

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02419
Date Received: 1/25/1990
Receipt No: 8011859
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD L. RUPP 208-237-3144
Address: 12789 HILINE RD.
POCATELLO, ID 83202

OR

Name: VEDA J. RUPP 208-237-3144
Address: 12789 HILINE RD.
POCATELLO, ID 83202

2. Date of Priority: OCT 26, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	34E	35	SE	NE	NW		BANNOCK
			SE	NE	SE		BANNOCK

5. Description of diverting works:
TWO WELLS, PUMPS AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.950		816.00

7. Total Quantity Appropriated is:
2.950 C.F.S. (and/or) 816.00 A.F.A.

8. Total consumptive use is 582.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-02419

Page 1

Date: 01/25/90

MICROFILMED
NOV 13 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	34E	35	SW	NE		IRR	40.0
			SE	NE		IRR	25.0
			NE	NW		IRR	38.0
			SE	NW		IRR	40.0
			NE	SE		IRR	16.0
			NW	SE		IRR	17.0
			Section Acres				
		36	SW	NW		IRR	31.0
			NW	SW		IRR	26.0
Section Acres						57.0	
Total Acres						233.0	

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT SHALL NOT EXCEED 816.0 AFA WHEN COMBINED WITH ALL
OTHER RIGHTS APPURTENANT TO THE SAME LAND.

15. Basis of Claim: LICENSE

Water Right Number: 28240

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

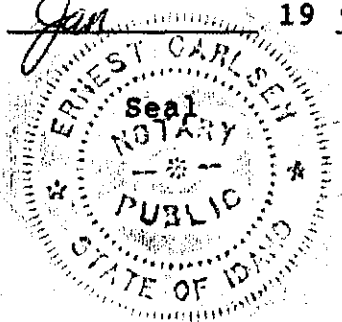
Signature of Claimant(s): Harold L. Rupp Date: 1/25/90
Veda J. Rupp Date: 1/25/90

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of Jan 19 90

Ernest Carlsey
Notary Public



Residing at Idaho Falls, ID

My Commission Expires 6-14-1994

T.S. 2

P O C A T E

NOV 13 1992

MICROFILMED

17340

B E N C H

W
O

MEMORANDUM

Date: 1/31/01

From: Craig Saxton

Subject: 29-13143 and 29-13144

Back ground:

Two families have owned and operated the land covered under water right licenses 29-02292 and 29-02419. The Rupp's family and the Jensen Family. Adjudication claims were filed on these water rights by the Rupp's.

The Jensen family has part ownership of the land and now wants their names on the adjudication claims. The only way to add the Jensen's names to the claims filed by the Rupp's would be to have the Rupp's sent a letter to add the Jensen's names.

The Jensen's told me that there is some sort of tension and the Rupp's would not allow the Jensen's name to be added.

Result:

The Jensen's filed separate adjudication claims on the land in question. The Jensen's claims were filed exactly like the claims filed by the Rupp's. The intention of filing the claims is not to claim sole ownership of the water rights, but rather to ensure that their names are included as owners when the department makes it's recommendation to the court.

Fees:

Acreage fees paid by AJ claims 29-02292 and 29-02419. A notice of extension of time to avoid late fees was filed based on the fact that the Jensen's thought that their name was included on the original filing.

Log for claim A29-02419

Spatial Dynamics LTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s34e	35	SWNE	40	40	
05s34e	35	SENE	25	30	
05s34e	35	NENW	38	36	
05s34e	35	SENW	40	40	
05s34e	35	NESE	16	16	
05s34e	35	NWSE	17	23	
05s34e	36	SWNW	31	36	
05s34e	36	NWSW	26	24	
Totals:			233	245	

AJ5809NP
No. A29-02419

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 56

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD L RUPP	10/26/1959	IRRIGATION	04-01 10-31	2.950 CFS	816.00 AFA
C	VEDA J RUPP					
	12789 HILINE RD			TOTAL DIVERSION:	2.950 CFS	816.00 AFA
	POCATELLO ID 83202			CONSUMPTIVE USE:		582.50 AFA
	(208) 237-3144					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R34E S35

SENENW

SENESE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	34E	35	:					40		25	:			38				40	:		
05S	34E	36	:								:			31				26	:		
																			TOTAL ACRES		233.0

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-02292

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04021

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: GEN THIS RIGHT SHALL NOT EXCEED 816.0 AFA WHEN COMBINED WITH ALL
OTHER RIGHTS APPURTENANT TO THE SAME LAND.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/25/90 CARLSEN 06/30/94 COX 03/29/95 POST-STD

WATER LICENSE

Water License No. G-28240 Priority October 26, 1959 Amount 2,947 c.f.s.

THIS IS TO CERTIFY, that Harold L. & Veda J. Rupp & Melville W. & Ora L. Jensen
of Pocatello, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated October 26, 1959; that Permit G-28240 was issued pursuant
to said application; that the proposed works were completed on or about May 1960
with a storage or carrying capacity of 2,947 c.f.s., said works consisting of well,
pump and motor, and that on September 24, 1964,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 816
when combined with all other rights appurtenant to the same land and shall not exceed
acre feet per season, with a maximum rate of diversion of 2,947 cubic feet per second of the waters that
of ground water, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE 1/4 NW 1/4, Sec. 35, T. 5 S, R. 34 E, B.M., and
other additional points _____, in the County of
Bannock; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 816 acre feet per year. when combined with all other
rights appurtenant to the same land.

Description and location of 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	
5 S	34 E	35			40	25	38			40					16	17			176
		36							31			20							57

Total number of acres irrigated 233

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of May, 1968

[Signature]
State Reclamation Engineer

29 2419

29-2419
28240

29-111

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36200
Permit No. G- 28240
District No.

1. Name of Applicant: Harold L. Rupp, Veda J. Rupp, Melville W. Jensen, & Ora L. Jensen

Postoffice address: Route 2, Pocatello County: Bannock State: Idaho

2. Quantity of water claimed: Four Second Feet

(a) Rate of withdrawal in cubic feet per second 4 or Idaho
Miners' inches 200 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Irrigation well

4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35
Twp. 5 S , Rge. 34 E , B.M., County of Bannock

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Well and pump, sorinkler

8. Estimated cost of works: \$ 20,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is five years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

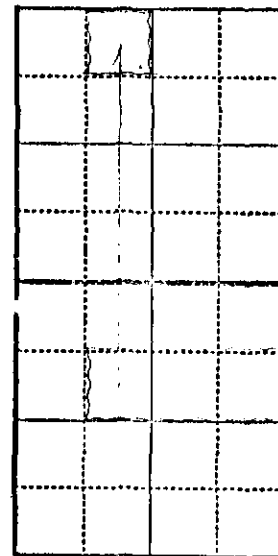
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 4 (cubic feet per second, inches or gallons per minute) is for new lands.



BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By Veda Rupp, Sect. Agent.

Corrected application received:

12.

I, RAVEN H. THIAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public waters of the State of Idaho, No. G-28240.

This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded; January 25, 1965

PLEASE RETURN FOR 2.947 SEC. FT.
LA LASE PA

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-28240

This proof is for completion of Works & B. U. In Water District No. _____

1. Name of applicant Harold L. & Veda J. Rupp; Melville W. & Ora L. Jensen2. Source of water supply: Irrigation well3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35T. 5S R. 34E County of Bannock4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor200 H.P. 876578 - Loyne Turbine - 8" Discharge5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, 5S-34E; S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 2, 6S-34E; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, 6S-34E;W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, 6S-34E making a total of 205 acres to be irrigated.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: 200 Rainfall 200 Heads 125 Nozzles at
58# 4 1/2" 97 at 57# 5/2"(6.46 x 125) + (5.31 x 97)
448.8 = 2.947IRRIGATION REQUIREMENT = 3.5 AC-Ft / Acre / SeasonMelville Jensen was presentcheck file 21771. ~~He was not to land but on this permit~~
~~was not listed and it should be~~This examination was made on the _____ day of _____, 1968(Signed) Dean Reynolds

Examiner.

B.P.
Plat
K.H.28240

Harold L. Rupp, Veda J. Rupp
Melville Jensen, Ora L. Jensen
Route # 2, Pocatello
Permit No. G-28210

082-3864

Examination for Construction of Works & B.U.

County Bannock

Quantity:

Source:

P.D.:

Use:

Filed:

Due:

Extension:

Protest:

Completion of Work:

Other Rights:

Sec. 35 T. 53 R. 34E

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Jobe Rupp
4.0 Re ad
WELL 29-

NENW-35-5S-34E

IRRIGATION

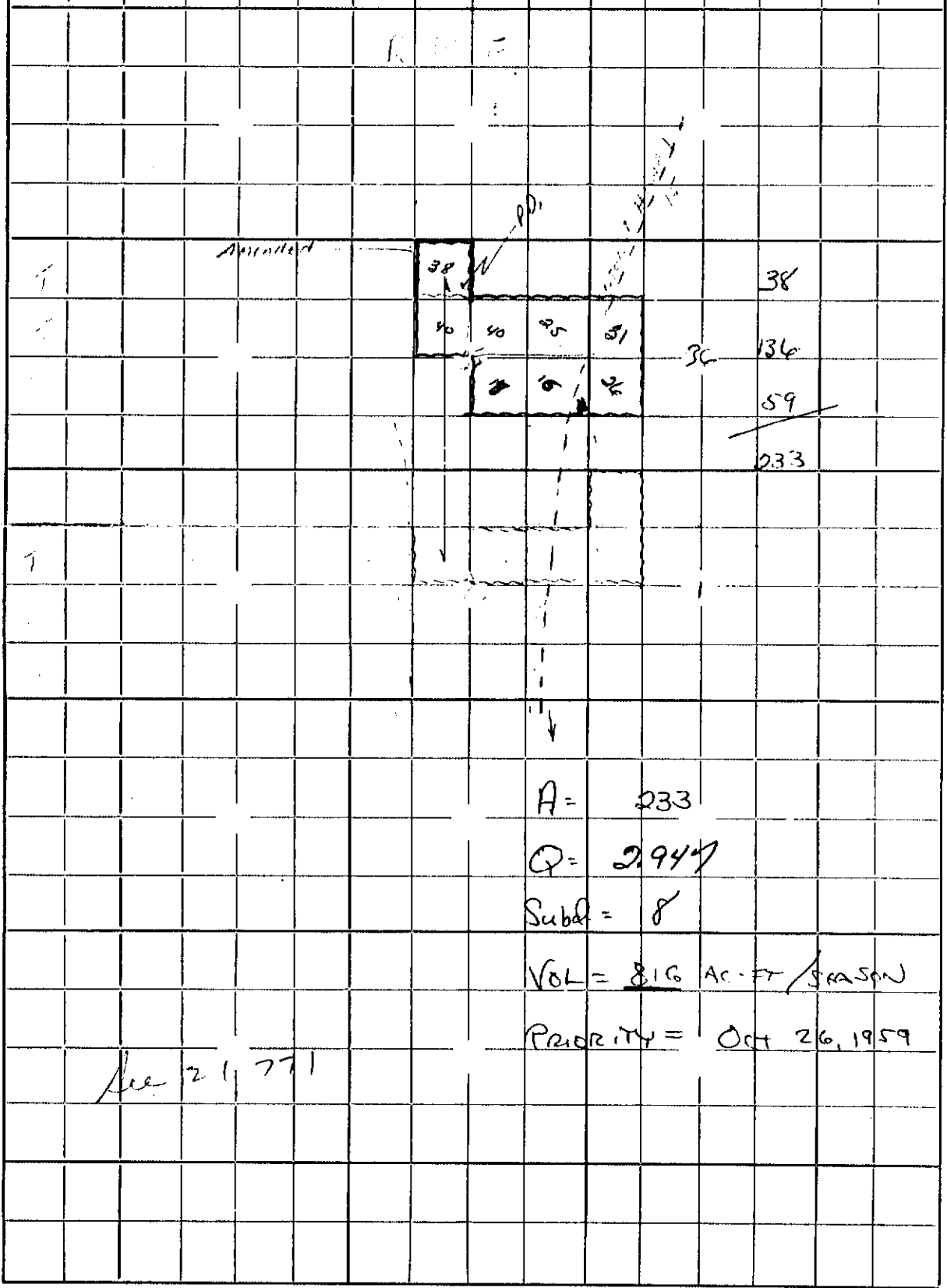
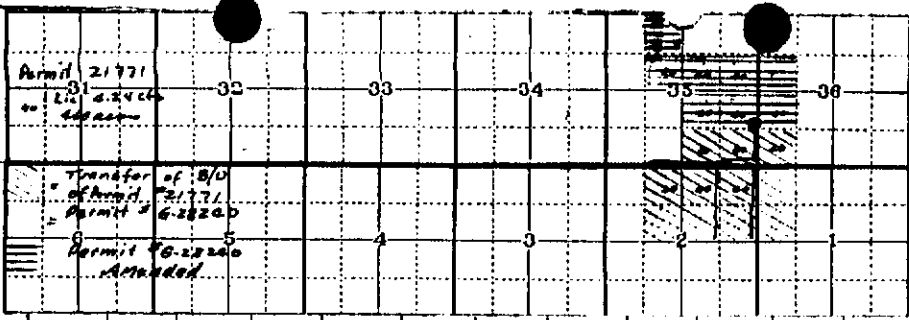
2.6 Oct 64

3 Nov 64

NONE

Made Sept 24, 1964

0468C



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28240

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28240

REPORT ON PROOF OF Completion of Works & Beneficial Use

Harold L. Rupp, Veda J. Rupp, Melville W. Jensen,
Ora L. Jensen
Route # 2
Pocatello, Idaho

SCALE: ONE INCH TO ONE MILE

Township 58 Range 34E

*Licensed
Permit No. 21771
Priority- 10-14-50
Amount- 4.24 c.f.s.*

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

28240

L
23.2

K
30.6

XPO

M
41.1

J
39.0

B
26

A
26

Y
72.6

D
6.1

1A223

1A224

B
25.7

A
1.5

D
39.4

51.7

Q
19.7

A77E

A
22.1

X
20.9

28240

A714
2-2

I
238.5

x

21.50
34.51

J
111.1

F
40.6

C
32.6

E
28.3

D
36.8

S
122.6

A224

35.15
3

A
72.6

36.31
16

T
234.1

39.5

171

282410