	7S	35E	Bannock	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35E	19															D/2	D/20	
		20											D/2						

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SEP 21 1999

Total acres _____

PART 1**6. General Information:**

a. Description of diversion system Sealed spring box w/4" pipe and valves to select one or both 12,500 gallon domestic storage tanks w/ overflow to creek and service lines to 24 homes or lots.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The use of this ground has been changed to a housing subdivision.

d. Remarks:

I have interpreted the decree to imply 0.02 cfs/acre or 75 acres in total right.

I am converting an implied 11.5 acres of irrigated ground (0.23 cfs) to domestic use. This leaves 63.5 acres and 1.27 cfs as a remainder in Part A of this right.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

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SEP 21 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

SEP 11 1987

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 29-0275 Decreed to Arthur Say

In case of Smith, Admin. vs. City of Pocatello, et al

dated 6/5/1926 in 5th Dist. Court county of Bannock

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. 1715 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Mink Creek tributary to Portneuf River

4. Date or priority 6-5-1926 9-7-1904

5. Water is used for the following purpose:

amount 1.50 cfs for Irrigation purposes from 4/15 to 9/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.5 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	29	7S	35E	Bannock	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	35E	19																*	
		20											*						
		29						*											
		30	*																

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SEP 21 1999

Total acres * Not Listed

9. Describe any other water rights used for the same purpose as described above N/A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.23 cfs for Irrigation purposes from 4/15 to 9/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	29	7S	35E	Bannock	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	35E	19																	7.5
		20											4.0						4.0

Total acres 11.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.27 cfs for Irrigation purposes from 4/15 to 9/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	29	7S	35E	Bannock	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	35E	19																	*
		20											*						
		29						*											
		30	*																

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SEP 21 1999Total acres SEE REMARKS

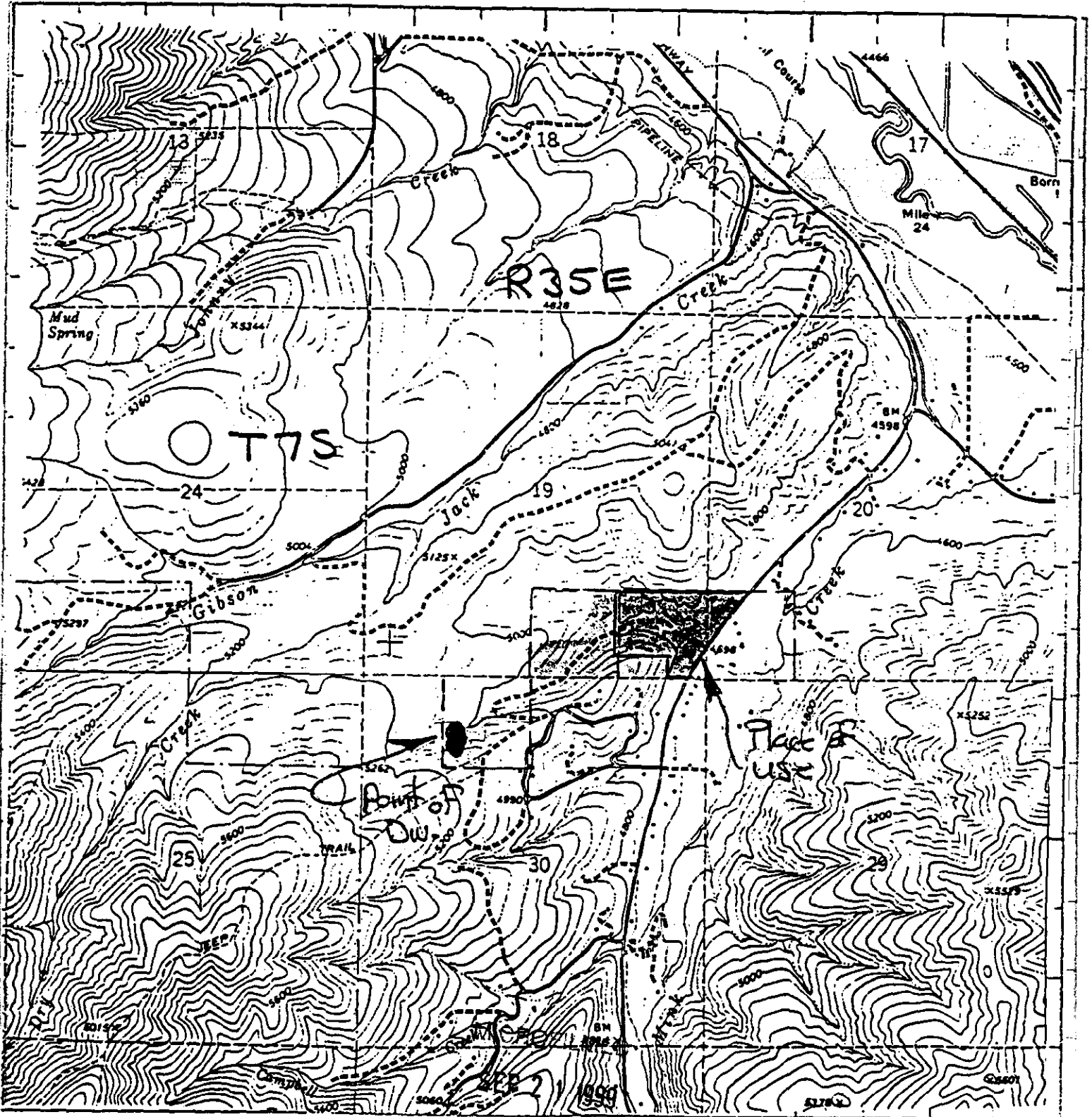
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHTS
PART 3

SEP 11 1987
Department of Water Resources

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Domestic Amount 0.23 cfs/14.4 af Hours/days/year 1-1 Period of Use to 12-31
 _____ to _____

2. Quantity and quality of return flows and location of discharge:

There is a storage system for domestic water with an overflow pipe. Water used
is not returned to the creek.

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

(See Claim 29-4076) I would be removing myself from the point of diversion used
by other decreed right holders and return to a p/d which may have been the original
source of the Arthur Say right.

Consumptive use afa based on adjusted Pocatello C.U. which is 1.88 afa X acres.

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.

Paul Christensen
 (Signature of Applicant)

Subscribed and sworn to before me this 16th day of June, 19 87.

Doris B. Mechem
 (Notary Public)

My commission expires 5/21/89

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by CLW Date 6-29-87 Protest filed by _____

Prelim. check by HWT Fee \$50

Receipted by MWP Date 4-3-1987 #41142

Published in ID State Journal, 7-29-87 Copies of protest forwarded by _____

Pub. dates 8-6 + 8-13-87, day Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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SEP 21 1999

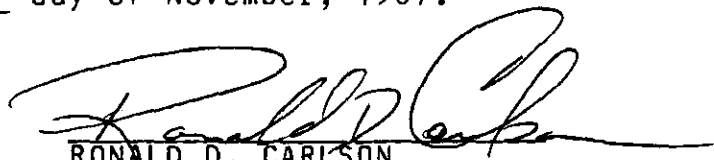
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER NO. 29-02758 IN THE NAME	)	NOTICE OF HEARING
OF JACK T. CHRISTOPHERSON	)	&/OR CONFERENCE

On June 29, 1987, Jack T. Christopherson filed with the Department of Water Resources application No. 29-02758 to transfer the public waters of the State of Idaho. On August 18, 1987, the Department received a protest from F. Randall Kline, Attorney at Law, in behalf of Dr. James Shaw and Bonnie Shaw.

The Department has set the matter of protest for hearing for 10:00 a.m., Monday, November 16, 1987, in the Conference Room, Pocatello Municipal Airport, Pocatello, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 3rd day of November, 1987.


RONALD D. CARLSON
Eastern Regional Manager

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SEP 21 1999

INTER-DEPARTMENT MEMO — 1

FROM

Quilmer

DATE

9-6-74

TO

Bob

SUBJECT

Transfer #29-0275

*Are we - or - aren't we going to charge a conveyance loan
under this? Am wearing the felder out following it up!*

9/11/74

*Loy made some measurement this year and will
send the information to us shortly.*

MICROFILMED

Bob

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Norm
TO Darlene
SUBJECT Transfer No. 29-0275

DATE ¹⁹⁷⁴ MAR 25
RECEIVED
Department of Water Administration

Would prefer to make another measurement or two this season
before making a decision on this.

RECEIVED

Norm / ch
SIGNATURE

To →

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM Jan(Statehouse)

OCT 3 1973

DATE October 1, 1973

TO Norm *Loy*

Department of Water Administration
Eastern District Office

SUBJECT Transfer No. 29-0275

Please refer to approved Transfer #29-0275, and notify me if any measurement has been taken.

RECEIVED
MAR 5 1974
Department of Water Administration

Mink Creek

3/4/74

*yes, 3 different measurements have been made.
• The first one showed some loss but the last two showed gains at the new P.D. Each were 2 or 3 days after rains in the area.
(Sorry about the delay)*

Jan
SIGNATURE

INTER-DEPARTMENT MEMO — 1

RECEIVED
MAR 22 1974

DATE 3/20/74

FROM Darlene

TO Norm

SUBJECT Transfer No. 29-0275

WATER ADMINISTRATION
Area Office

Please refer to the conditions of approval of the above subj transfer.

Attached is a copy of our memo of 10-1-73 with Loy's response received 3-5-74.

Question: Should the Department charge a conveyance loss and how much?

Thank you in advance for your help.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



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

May 29, 1973

RE: Transfer of Water Right No. 29-0275

Mr. George P. Foltz
Mink Creek Road
Pocatello, Idaho 83201

Dear Mr. Foltz:

This Department has approved a change in point of diversion filed by members of Mink Creek Irrigation Company.

The applicants will take a reduction in the amount of water they will receive to compensate for creek loss. This loss is to be determined by this Department this summer. A measuring device is also to be installed at the new point of diversion.

A copy of the map enclosed with the application indicates that there are probably other waterusers who might be using the canal. If this is so then the canal probably would still be used.

We are enclosing a copy of the approved change in point of diversion and "Exhibit B" as requested. The fee for these copies is \$1.25 which you may remit at your earliest convenience.

Very truly yours,

(Mrs.) ELEANOR J. WOODS
Records Supervisor

JEW:e

MICROFILMED

Enclosures

INTER-DEPARTMENT MEMO — 1

FROM

Darlene

DATE

3/20/74

TO

Norm

SUBJECT

Transfer No. 29-0275

Please refer to the conditions of approval of the above subj transfer.

Attached is a copy of our memo of 10-1-73 with Loy's response received 3-5-74.

Question: Should the Department charge a conveyance loss and how much?

Thank you in advance for your help.

Michael Lewis

SIGNATURE

RECEIVED

INTER-DEPARTMENT MEMO — 1

TO *Jan*
FROM Jan(Statehouse)

DATE October 1, 1973

OCT 3 1973

TO ~~Norm~~ *Log*

Department of Water Administration
Eastern District Office

SUBJECT Transfer No. 29-0275

Please refer to approved Transfer #29-0275, and notify me if any measurement has been taken.

RECEIVED
MAR 5 1974
Department of Water Administration

Mink Creek

3/4/74

yes, 3 different measurements have been made

• The first one showed some loss but the last two showed gains at the new P.D. Each were 2 or 3 days after rains in the area.

(Sorry about the delay)

MICROFILMED

Jan

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Darlene

DATE May 3, 1973

TO Norm

SUBJECT Transfer No. 29-0275

Please note the conditions of approval. Keith wants measurements made but I don't know how many.

Advise us after you have determined the conveyance loss, not sure if we will notify Mink Creek by letter or order.

RECEIVED
MAY 10 1973
FBI - ALBANY

SIGNATURE

Pocatello, Ida.
May 14, 1973.

RECEIVED
MAY 15 1973
Department of Water Administration

State of Idaho,
Dept. of Reclamation,
Boise, Ida. 83700

Dear Sir:

I am informed that an application has been made to your office to change the diversion point for irrigation water used upon the land described as follows:

The Southeast quarter of the Southeast quarter of Section 19, the Northeast quarter of the Northeast quarter of Section 30, the Northwest quarter of the Northwest quarter of Section 29, the Southwest quarter of the Southwest quarter of Section 20, Township 7, South Range 35 EBM.

The water right was originally issued to Arthur Say Sept. 7, 1904 for diversion of water from Mink Creek in the amount of 75 inches.

Successors in interest to the water right have been J.V. Wallace from Arthur Say, then Ray Andrews from J.V. Wallace; Ray Andrews subdivided the land and at the present time there are several successors in interest from Ray Andrews, some of them are as follows: C.A. Sward, Wallace Weigand, Fred Wynn, Leonard Bell, Gale Bell, and several others.

The original and present diversion point for this water is located on land owned by me and the ditch runs through my property for about 1/4 mile.

In view of the fact that I have been out of Bannock County for almost a year I do not know if this application to change the diversion point was published in our local paper therefore the following information is requested:

1----Would like all information concerning the conditions to change the diversion point, would like a photostatic copy of the application.

2----Will the present owners of the water right retain any rights in the original diversion point and the ditch through which the water flows?

3----If the present diversion point and ditch is to be abandoned by the present owners of the water right, what date does the change of diversion point become effective?

In view of the fact that the diversion point and ditch is a liability in managing my property and I receive no benefits from it I respectfully request the above information, an early reply will be appreciated and if there is a charge for this information please bill me and I will send a check by return Mail.

Yours Truly *George P. Foltz*
George P. Foltz, Mink Cr. Rd., Pocatello, Ida.

MICROFILMED

May 3, 1973

Re: Transfer No. 29-0275

Neil Gardner, President
Members of Mink Creek Irrigation Corp.
Mink Creek Road
Pocatello, Idaho 83201

Dear Mr. Gardner:

Enclosed is a copy of your approved Transfer of Water Right No. 29-0275. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device as part of the diverting works has been placed on your transfer.

We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

cc: Archie W. Service
Attorney at Law

bc: Eastern District

MICROFILMED

M E M O R A N D U M

TO: File 29-0275
FROM: Norman C. Young
DATE: April 20, 1973

NCY

I recommend this transfer be approved with the requirement that a suitable measuring device be permanently installed and maintained at the new point of diversion.

I have no information available on the nature of the loss between the present point of diversion and the proposed point of diversion, and am therefore unable to recommend a loss figure. If we could leave the approval open and subject to a future determination of loss, the approval could be given now and the loss measured next summer.

March 30, 1973

Re: Transfer Application No. 29-0275 - Members of Mink Creek Irrigation Corporation

Idaho State Journal
P.O. Box 431
Pocatello, ID 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 ample 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 4-13-73 by RA

HCY:BA
Enc: Legal notice

MICROFILMED

REC. ROOM OFFICE
HCA:W

DISTRICT PROJECT
MAY 10 1973

NOTICE OF CORRECTION
Notice is hereby given that Application for Transfer No. 29-0278 in the name of Members of Mink Creek Irrigation Corporation was advertised incorrectly on March 8 and 15, 1973. The place of use was advertised as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 7S, R. 35E, B.M.; WHEREAS, the actual place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7S, R. 35E, B.M. Any protests against the granting of this transfer as a result of this correction must be filed with the Idaho Department of Water Administration, 240 South Hinkle Avenue, Boise, Idaho, 83401, on or before April 23, 1973.

R. KEITH HIGGINSON
Director
April 5, 12, 1973
No. 165

THE BOARD OF DIRECTORS OF THE MINK CREEK IRRIGATION CORPORATION

ROBERT M. TERRELL
JAMES B. GREEN
ARCHIE W. SERVICE
CLARK GASSER

LAW OFFICE
TERRELL, GREEN, SERVICE & GASSER

CENTER PLAZA — POCATELLO, IDAHO
83201

February 28, 1973

RECEIVED

TELEPHONE
Area Code 208
232-4471

Department of Water Administration

Department of Water Administration
Eastern District Office
240 South Holmes Ave.
Idaho Falls, Idaho 83401

RECEIVED

MAR 1 1973

Department of Water Administration
Eastern District Office

Attention: Mr. Norman C. Young

Dear Mr. Young:

Our records reveal that with our initial application to Boise in care of Mr. McEldowney we enclosed a \$30.00 remittance. It was our further understanding that the check would be forwarded from Boise to the Idaho Falls Branch. However, in order to avoid any delay, we are enclosing another \$30.00 remittance.

Very truly yours,

TERRELL, GREEN, SERVICE & GASSER

Archie W. Service

AWB:ra

Enc.

cc: Department of Water Administration - Mr. Donald W. McEldowney
Statehouse - Annex 2
Boise, Idaho

3-7-1973

Called Archie and explained
That when the transfer was received
in Boise no fees were attached
So I called him and advised him
to mail check to Idaho Falls & I would
send the transfer there for processing
He recalled ~~to believe~~
refreshed. - so only one check
has been issued.

MAR 8 1973

Department of Water Administration

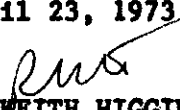
D. E. H. MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Application for Transfer No. 29-0275 in the name of Members of Mink Creek Irrigation Corporation was advertised incorrectly on March 8 and 15, 1973. The place of use was advertised as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 7S, R. 35E, B.M.;

WHEREAS, the actual place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7S, R. 35E, B.M.

Any protests against the granting of this transfer as a result of this correction must be filed with the Idaho Department of Water Administration, 240 South Holmes Avenue, Idaho Falls, Idaho, 83401, on or before April 23, 1973.


R. KEITH HIGGINSON
Director

Published in the Idaho State Journal, Pocatello, Idaho, on April 5 and 12, 1973.

MICROFILMED

March 5, 1973

Mr. Archie W. Service
Terrell, Green, Service & Gasser
P.O. Box 4883
Pocatello, ID 83201

Dear Mr. Service:

Attached is departmental receipt No. 7108 in the amount of \$30 for the application for transfer submitted in behalf of Members of Mink Creek Irrigation Corporation.

We have not been able to locate the fee that you felt you originally sent. If we find what you have paid the fee twice, we will take the necessary steps and refund it to you.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 29-0275

Notice is hereby given that Members of Mink Creek Irrigation Corporation, c/o Neil Gardner, Mink Creek Road, Pocatello, Idaho, have applied to the Dept. of Water Administration for a change of the point of diversion of the waters of Mink Creek, tributary to the Portneuf River. The right sought to be changed is evidenced by decree to Arthur Say in the case of Sam B. Smith, et al, -vs- the City of Pocatello, dated June 5, 1926 in the District Court of Bannock County and is recorded as follows:

Amount: 1.5 cfs

Priority: September 7, 1904

Decreed Point of Diversion: SE~~1~~SE~~4~~, Sec. 19, T. 7S,
R. 35E, B.M., Bannock County

The water is used for irrigation purposes within the SE~~1~~SE~~4~~, Sec. 19; SW~~1~~SW~~4~~, Sec. 20; NE~~1~~NE~~4~~, Sec. 30; NW~~1~~NW~~4~~, ^{B_o, B_o} Sec. 31, T. 7S, R. 35E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NW~~1~~NW~~4~~, Sec. 29, T. 7S, R. 35E, B.M., Bannock County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, 240 South Holmes Ave., Idaho Falls, Idaho, 83401, on or before March ²⁴ 3, 1973.

R. KEITH HIGGINSON

Director

Published in the Idaho State Journal, Pocatello, Idaho, on March 8 and 15, 1973.

RECORDED

NCY

March 2, 1973

Re: Water Right No. 29-0275 - Members of Mink Creek Irrigation Corp.

Idaho State Journal
P.O. Box 431
Pocatello, ID 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 ample 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 3-19-73 by BA

NCY:BA
Enc: Legal notice

MICROFILMED

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 29-0273**

Notice is hereby given that Members of Mink Creek Irrigation Corporation, c-o Neil Gardner, Mink Creek Road, Pocatello, Idaho, have applied to the Dept. of Water Administration for a change of the point of diversion of the waters of Mink Creek, tributary to the Portneuf River. The right sought to be changed is evidenced by decree to Arthur Say in the case of Sam B. Smith, et al, -vs- the City of Pocatello, dated June 5, 1926 in the District Court of Bannock County and is recorded as follows:

Amount: 1.5 cfs

Priority: September 7, 1904

Decreed Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 7S, R. 35E, B.M., Bannock County

The water is used for irrigation purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 7S, R. 35E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 7S, R. 35E, B.M., Bannock County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Idaho Falls, Idaho, on or before March 5, 1973.

R. KEITH HIGGINSON
Director

March 8, 15, 1973
No 116

JAMES B. GREEN
ARCHIE W. SERVICE
CLARK GASSER

LAW OFFICE
TERRELL, GREEN, SERVICE & GASSER

CENTER PLAZA — P. O. BOX 4883
POCATELLO, IDAHO 83201

February 28, 1973

RECEIVED
ROBERT M. TERRELL
1983 1971
TELEPHONE
MAR 2 1973 Area Code 208
232-4471

Department of Water Administration
Eastern District Office

Department of Water Administration
Eastern District Office
240 South Holmes Ave.
Idaho Falls, Idaho 83401

Attention: Mr. Norman C. Young

Dear Mr. Young:

Our records reveal that with our initial application to Boise in care of Mr. McEldowney we enclosed a \$30.00 remittance. It was our further understanding that the check would be forwarded from Boise to the Idaho Falls Branch. However, in order to avoid any delay, we are enclosing another \$30.00 remittance.

Very truly yours,

TERRELL, GREEN, SERVICE & GASSER


Archie W. Service

AWS:ra

Enc.

cc: Department of Water Administration - Mr. Donald W. McEldowney
Statehouse - Annex 2
Boise, Idaho

MICROFILMED

February 26, 1973

C
Re: Application for Transfer No. 29-0275

C
Mr. Archie W. Service
Attorney-at-Law
Center Plaza, P.O. Box 4883
Pocatello, ID 83201

Dear Mr. Service:

P
We are in receipt of the application for transfer filed by you in behalf of the Mink Creek Irrigation Corporation. A preliminary review of this instrument indicates that it is in proper order; however, we have not received the statutory filing fee of \$30. We will hold the application for ten days from the date of this letter awaiting the fee. If we have not received it by that time, we will return the application to you.

Y
Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

RECEIVED

February 12, 1973

C
O
Mr. Archie W. Service
Attorney-at-Law
Center Plaza - P.O. Box 4883
Pocatello, ID 83201

Dear Mr. Service:

P
We are enclosing a copy of the Mink Creek Decree for your information. We are also enclosing several transfer application forms.

Very truly yours,

Y
NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosures

RECEIVED

LAW OFFICE

TERRELL, GREEN, SERVICE & GASSER

CENTER PLAZA — P. O. BOX 4883
POCATELLO, IDAHO 83201

January 24, 1973

JAMES B. GREEN
ARCHIE W. SERVICE
CLARK GASSER

ROBERT M. TERRELL
1883 - 1971

TELEPHONE
Area Code 208
232-4471

RECEIVED

Department of Water Administration

RECEIVED

FEB 1 1973

Department of Water Administration
Eastern District Office

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention: Donald W. McEldowney

Re: Mink Creek Water Corporation

Dear Don:

Enclosed herein please find executed Application
for Transfer of Water Right.

We believe the application is selfexplanatory, but
should you need additional information do not hesitate to
contact me.

Very truly yours,

TERRELL, GREEN, SERVICE & GASSER


Archie W. Service

AWS:chl

Enclosures

RECEIVED

February 2, 1973

RE: Application for Transfer 29-0275

Mr. Archie W. Service
Attorney at Law
Center Plaza
P.O. Box 4883
Pocatello, Idaho 83201

Dear Mr. Service:

The Application for Transfer of the above referenced water right has been forwarded to this office for processing. It was my understanding from conversation with Don McEldowney, of our Boise office, that you were forwarding the \$30.00 filing fee to this office also.

There are, however, several items that need clarification before the transfer can be processed. Therefore, we are returning the transfer to you, and should we receive the filing fee we will return it to you. The following items need clarification:

1. In Item 3, the source of water would appear to be only Mink Creek. Campbell Creek is mentioned in the decree but refers to another right.
2. In Item 6, the period of use requested is not clear. The decree specifies an irrigation season of April 15 to September 15.
3. The point of diversion as listed in Item 7 is SE~~1~~SE~~1~~, Sec. 32, T. 7S, R. 35E. It is shown in Exhibit B as the SW~~1~~SW~~1~~, Sec. 32, T. 7S, R. 35E. The decree lists the point of diversion as the SE~~1~~SE~~1~~, Sec. 19, T. 7S, R. 35E. ~~Whether~~ the point of diversion is incorrect as listed on the decree or ~~else~~ it has been moved in the intervening period. I would suggest changing Item 7, your location of the original point of diversion to that listed in the decree, and then explain the location of the present point of diversion in the space below in Item 7.
4. It will be necessary to provide this office with evidence to confirm that the applicants own all the land originally covered by right No. 29-0275. I do not feel that Exhibit B is sufficient evidence to establish this.

RECEIVED
FEB 14 1973
WATER RIGHTS DIVISION

Mr. Archie W. Service
Attorney at Law
RE: 29-0275
Page 2
February 2, 1973

If you have any further questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

Enc: App/Trans. 29-0275

C
O
P
Y

CONVERSATION MEMORANDUM

DATE 2/13/73Transfer FILE 29-0275NAME OF PARTY ARCHIE W. SERVICEEMPLOYEE NCY

RE: After confering with Elmer I
called Mr. Service back and told
him we would not require proof of
ownership on the mink sk irrigation
transfer because it involved only a
change in P.D. Told him that
if we found later in our processing
that the proof was needed we
would notify him at that time.

RECEIVED

LAW OFFICE

TERRELL, GREEN, SERVICE & GASSER

CENTER PLAZA — P. O. BOX 4883
POCATELLO, IDAHO 83201

ROBERT M. TERRELL
1883 - 1971

TELEPHONE
Area Code 208
232-4471

JAMES B. GREEN
ARCHIE W. SERVICE
CLARK GASSER

February 20, 1973

RECEIVED

FEB 22 1973

Department of Water Administration
Eastern District Office

Mr. Norman C. Young
District Engineer
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, Idaho, 83401

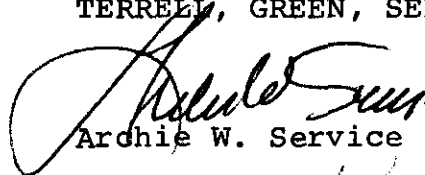
Re: Application for Transfer 29-0275

Dear Mr. Young:

Enclosed herein please find new Application for
Transfer of Water Right of Mink Creek Irrigation
Corporation.

Very truly yours,

TERRELL, GREEN, SERVICE & GASSER


Archie W. Service

AWS:pb

Encl.

RECEIVED