

2004 JUL 26 PM 4:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

)
)
) **ORDER GRANTING MOTION TO FILE**
) **LATE NOTICE OF CLAIM**
)
) **For water right: 29-13681**
)
)

On April 19, 2004, Claimant Scott R. Jensen filed a *Standard Form 4/Motion to File Late Notice of Claim* for the above water right. On July 20, 2004, a hearing was held on the *Motion*. At the hearing, Brian Hawthorne appeared to support the *Motion*. No other parties appeared to oppose the *Motion*.

At the Hearing, Mr. Hawthorne indicated that he had recently purchased the land appurtenant to the water right, but had not yet filed a Change of Ownership form with the Idaho Department of Water Resources. IDWR stated that it had not received a copy of the Claim. Following questioning by the Court, the Court has concluded that the Claimant presented proper grounds for the *Motion to File Late Notice of Claim* to be granted.

At the hearing, the Court informed Mr. Hawthorne that a Change of Ownership form will need to be filed with IDWR before any further action can be taken in the above subcase.

Therefore, IT IS ORDERED, that the *Motion to File Late Notice of Claim* is granted, PROVIDED THAT Mr. Hawthorne take action to change ownership for the above water right with IDWR.

After the Court is notified of a successful change of ownership, the original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the I.D.W.R for further action.

Dated: July 21, 2004
24

A handwritten signature in black ink, appearing to read "John M. Melanson", written over a horizontal line.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on July 26, 2004, with sufficient first-class postage to the following:

SELINA JENSEN
PO BOX 111
DOWNEY, ID 83234

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

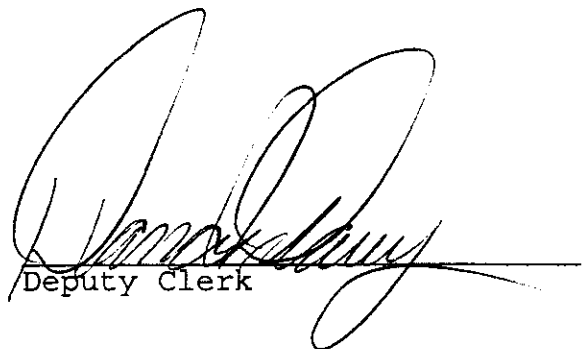
BRIAN HAWTHORNE
9528 S MARSH CREEK RD
MCCAMMON, ID 83250

SCOTT R JENSEN
9528 SO MARCH CRK RD
MC CAMMON, ID 83250
Phone: 208-251-3860

ORDER

Page 5 7/26/04

FILE COPY FOR 00430 / Deputy Clerk

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk mentioned in the text.

RECEIVED

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

JUL 27 2004

DEPARTMENT OF
WATER RESOURCES

FILED

2004 APR 19

CIVIL CASE NUMBER:

39576

Ident. Number

29-13681

Date Received

7-27-04

Receipt Number

C074629

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Scott & Selma Jensen Phone (208) 251-3806

Mailing Address P.O. Box 111, Downey ID Zip 83234

2. Date of Priority (Only one (1) per claim) 04-24-1947

3. Source of water supply (a) Marsh Creek
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 09S Range 36E Section 22,
_____ 1/4 of SE 1/4 of NW 1/4, Govt. Lot, 8 B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Via pump to sprinkler

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/31 amount 0.11 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	36E	22							3.0	2.4									5.4

Total number of acres irrigated 5.4

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☒)

14. Remarks: PLACE OF USE also known as Lot 6 Green Vale Subdivision,
and 9528 S. Marsh Creek Road, McCammon ID 83250

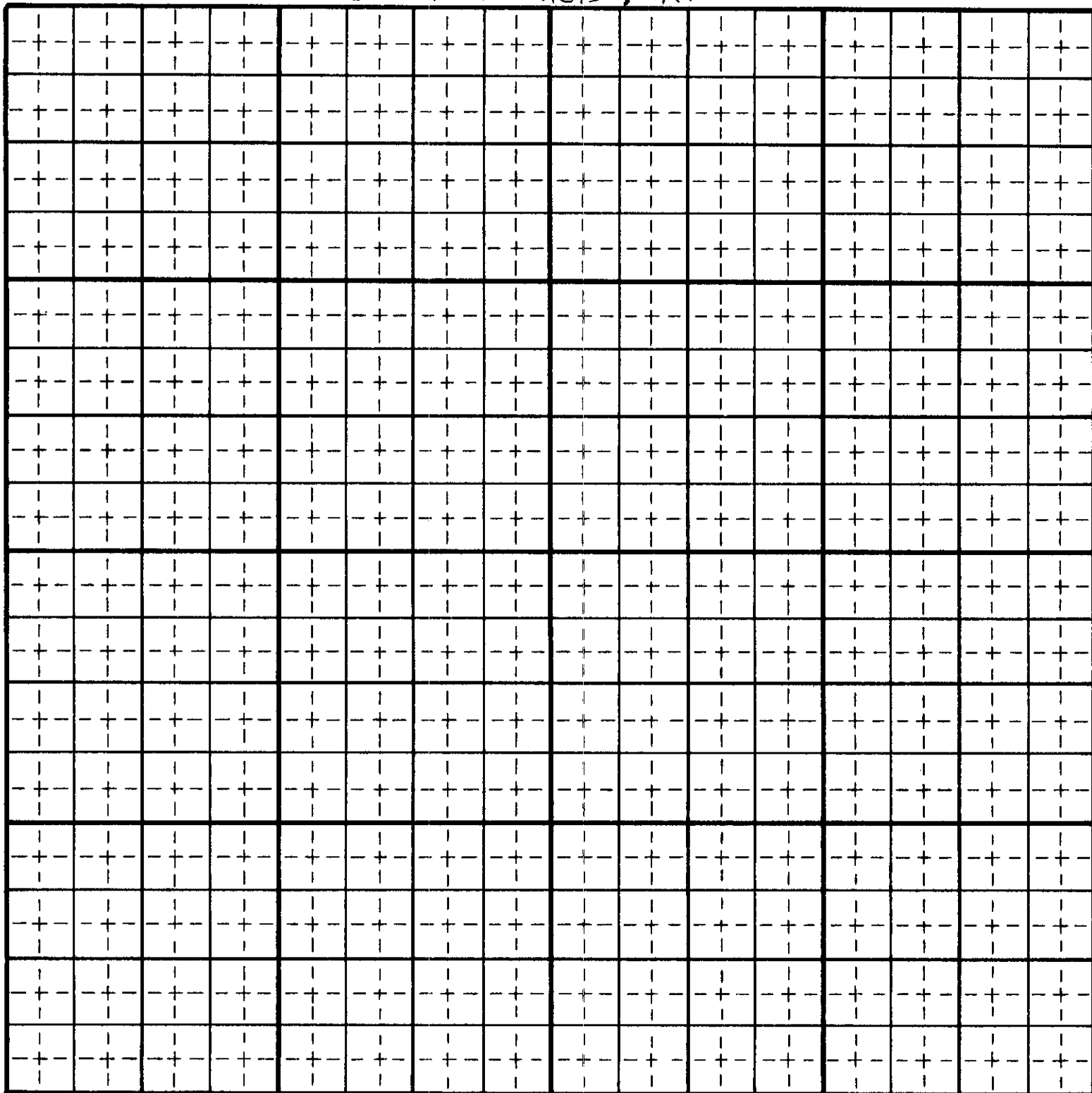
Last Name JENSEN Ident No. 29-13681

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEE ATTACHED MAP



Last Name JENSEN

Ident No. 27-13681

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 29-2269 (Part)

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date Apr. 15, 2004

Date _____

X For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day of April 19 2004



Notary Public Jennifer Crabtree

Residing at Idaho Falls Id

My Commission Expires 9/23/09

Please Print Name

17. Notice of Appearance
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Jensen Ident. Number 29-13681

Copies White-State, Yellow-Claimant

Idaho Department of Water Resources Receipt

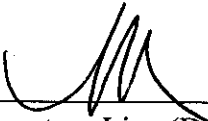
Receipt ID C074629

Payment Amount Date Received Region Status
Payment Type Check Number

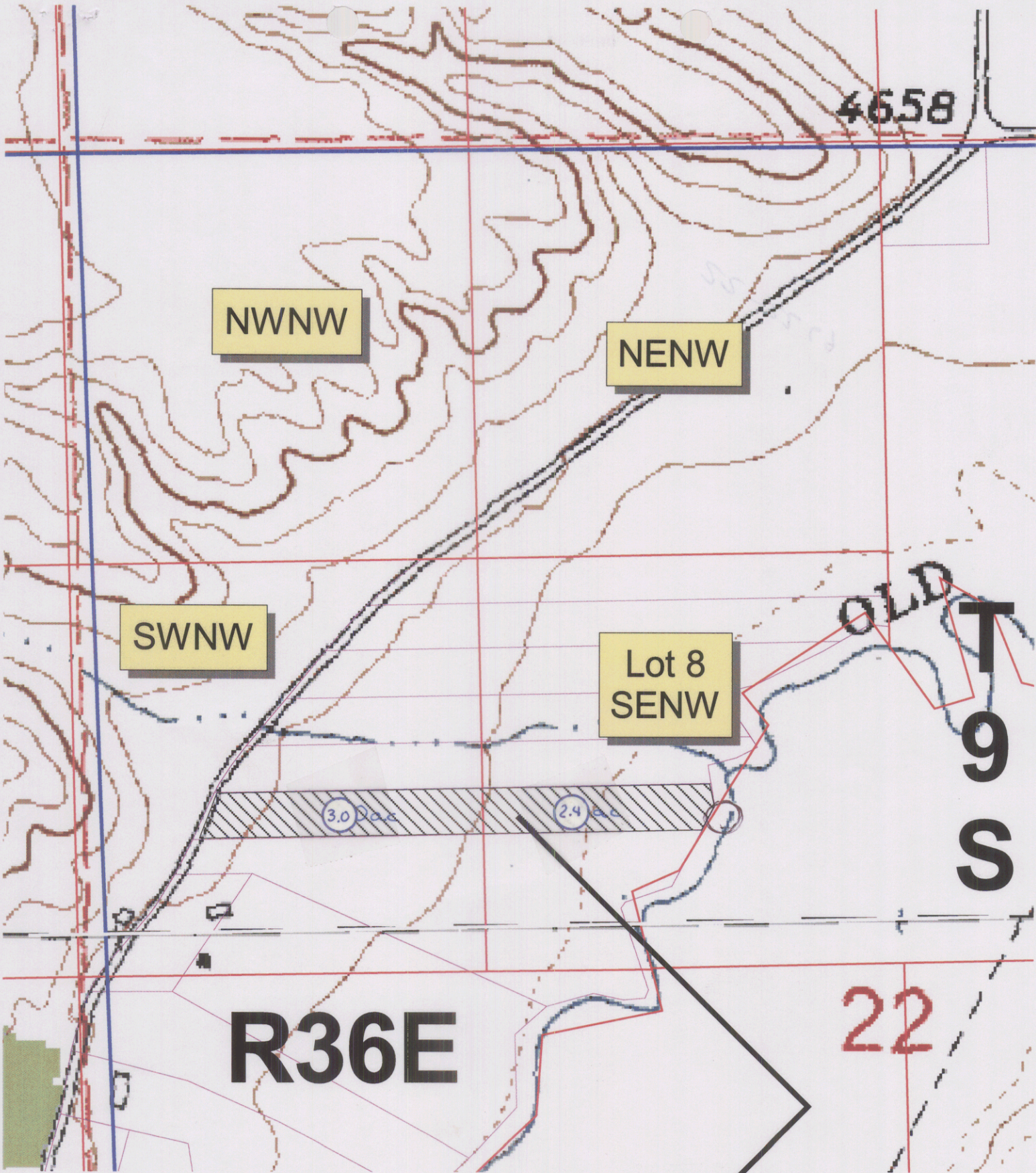
Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$105.00	ADJUDICATION FILING FEE	0337		41503	1155



Signature Line (Dept. Representative)



- Sections.shp
- T09s36e.shp
- Bannock.shp

Jensen

9528 S Marsh Creek Road

29-13681