

05/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2170
NAME AND ADDRESS: JOSEPH J JENSEN
5195 W HWY 33
REXBURG ID 83440

BETTY J JENSEN
5195 W HWY 33
REXBURG ID 83440

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

QUANTITY: 3.420 CFS

Right Nos. 22-7198 and 22-2170 are limited to a total combined diversion rate of 5.26 cfs.

PRIORITY DATE: 09/29/1958

POINT OF DIVERSION:

T06N R39E S29 SESENW Within MADISON County
T06N R39E S29 NWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.420 CFS

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	SENW	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

263 ACRES TOTAL

Place of use does not include federal public lands

The rights listed below are limited to the irrigation of a combined total of 263 acres in a single irrigation season. Combined Right Nos.: 22-2170 and 22-7198.

This right is limited to the irrigation of 171 acres within the place of use described above in a single irrigation season.

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

05/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

The source of this right is waste water originally diverted by surrounding farmers and canals.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

05/25/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

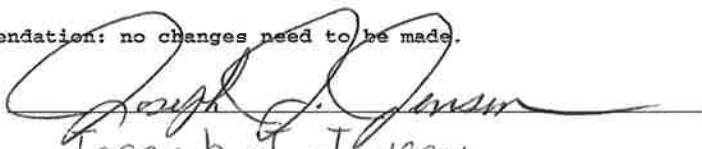
Water right number: 22-2170

JOSEPH J JENSEN
5195 W HWY 33
REXBURG ID 83440
Telephone Number: (208)356-6421

BETTY J JENSEN
5195 W HWY 33
REXBURG ID 83440
Telephone Number: (208)356-6421

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-04-06 SIGNATURE: 
Please print your name: Joseph J. Jensen

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

OCT 12 2006

Department of Water Resources
Eastern Region

KmJ
10/12



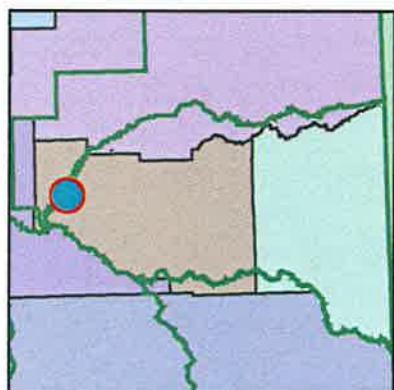
Idaho Department of Water Resources

SRBA Recommendation:

22-2170

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Madison County
IDWR Basin 22

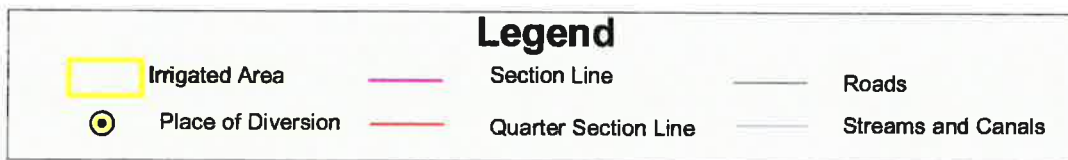
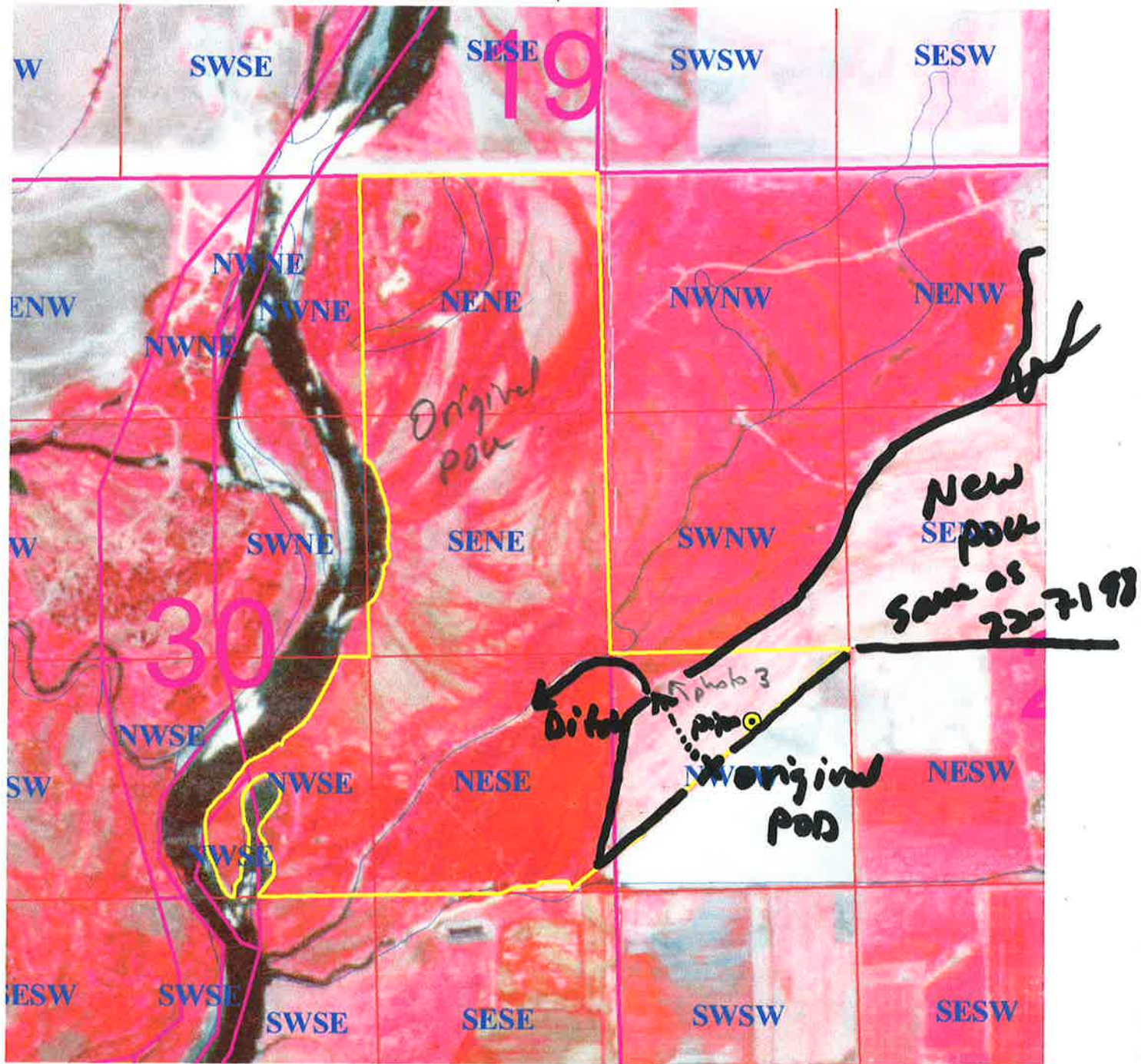


0 0.6 1.2 Miles

Prepared by M. Holliday
On Thursday, May 25, 2006
1987/88 Aerial Photography

Water Right Claim Number 22-02170
Townships , 5N38E, 6N39E

06/25/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

Claim no. A22-2170

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

	Waypoint 58 is original POD	
--	-----------------------------	--

8/20/24	Field inspection accompanied by claimant Mr Jensen	Bac
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Contacts Data Entry Form

Claim Number:

A22-2170

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

Name and address are correct. Claimant goes by
"Jay." Bae 8/21/04

Reviewer: _____ Date: _____

Claim Number:

A22-2170

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Submitted/reviewed for the priority date claimed, include your analysis of
Sept 29, 1958 per 112wre

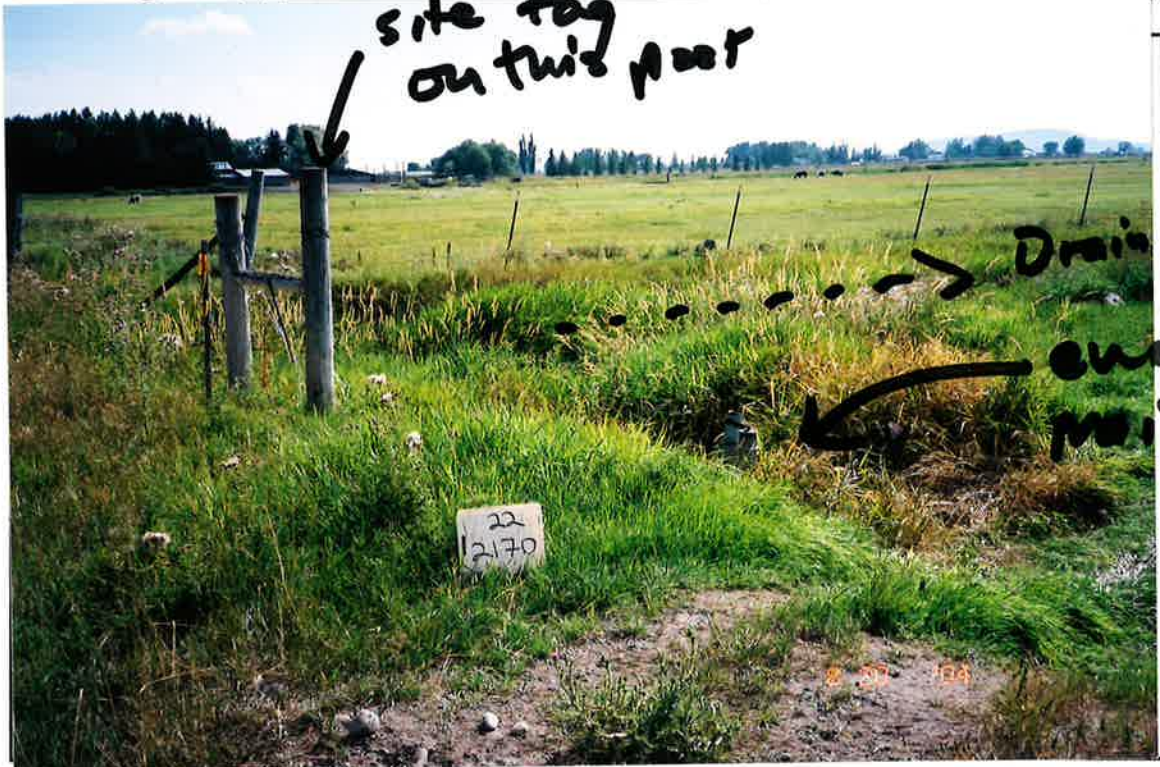
cc: Bae 8/21/04

1

Date: _____

Water Right No(s).

A 22-2170



P00 #1
(current
P00)

end of
main line

GPS DATA:

Tag # A0012211 Location: fence post

Diversion Data:

Source: _____ Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

Tag A0012211 is at the currently used P00.
Waypoint 56 is this location. Waypoint 58 is the
original P00, no tag. (Bac 8/20/04)

Field Exam Date: _____ Agent: _____

A22-2170 photos 8/20/04 Bac



Original
POD currently
unused.
Looking SW at
concrete structure.
No site tag.

Drain

← underground concrete pipe to POD



Looking NE
along original
ditch from
end of concrete
pipe.

Point of Diversion and Source Data Entry Form

Claim Number: A22-02170Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

GPS Waypoint 056 2669861 E 1404169 N is
 location where a portable pump is tied into the
 mainline. Pump was not in place at time of exam.

Original POD is waypoint 58, 2669220 E 1403940 N
 DATM 83.
 Original POD appears still useable per claimant
 not used since 1976 Teton Flood, Bac 8/21/04.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: A22-2170Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

Original POU has not been irrigated since 1976 Teton
 Paved. An accomplished transfer applies water to
 the same POU as 22-3198 through the same
 mainline. This doesn't occur every year but
 has been used occasionally when there are problems
 with the well pump according to claimant.
 The most recent use was probably within the
 last 5 yrs. BAE 5/20/04

Reviewer: _____ Date: _____

Season of Use and Quantity Data Entry Form

Claim Number: A22-2170Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

3.42 cfs per license. License does not
give a season of use. BAC 8/21/04

Reviewer: _____

Date: _____

Log for claim 22-02170

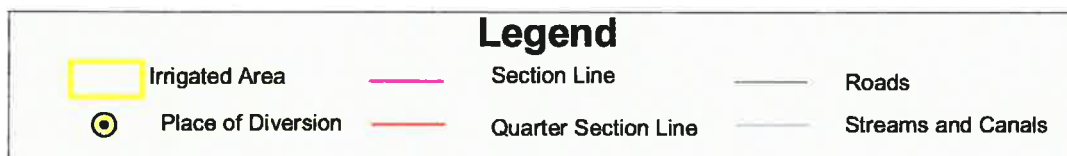
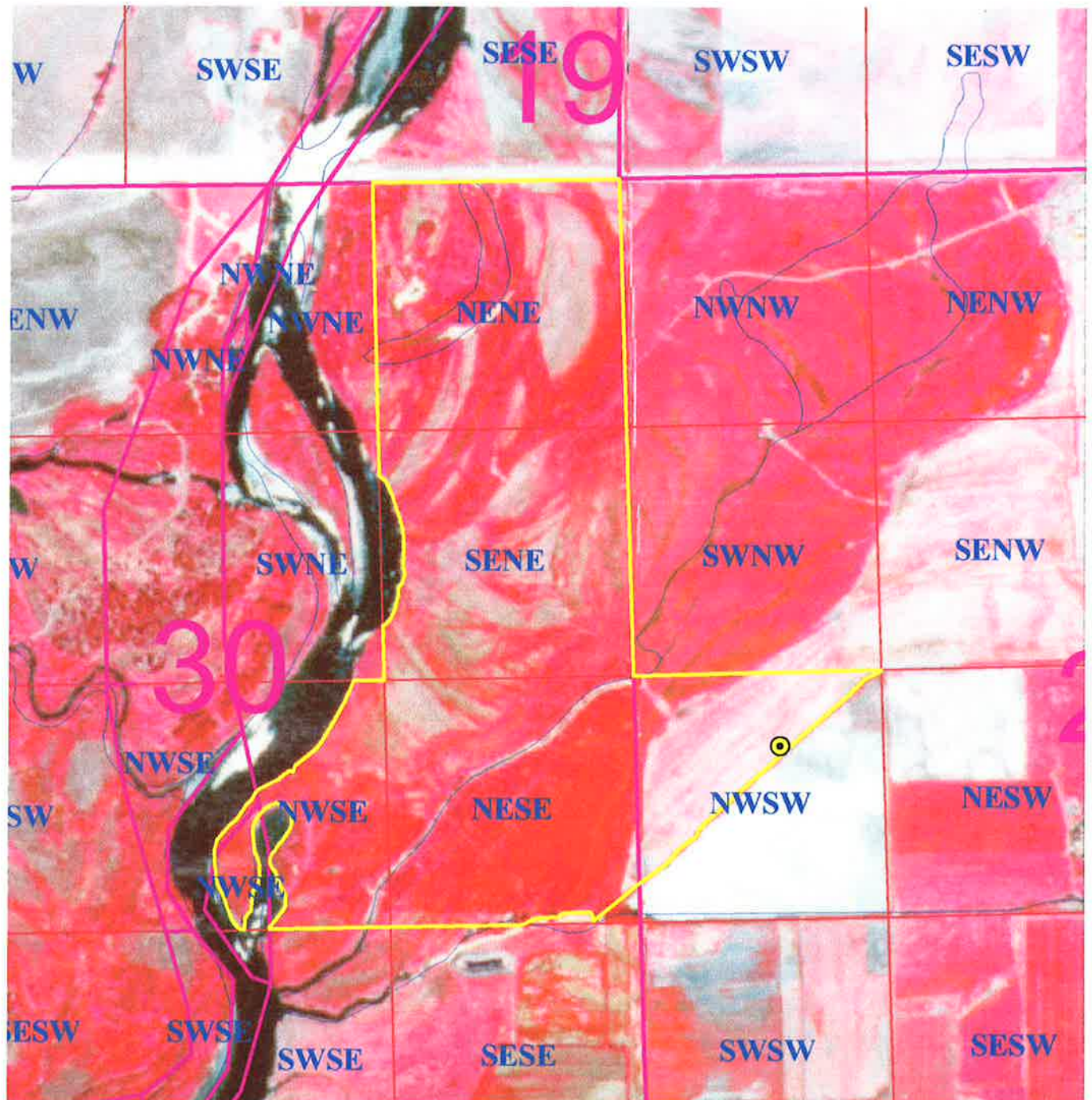
Spatial Dynamics BTD

6/25/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n39e	29	NWSW	22	17	
06n39e	30	NENE	40	40	
06n39e	30	SENE	40	39	
06n39e	30	NESE	40	39	
06n39e	30	NWSE	29	17	
Totals:			171	152	

Water Right Claim Number 22-02170
Townships , 5N38E, 6N39E

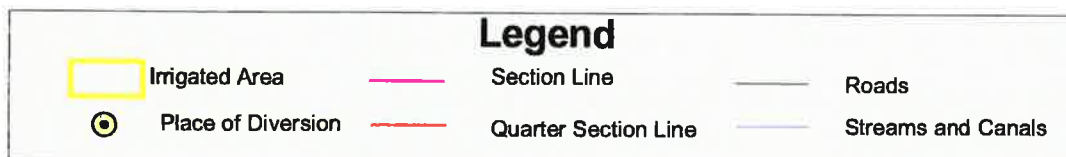
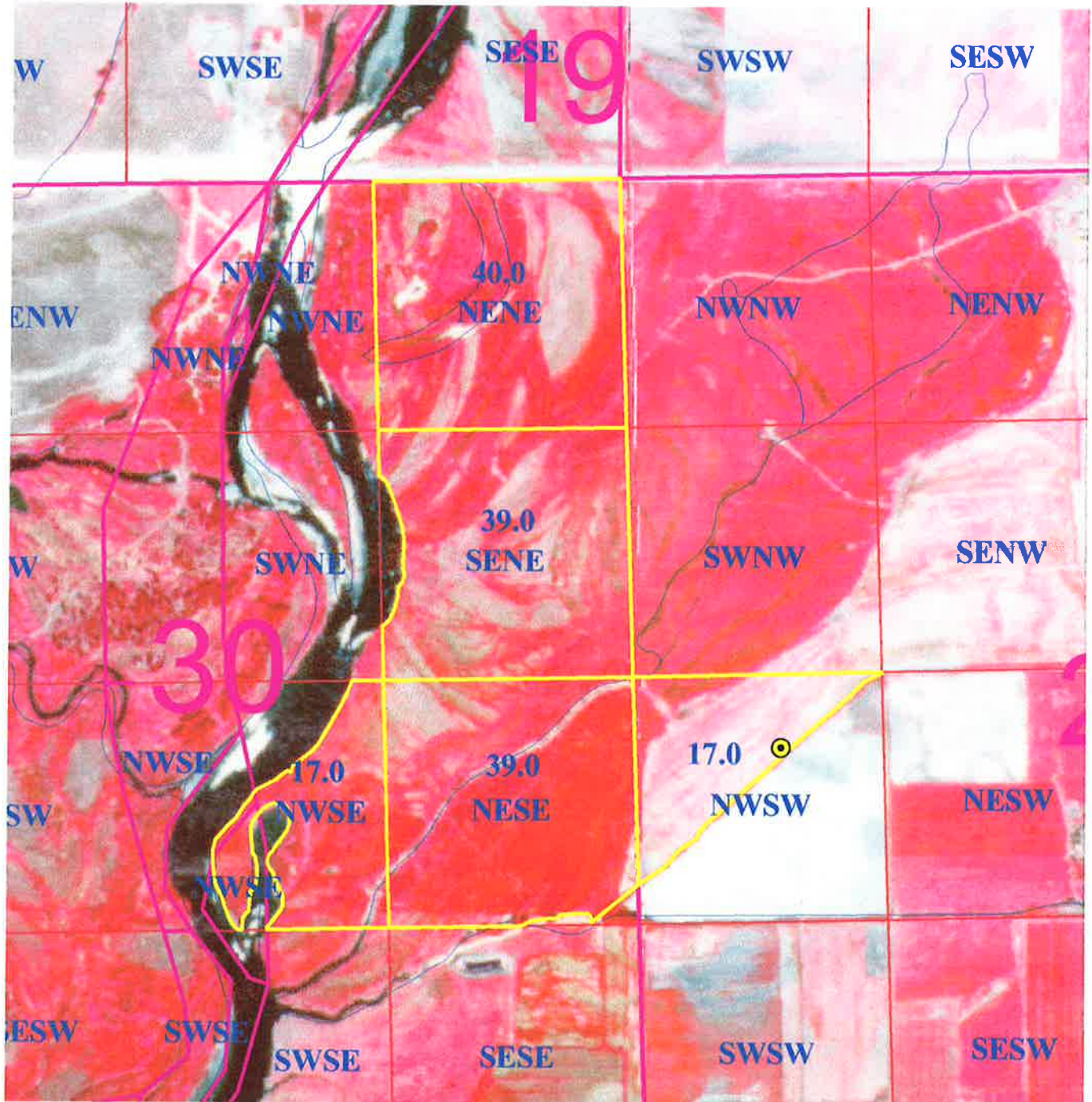
06/25/2001



SPATIAL
DYNAMICS

Water Right Claim Number 22-02170
Townships , 5N38E, 6N39E

06/25/2001



State of Idaho
License and Certificate of Water Right

Water License No. 27578

Amount 3.42 c.f.s.

Water District No.

Priority Sept. 29, 1958

THIS IS TO CERTIFY that HARLO B. RIGBY
of Rexburg, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 29, 1958; that Permit No. 27578
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.42 second feet, was issued thereunder on March 19, 1963, showing that said works
were completed on the 20th day of November, 1961; and that on the 20th
day of November, 1961,

HARLO B. RIGBY

of Rexburg, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of waste water -
drainage ditch, a tributary of Snake River, for the purpose of irrigation
, under Use Permit No. 27578 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7566, on the 19 day of March, 1963;
The right hereby confirmed dates from September 29, 1958;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 29, Tp. 6 N., R. 39 E., B. M. Madison County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.42 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	39 E.	29 30	NW 1/4 SW 1/4	20	22
			NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	18	29
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid 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
19th day of March, 1963.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

2170

Application For Permit
To appropriate the Public Waters of the State of Idaho

22-2170

APPLICATION No. 35513
PERMIT No. 27578
DISTRICT No.

Harlo B. Rigby
Rexburg, Idaho

1. Name of Applicant: HARLO B. RIGBY

Postoffice address: Rexburg

County: Madison

State: Idaho

I. If applicant is a corporation, give:

- (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) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: Four

cubic feet per second.

3. Source of water supply: A waste and drainage ditch which is used to drain surplus irrigation and sub waters from the surrounding farming area and which crosses a portion of the applicant's land and empties into the Snake River, which channel is, then, a tributary of the Snake River

4. Location of point of diversion: ~~Section 29, T. 6 N., R. 39 E., B.M., and is in the SE 1/4 NW 1/4 and NW 1/4 SW 1/4~~ At the SE corner of NW 1/4 and also at a point approximately 5 rods So. of SE corner of W 1/2 NW 1/4, all in

of section 29, T. 6 N., R. 39 E., B.M., County of Madison

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Checks, headgates and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width 5 feet; height 3 feet.

11. Ditch: Width at bottom 5 feet; width at water line 6 feet; depth of water 2 1/2 feet;
dimensions of flume: None

Diameter of pipe None inches; length of conduit None miles.

Average grade per mile 2 feet.

12. The time required for the completion of such work is five years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 15 shares of the capital stock of the Rexburg Irrigation Company representing 75 miners inches, which is used principally on N 1/2 NE 1/4 of Section 29, Twp. 6 No., Rge. 39 E.B.M. Some is used on rest of above described premises.

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ Harlo B. Rigby
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. September 29, 1958

Returned to applicant for correction: September 29, 1958

Corrected application received: October 3, 1958

Approval of State Reclamation Engineer

The number of this permit is 27578

Recorded in Book 97 Page 27578

Approved October 15, 1958

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before December 15, 1958

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 15, 1961

The whole of said work to be completed on or before October 15, 1963

Beneficial use of water appropriated in accordance herewith, to be made on or before October 15, 1963

WITNESS My hand this 15th day of October, 1958

/s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE

Governor of the State of Idaho,

and JAS. H. YOUNG

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 15th

day of October, 1958

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYLLIE

Secretary of State.

Governor.

REMARKS: (See Below)

14.

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	
6 N.	39E	29	40	40			40	40	40	40	20				40	18.31			260
6 N.	39 E	30	40		40														138.31
Total number of acres to be irrigated - - -																			398.31

REMARKS:

While completion of works can be accepted in order to keep permit in good standing, license cannot be issued until determination is made that the water claimed is public water. The applicant is a part owner of the drainage channel from which the water is to be diverted. After the drainage water enters the premises of the applicant, it has been abandoned by all upstream users and could not be used by any other person on the drain. The applicant's premises borders the Snake River into which the drainage water goes. Furthermore, the elevation of the drain is such that when the water reaches the premises of the applicant, it is so low that it could not be taken back up on the premises of the other owners of the drain. The abandonment, therefore, of that drainage water after it enters the applicant's premises makes it public water, and no consent is necessary from the other owners of the drain.

Permit No. 27578 ✓
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that HARIO B. RIGBY of Rexburg, County of Madison, and State of Idaho, the holder of Permit No. 27578, issued upon Application No. 35513, bearing date of priority of September 29, 1958, authorizing the diversion of 4.0 second feet of waters of waste and drainage ditch, County of Madison, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.42 second feet of the waters of a waste and drainage ditch, tributary of Snake River; that the point of diversion of said waters NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 6 N., R. 39 E., D. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

171 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29; E $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, T. 6 N., R. 39 E., B. M.

Witness my hand this 19th day of March A. D., 1963.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: November 20, 1961

LICENSE ISSUED FOR 3.42 SEC. F.I.
Page 7566

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 27578

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Harlo B. Rigby, Rexburg, Idaho

2. Source of water supply: waste water from drainage & waste ditch

3. Location of point of diversion: Is in the SE 1/4 NW 1/4 SW 1/4 of Section 29

T. 6 N. R. 39 E. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: Concrete block check. Control 4'x4'x4' - 500'x16" buried concrete pipe to open ditch. Water is diverted by adding flash boards to raise the water level and increase pressure head.

5. Water is used for: irrigation

6. 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):

398.31 acres in NE 1/4, NW 1/4, NW 1/4 SW 1/4, Sec. 29; E 1/2 NE 1/4, N 1/2 SE 1/4, Sec. 30, T. 6 N., R. 39 E., B. M.

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

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

Remarks: Doctor Harlo Rigby along

Dr. Rigby says he has letter authorizing the diversion of water. is supposed to send copy for file. Drains ditch crosses Dr. Rigby's land from P.D. to River.
Only one P.D. Used.

This examination was made on the 6th day of July, 1962

(Signed) Logan Johnson Examiner

27578

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 22-2170
Date Received: 6/9/1988
Receipt No: E000369
Received By:

AMENDED

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JOSEPH J JENSEN Phone: (208)356-6421
5195 W HWY 33
REXBURG ID USA 83440

BETTY J JENSEN Phone: (208)356-6421
5195 W HWY 33
REXBURG ID USA 83440

2. Date of Priority: 09/29/1958

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	39E	29	NW SW	MADISON	
06N	39E	29	SE SE NW	MADISON	

5. Description of diverting works:

Original POD is a headgate on a drain ditch for flood irrigation. Second POD is a pump from the same drain ditch, connects to a sprinkler mainline.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.5	

7. Total Quantity Appropriated is:
2.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	39E	29	NE	NE		IRRIGATION	34
			NW	NE		IRRIGATION	36
			NE	NW		IRRIGATION	4
			SW	NW		IRRIGATION	3
			SE	NW		IRRIGATION	36
			NW	SW		IRRIGATION	34
						Section Acres	147
06N	39E	30	NE	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NW	SE		IRRIGATION	29
						Section Acres	149
						Total Acres	296

11. Place of use in counties: MADISON

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

13. Other Water Rights Used: 22-7198

14. Remarks:

15. Basis of Claim: License

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 A22-2170

Date Received _____

Receipt Number _____

AMENDED

NOTICE OF CLAIM AMENDED
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Joseph Jim or Betty J Jensen Phone (208) 356 6421Mailing Address 5195 West Hwy 33 Rexburg ID Zip 834402. Date of Priority (Only one (1) per claim) Sept 29, 19583. Source of water supply (a) Waste Water
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 6N Range 39E Section 29,
_____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____Additional points of diversion if any: 6N 39E 29 SE SE NW

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.

Original POD is a headgate on a drain ditch. Second
POD is a pump from the same drain ditch, connects to
a sprinkler mainline

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 2.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.50 (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.) _____

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	
6N	39E	29	34	36			4		3	36		34							137
		30	40			40								40	29				149

Total number of acres irrigated 286 296

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

12. Do you own the property listed above as place of use? Yes X 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.
22-7198 or None ()

14. Remarks: This is claimed on a permissible place of use with 22-7198. This claim is for 171 acres within the claimed place of use. A diesel pump in the drain ditch at POD #2 allows pumping this water-right into the same sprinkler system as 22-7198.

Last Name Fensen Ident No. A22-2170

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Please see field examiners sketch in

[illegible]

Last Name Jensen Ident No. A22-2170

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 22-2170
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 _____

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

Signature of Claimant (s) _____

Date 8-20-04

Date _____

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 _____

Title

of _____

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 Madison)

SS.

Subscribed and sworn (or affirmed) before me this

20th

day of

August

2004

19



Notary Public

Bryce A. Contor

Residing at

Mod Lake

My Commission Expires

10/14/2005

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

A22-2170

Copies White-State, Yellow-Claimant

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 22-2170
Date Received: 6/9/1988
Receipt No: E000369
Received By: MWH

**AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JOSEPH J JENSEN Phone: (208)356-6421
5195 W HWY 33
REXBURG ID USA 83440

BETTY J JENSEN Phone: (208)356-6421
5195 W HWY 33
REXBURG ID USA 83440

2. Date of Priority: 09/29/1958

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	39E	29	NW SW	MADISON	
06N	39E	29	SE SE NW	MADISON	

5. Description of diverting works:

Original POD is a headgate on a drain ditch for flood irrigation. Second POD is a pump from the same drain ditch, connects to a sprinkler mainline.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	3.42	

7. Total Quantity Appropriated is:
3.42 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	39E	29	NE	NE	IRRIGATION	34
			NW	NE	IRRIGATION	36
			NE	NW	IRRIGATION	4
			SW	NW	IRRIGATION	3
			SE	NW	IRRIGATION	36
			NW	SW	IRRIGATION	34
			Section Acres			
06N	39E	30	NE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NW	SE	IRRIGATION	29
			Section Acres			
Total Acres					296	

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

Amended claim on 5/25/2006 to reflect licensed diversion rate.

15. Basis of Claim: License

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): Joseph Jensen Date: 5-25-06

_____ Date:

State of Idaho)
County of Bonneville) SS.

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

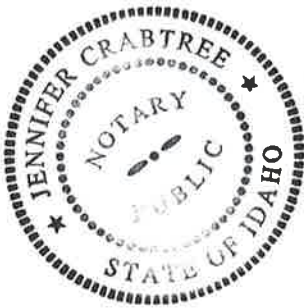
of May 2006

Jennifer Crabtree

Notary Public

Residing at Idaho Falls

My commission Expires 9/23/09



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: A22-02170
Date Received: 6/09/1988
Receipt No: E 000 369
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH JIM JENSEN 208-356-6421
Address: 5195 WEST HWY 33
REXBURG, ID 83440
AND/OR
Name: BETTY J. JENSEN 208-356-6421
Address: 5195 WEST HWY 33
REXBURG, ID 83440

2. Date of Priority: SEP 29, 1958

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	39E	29	NW	SW			MADISON

5. Description of diverting works:
CONCRETE DRAINAGE DITCH TO OPEN DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.420		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A2202170



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	39E	29	NW	SW		IRR	22.0
						Section Acres	22.0
		30	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	29.0
						Section Acres	149.0
						Total Acres	171.0

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

15 SHARES OF REXBURG IRRIG.; 2 SHARES OF TEXAS SLOUGH IRRIG.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 27578

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Joseph J. Jensen Date: 6-9-88
Date: _____

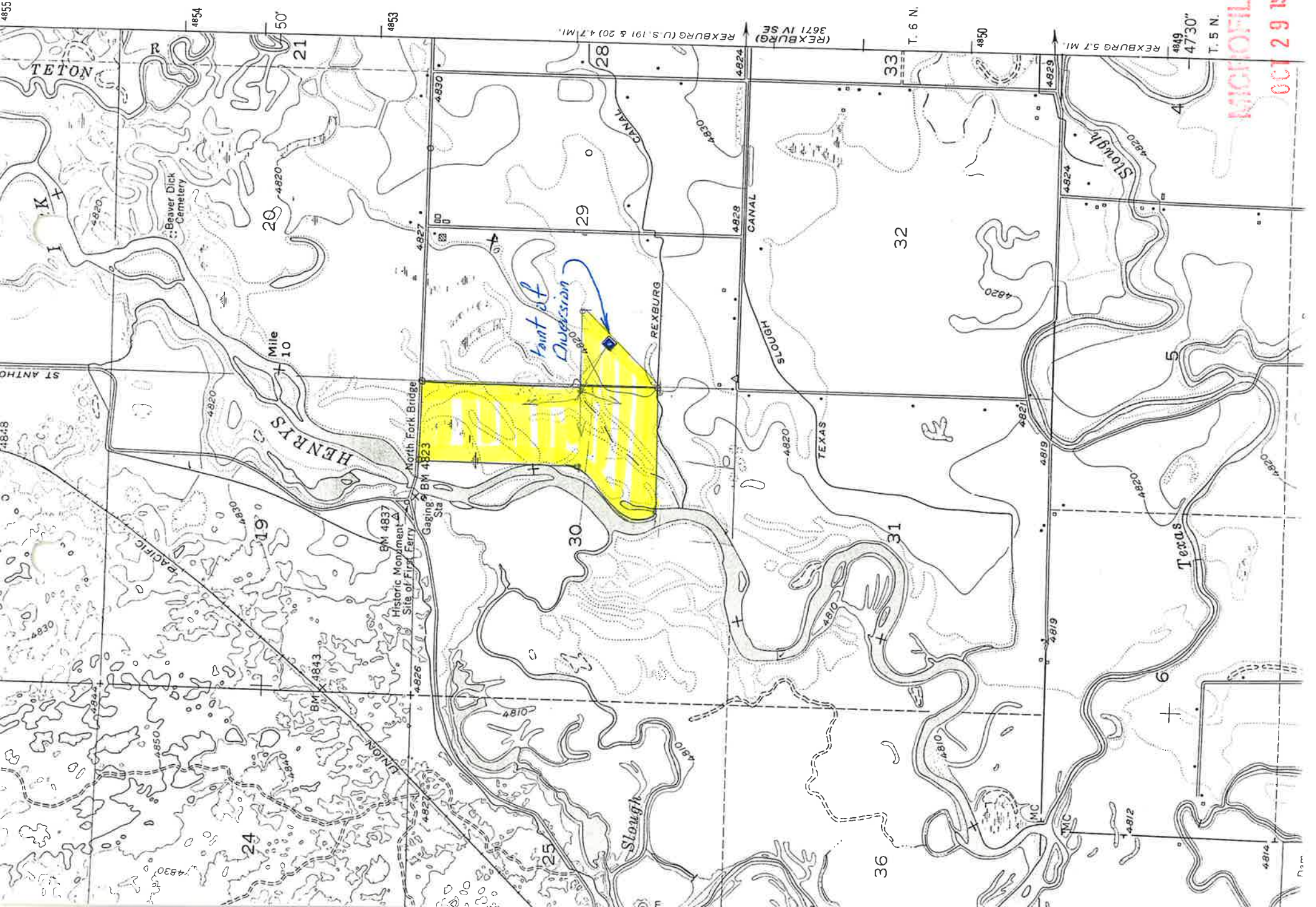
State of Idaho)
County of Bonnerille) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of June 19 88

Dana Green
Notary Public

Seal

Residing at Rigby
My Commission Expires 4-22-1994



MICROFILMED

OCT 29 1992