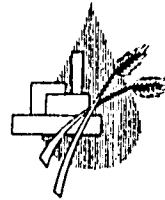


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 2 1983

Department of Water Resources
Eastern District Office

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that

Vanca Christensen

(Name of Claimant)

Route 2 Box 507, Preston Idaho 83263

(Mailing Address)

(Zip Code)

Telephone No. 852-3353

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

- X(1) Date of priority: (When was the water first applied to a beneficial use) Dec 10, 1912 or earlier

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

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

Springtributary to Snake

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
X Quantity	<u>.78 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) TOTAL QUANTITY USED.

(cfs, af)

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

NE 1/4 SE 1/4, Sec. 12 Twp. 14S Rge. 40E B.M., County of Franklin

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. open ditch for flood irrigation

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
14S	40E	12																	31

No. of acres 31

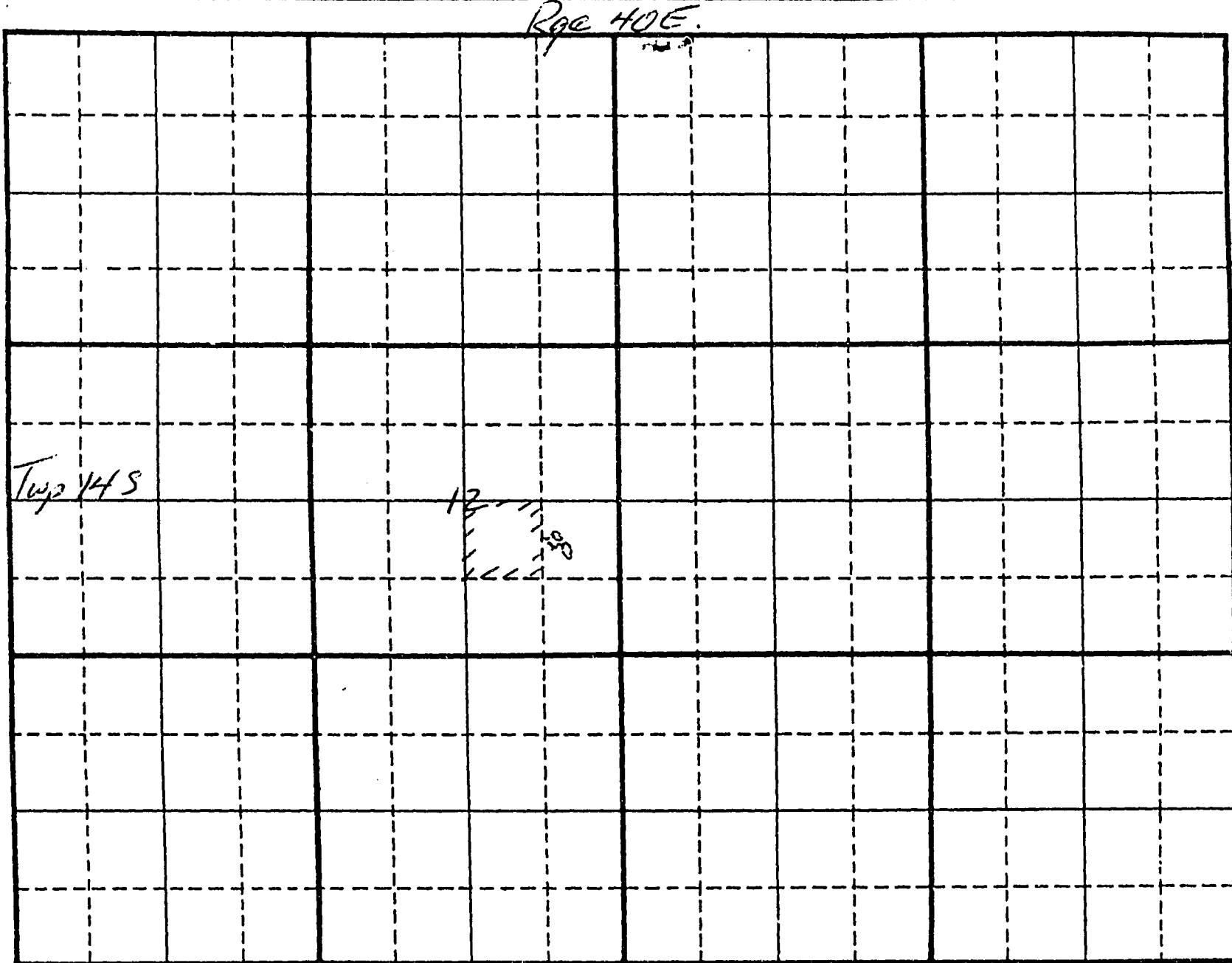
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Stock Water from open ditch

NOTE: Include here the type and number of stock watered: 40 head Dairy Cows

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Franklin) ss.

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

C. Vance Christensen
(Claimant)

Sworn to before me this 17th day of June

W. B. Krand
Notary Public
Residing at Preston, ID

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-20-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. M.</u>	Date <u>6-21-83</u>		claimant by:	
<u>\$30.00</u> fee received by <u>CW</u>	Date <u>6-20-83</u>			
Published in <u>Preston Citizen</u>	<u>#2098</u>	M. Glade Larsen	cw	7-29-83
Dates <u>7/14/83</u> <u>7/21/83</u>				

#875

JUL 22 1983

No 1892

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Warren Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

7-14, 1983, and ending with the issue of 7-21, 1983.

J. Warren Ross

Fee \$ 13.75

Subscribed and sworn to before me this 31st day of July, 1983.

Karin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

RECEIVED

AUG 3 1983

Department of Water Resources
Eastern District Office.

NOTICE OF CLAIMS TO WATER RIGHTS

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

13-4240

CHRISTENSEN, C. VANCE

Rt. 2, Box 507, Preston, ID 83263

Source: SPRINGS trib. to SINKS

Priority Date: 12-10-1912

Diversion Pt: NESE Sec. 12 T 14S R 40E

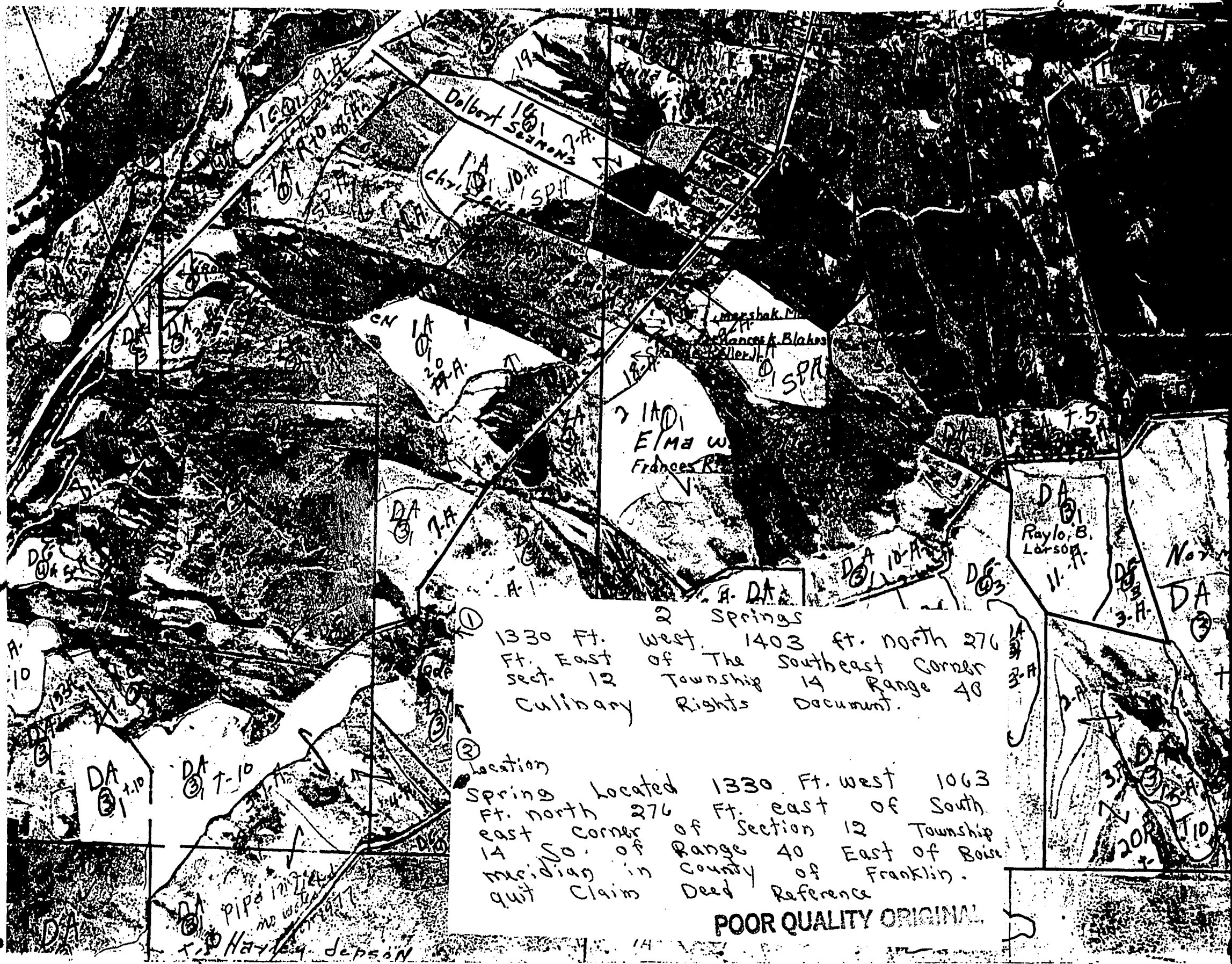
Use: IRRIGATION (0.78 CFS)

In: NWSE Sec. 12 T 14S R 40E for 31 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 16, Idaho Falls, Idaho 83402

KEN DUNN, Dir.

Legal No. 1892 -221- Published July 14, 21, 1983.



AGREEMENT

THIS AGREEMENT, Made and entered into this 12th day of May, 1930 by and between Marinus W. Hansen of Mink Creek, County of Franklin, State of Idaho, the party of the first part, and Ezra E. Larsen of Mink Creek, County of Franklin, State of Idaho, the party of the second part, WITNESSETH:

Whereas, certain springs of water arise at a point Thirteen Hundred thirty (1330) feet West and Fourteen Hundred three (1403) feet North and Two hundred seventy six (276) feet East of the Southeast corner of Section Twelve (12), Township Fourteen (14) South of Range Forty (40) East of the Boise Meridian, and located in the County of Franklin, State of Idaho.

The parties to this Agreement do hereby mutually agree with each other as follows: The party of the first part shall at all times have the free and uninterrupted use to the waters of the above described springs for culinary purposes and the watering of his life-stock at any and all times; and that the party of the second part shall have the free and uninterrupted use of all of the waters flowing from said springs for irrigation purposes that have not been made use of by the party of the first part as above described.

IN WITNESS WHEREOF, we have hereunto set our hands the day and year first above written.

Witnessed by:

W. E. Crane
Taylor Nelson
J. Thurm Bell
W. L. Nelson

Marinus W. Hansen
The party of the first part.

Ezra E. Larsen
The party of the second part.

QUIT CLAIM DEED

THIS INDENTURE made this...12th...day of...May..... in the year
A. D., one thousand nine hundred thirty....., between Ezra E. Larsen and his wife,
Beatrice Larsen.....

.....
of the county of...Franklin....., State of...Idaho....., part 100
of the first part, and.....Marinus W. Hansen.....

.....
of the County of Franklin....., State of...Idaho....., part Y..... of the second part.

WITNESSETH:—That the said part 100... of the first part, for and in consideration of the sum
of One Hundred Twenty Five and no/100.....DOLLARS
lawful money of the United States of America, to them...in hand paid, by the said part Y.....of the
second part, the receipt whereof is hereby acknowledged, do.....by these presents demise, release,
and forever Quitclaim unto the said part Y... of the second part, and to....his...heirs and assigns
forever, all that ~~certains lot~~ ~~piece~~ ~~of land~~ ~~situated~~
~~being and being in~~ Franklin
County, State of Idaho, and bounded and particularly described as follows, to-wit:

All their right, title, and interest in and to all of
the waters arising from certain springs located at a point Thirteen
Hundred thirty (1330) feet West and Ten Hundred Sixty three (1063) feet
North and Two hundred seventy six (276) feet East of the Southeast
corner of Section Twelve (12), Township Fourteen (14) South of Range
Forty (40) East of the Boise Meridian, and located in the County of
Franklin, State of Idaho.....

.....
thereunto belonging, or in anywise appertaining, and the reversion, reversions, remainder, and re-
mainders, rents, the issues, and the profits thereof,

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances,
unto the said part Y... of the second part, and to....his...heirs and assigns forever.

IN WITNESS WHEREOF, the said part 100... of the first part ha. Y... hereunto set their
hand...S..... and seal: S..... the day and year first above written.

Signed in the presence of

Taylor Nelson
J. H. Brown Ball

Ezra E. Larsen
Beatrice Larsen

STATE OF IDAHO,

County of Franklin ss.

On this 12th day of May in the year 1930
before me, J.N. Larsen a Notary Public in and for said County, personally appeared
Ezra E. Larsen and his wife, Beatrice Larsen

known to me to be the person, s whose name s are subscribed to the within instrument,
and acknowledged to me that t he y executed the same.

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

My Commission Expires:

Apr. 30, 1933

J.N. Larsen
Notary Public.

Address Preston, Ida

No. 34901

QUIT CLAIM DEED

E. E. Larsen & wife

Maurice W. Hansen

Dated 192..

STATE OF IDAHO
County of Franklin ss.

I hereby certify that this instrument
was filed for record at the request of
Maurice W. Hansen

at 30 minutes past 2 o'clock P.

M. this 17th day of May A. D. 1930.

John A. H. H. H.
Ex-Officio Recorder.

28 of December at page 26.

By Wm. A. Davis Deputy

in my office, and duly recorded in Book
Fees, \$ 1.18 & a Book

Filed
Index
Record

CERTIFIED

July 22, 1983

RECEIVED

JUL 25 1983

Department of Water Resources
Eastern District Office

Mr. Ken Dunn
Director of Department
of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

LEGAL #1892

Gentlemen:

I am filing an official exception to the Water Right Application filed by Vance C. Christensen in Section 12TWP. 14S RGE 40 East, located in Franklin County Idaho.

If it applies in any way to the water rights ownership changes that took place on May 12, 1930 between Ezra Larsen and Marinus W. Hansen of which I have attached a copy. There were two legal changes made in 1930 regarding two springs rising on the property that I currently own. One is a Quick Claim Deed where the spring was sold to Marinus W. Hansen from Ezra E. Larsen, and the other is an Agreement where Martinez Hansen was granted the use of the waters for culinary purposes. Ezra Larsen would have the balance for irrigation purposes.

I currently own the property that was owned by Marinus W. Hansen during the execution of this agreement and Vance or Carl Christensen own the property that was owned by Ezra Larsen. If the recent water rights filing by Mr. Christensen does not infringe on my rights of ownership indicated in these agreements I have no objection to the claim. If his application is an infringement on my rights I would like it officially recorded. In either case, I am requesting that these two documents be filed with the State of Idaho for future reference. I recognize your office does not confirm or deny water rights, but merely serves as an information center for the State of Idaho's water.

I have attached a copy of the County Map showing the location of the two springs listed to assist you in identifying the physical locations. I would appreciate a response advising me if claim 13-4240 involves these two springs. My intentions are to maintain the property and water rights spelled out in the attached legal documents.

I appreciate your assistance in this matter, and please advise if any additional information is required.

Very truly yours,

M. Glade Larsen

M. Glade Larsen

Joanne Sueoka
NOTARY

4-1-85
My Commission Expires

Salt Lake City, Utah
Residing at

13-4240

CHRISTENSEN, C. VANCE

RT. 2, BOX 507, PRESTON, ID 83263

Source: SPRINGS trib. to SINKS

Priority Date: 12/10/1912

Diversion Pt: NESE Sec 12 T 14S R 40E

Use: IRRIGATION (0.78 CFS)

In: NWSE Sec 12 T 14S R 40E FOR 31 ACRES

*Proved
By Phone
7/8/83 BP*

NOTICE OF CLAIMS TO WATER RIGHTS

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

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

KEN DUNN, Dir.

Published 7/14 & 7/21/83.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 6, 1983

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

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 1, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JGM

Right Number 13 4240 Applicant Vince Christensen

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

CHECK:

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

FINAL REGIONAL PROCESSING REVIEW:

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

By aw Date 7-29-83
EMC Aug 16, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 8/30/83

Aug. 1, 1983

July 29, 1983

RE: Claim to a Water Right No. 13-4240 CHRISTENSEN

M. Glade Larsen
3132 Morningside Circle
Salt Lake City, UT 84417

Dear Mr. Larsen:

We have received the exception dated July 22, 1983, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department----Corrections.----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

July 29, 1983

RE: Claim to a Water Right No. 13-4240

C. Vance Christensen
Rt. #2, Box 507
Preston, ID 83263

Dear Mr. Christensen:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
.At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

August 2, 1983

RE: Claim to a Water Right No. 18-4240 CHRISTENSEN

Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on July 14 and 21, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 1, 1983

C. VANCE CHRISTENSEN
RT. 2, BOX 507
PRESTON

ID 83263

RE: Claim No. 13-4240

Dear Claimant:

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

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

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

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

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED

AUG 26 1983

Department of Water Resources