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JUN 19 2006

DEPARTMENT OF
WATER RESOURCES

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

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)

Subcase No. 22-07198

Standard Form 5

Case No. 39576

STIPULATED ELEMENTS
OF A WATER RIGHT

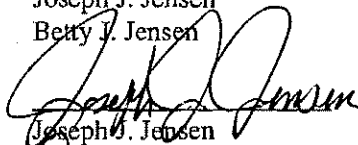
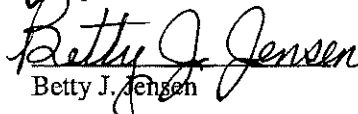
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

Joseph J. Jensen
Betty J. Jensen

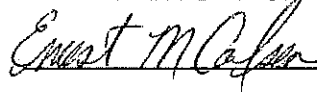

Joseph J. Jensen 6-9-06
Date

Betty J. Jensen 6-09-06
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management


Larry A. Brown 6/15/06
Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:


Ernest M. Calan 5-19-06
Date

IDWR CONCURRENCE:

Candice M. McHugh (as to form) Date
Deputy Attorney General

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7198

NAME AND ADDRESS: JOSEPH J JENSEN
5195 W HWY 33
REXBURG ID 83440

BETTY J JENSEN
5195 W HWY 33
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.500 CFS
437.50 AFY

PRIORITY DATE: 10/18/1976

POINT OF
DIVERSION:

T06N R39E S29

SENENW

Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
2.500 CFS
437.50 AFY

PLACE OF USE:

IRRIGATION

Within MADISON County

T06N R39E S29	NENE	34.00
T06N R39E S29	NWNE	36.00
T06N R39E S29	NENW	3.90
T06N R39E S29	SWNW	3.10
T06N R39E S29	SENE	36.00
T06N R39E S29	NWSW	16.00

T06N R39E S30	NENE	40.00
T06N R39E S30	SENE	39.00
T06N R39E S30	NESE	40.00
T06N R39E S30	Lot 11 NWSE	15.00
~~T06N R39E S30~~	~~Lot 16 NWSE~~	~~2.10~~

~~265.1~~ 263.0 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~265.1~~ 263.0 acres in a single irrigation season. Combined Right Nos.: 22-2170 and 22-7198.

This right is limited to the irrigation of 125 acres within the place of use described above in a single irrigation season.

THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Right includes accomplished change in place of use
pursuant to Section 42-1425, Idaho Code

FWP
DD BJJ
K

EMC

CERTIFICATE OF MAILING

I certify that on June 15, 2006 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

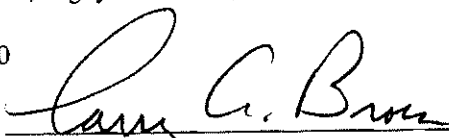
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Joseph J. and Betty J. Jensen
5195 W. Hwy 33
Rexburg, Idaho 83440

Jerry R. Rigby
Rigby, Thatcher, Andrus, Rigby & Moeller, Chtd.
P.O. Box 250
Rexburg, Idaho 83440


Signature of person or attorney mailing the form