

02/24/2011

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

RIGHT NUMBER: 22-7672

NAME AND ADDRESS: HOWARD JENSEN FARMS
981 S 5000 W
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 4.760 CFS
833.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

PRIORITY DATE: 04/16/1990

POINT OF DIVERSION:

T06N R39E S14 SESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	4.760 CFS 833.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in MADISON County

T06N R39E S14	NWNE	20.00	T06N R39E S14	SWNE	40.00
T06N R39E S14	SENE	37.00	T06N R39E S14	NESW	30.00
T06N R39E S14	SESW	15.00	T06N R39E S14	NESE	10.00
T06N R39E S14	NWSE	40.00	T06N R39E S14	SWSE	38.00
T06N R39E S14	SESE	8.00			

238 ACRES TOTAL

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

This right is for the use of trust water and is subject to review after August 12, 2011 to determine availability of water and to re-evaluate the public interest.

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

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 22-7672/Trust Water Processing

DATE: 8-2-91

The above application is a new trust water filing which has been advertised by the region and forwarded to the state office for final review.

Statements on the application indicate that this is a supplemental filing. Review of a 1976 orthophoto confirms that the acreage under the filing was irrigated at that time. Acreage under the filing will not count as trust acreage since this is a supplemental filing. The use is still considered a trust water appropriation. I recommend continued processing of the application and attaching trust conditions to any approval.

Additional Condition:

Since the location of the proposed well is very close to the South Fork Teton River and within an area that has a perched aquifer which is the main source of water for existing domestic uses, I recommend adding the following condition to any approved permit:

Unperforated well casing shall be used above the first confining layer to prevent interference with shallow wells and recharge to the South Fork Teton River.

MICROFILMED

AUG 19 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07672

Proposed Priority: April 16, 1990 Maximum Diversion Rate: 4.76 CFS

This is to certify, that H & L FARMS
C/O HOWARD JENSEN
1718 W. 190 S.
REXBURG, ID 83440

has applied for a permit to appropriate water from: GROUNDWATER
and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	4.76 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE Sec. 14, Township 06N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 39E 14	NWNE 20	SWNE 40	SENE 35	
	NESW 27	SESW 18	NESE 11	
	NWSE 40	SWSE 39	SESE 8	238

Total number of acres irrigated: 238

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 2, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

MICROFILMED

AUG 19 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

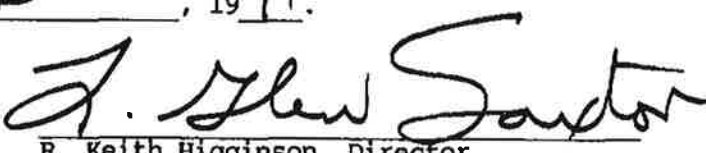
NO. 22-07672

CONDITIONS/REMARKS:

8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
10. Unperforated well casing shall be installed above the first confining layer to prevent interference with shallow wells and recharge to the South Fork Teton River.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

12th day of August, 1991.

for 
R. Keith Higginson, Director

RECORDED

AUG 19 1991

09/14/2005

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: 22-7672

HOWARD JENSEN FARMS
1028 BARNEY DAIRY RD
REXBURG ID 83440

Telephone Number: (208) 356-3273

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: _____ SIGNATURE: _____

Please print your name: _____

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

NOT MAILED!
MISTAKENLY WITHELD
FROM ESPA MAILING.
DO NOT MAIL PER ERNIE.
KMJ 02/24/2005

FILED

SCANNED
JUN 23 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-7672				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

H & L Farms
1031 Barney Dairy Rd - Rexburg
Howard Jensen Family Partnership

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

1028 Barney Dairy Rd
Rexburg, Idaho 83440
(208) 356 3273
1995

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Hawman J. Jensen
Partner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

256026

GRANT DEED

WITHOUT MONETARY CONSIDERATION, HOWARD J. JENSEN, of 1031 Barney Dairy Rd., Rexburg, ID 83440, JESSIE RAE W. JENSEN, of 1031 Barney Dairy Rd., Rexburg, ID 83440; RODNEY J. JENSEN, of 260 W. 1st N., Rexburg, ID 83440, with is spouse RANDI SUE JENSEN, of 260 W. 1st N., Rexburg, ID 83440, joining in to convey any doubtful interest; and MARK A. JENSEN, of 1718 W. 190 S., Rexburg, ID 83440, with his spouse JENNIFER JENSEN, of 1718 W. 190 S., Rexburg, ID 83440, joining in to convey any doubtful interest, do hereby grant and convey unto the HOWARD J. JENSEN FAMILY PARTNERSHIP, a general partnership, with its principal place of business at 1031 Barney Dairy Rd., Rexburg, ID 83440, all of their interests in and to the following described real property in Madison County, State of Idaho, to-wit:

HIBBARD PLACETract 1:

22-7672
Beginning at the Northeast corner of the Southwest Quarter of Section 14, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence South 2,640 feet, more or less, to the South Quarter corner of said section; thence West 495 feet; thence North 1,760 feet; thence West 495 feet; thence North 880 feet, and thence East 990 feet to the point of beginning.

Tract 2:

22-7672
The South Half of the Northeast Quarter; the South Half of the Northwest Quarter of the Northeast Quarter; and the West 100 rods of the Southeast Quarter, all in Section 14, Township 6 North, Range 39 East, Boise Meridian, in Madison County, Idaho.

Together with 7 shares of the capital stock of the Island Ward Canal Company, 2 shares of the capital stock in the Consolidated Canal Company and 8 shares of the capital stock of the Teton Island Canal Company.

22-7672
 LESS THE FOLLOWING: Commencing at a point 257.5 feet North of the Southeast corner of the Northeast Quarter of said Section 14, Township 6 North, Range 39 E.B.M. (which point is in the center of the paved surface of the county road), and running thence West 45 feet, more or less, to the West boundary line of said county road, thence West 168 feet, more or less, to the Westerly edge of a row of treated railroad ties placed in a elongated position along the Westerly edge of the residential lot; thence North, following the Westerly edge of said railroad ties, a distance of 148 feet; thence East 168 feet, more or less, to the West boundary line of said county road; thence East 45 feet, more or less, to the section line (in the center of the paved portion of said county road); thence South 148 feet to the point of beginning, together with the residential home located thereon.

PARKINSON I

Commencing at the Northeast corner of Section 23, Township 6 North, Range 40 East, Boise Meridian, in Madison County, Idaho, and running thence North 80 rods to the Northeast corner of the Southeast Quarter Southeast Quarter of Section 14, Township 6 North, Range 40 East, Boise Meridian, and running thence West 320 rods to the section line; thence South 320 rods to the Southwest corner of the Northwest Quarter Southwest Quarter of said Section 23, Township 6 North, Range 40 East, Boise Meridian; thence East approximately 168 rods to the centerline of Rocky Hollow; thence following the center meander line of said Rocky Hollow Northeasterly approximately 220 rods to a point 16 rods South and 48 rods West of the point of beginning; thence continuing along the center meander line of said Rocky Hollow in a Southeasterly direction approximately 90 rods to its intersection with the East line of said Section 23; thence North 84 rods, more or less, to the point of beginning.

EXCEPTING THEREFROM: Commencing at the Northwest corner of the Southwest Quarter Southwest Quarter of said Section 14, Township 6 North, Range 40 East, Boise Meridian, and running thence East 1548 feet, more or less, to a point where the South bank of the Woodmansee-Johnson Mill Ditch intersects the North line of said Southwest Quarter Southwest Quarter of said Section 14, Township 6 North, Range 40 East, Boise Meridian; thence in a generally Southwesterly direction following the South bank of said Woodmansee-Johnson Mill Ditch to the point where said ditch intersects

with the West boundary line of said Section 14, Township 6 North, Range 40 East, Boise Meridian, and at a point approximately 530 feet South of the starting point; thence North 530 feet, more or less, to the point of beginning.

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

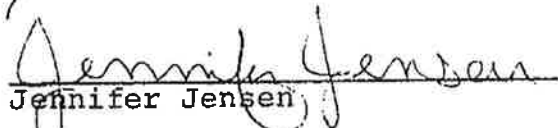
DATED This 16th day of March, 1995.


Howard J. Jensen


Jessie Rae Jensen


Randi Sue Jensen


Rodney Jensen


Jennifer Jensen


Mark Jensen

STATE OF IDAHO)
 ss.
County of Madison)

On this 16th day of March, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared HOWARD J. JENSEN, JESSIE RAE JENSEN, RODNEY JENSEN and RANDI SUE JENSEN AND JENNIFER JENSEN, MARK JENSEN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.



Debra C. Keller

Notary Public for Idaho
Residing at Rexburg, Idaho
Commission Expires: 11-15-99

State of Idaho }
County of Madison } SS 256026
I hereby certify that the within instrument was
filed APR. 13 1995
19 at 17:12 M., and
recorded on Film 256026
Fee 12
by BETH B. REESE, Recorder
BHCC Deputy
At the request of First American Title Company

Water Right No(s). A22-7672

See Attached photo

GPS data - 2675088
1406815

GPS File# - 227672

GPS DATA:

Tag # A0015936 Location: on back of power panel

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: G.E. Model: _____ Hp: 125
SN: G5J305109 Booster - 75hp U.S. Electric
SN - H012603W013P310M

PUMP

Make: Aurora Model: _____ Disch: _____
SN: NA

NOTES:

System is well, pump + booster to pivot, handlines + wheelbars.
Place of use, phone address verified by applicant, Howard Jensen.

Field Exam Date: 8-19-2005 Agent: H Jensen

GPS
tag



A22-7672, Photo Looking South

RECOMMENDATION: 22-7672

- A. CLAIM NOT REQUIRED IN SRBA DUE TO LATER PERMIT - CLAIMANT ELECTS TO FILE IN SRBA w/ C/O AND DEED TO SHOW OWNERSHIP. FEE IS ONLY \$50⁰⁰ - ACRAGE FEE PAID BY CANALS.
- B. CLAIMED AS LICENSED - RECOMMENDED AS LICENSED.

Remarks:

1. SETBACK BT TETON RIVER AND FERRIS CANAL AND FARMERS FRIEND CANAL.
2. SFB PURPOSE OR USE
3. THIS WATER RIGHT IS SUPPLEMENTAL TO ALL SURFACE WATER RIGHTS.
4. E2B - ALL SOURCES LIMITED TO 0.02 cfs/ac.

T6N, R39E
Sec. 14

"OK" means
Emsat'd
Hwy

OK

OK

OK

OK

NO
Impdiment



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07672

Priority: April 16, 1990

Maximum Diversion Rate:

4.76 CFS

This is to certify, that H & L FARMS
C/O HOWARD JENSEN
1031 BARNEY DAIRY RD
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 16, 1990; and has submitted Proof of Beneficial Use on July 9, 1993. An examination indicates that the works have a diversion capacity of 5.040 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.76 CFS	8330

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 14, Township 06N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	39E	14	NWNE 20	SWNE 40	SENE 37	
			NESW 27	SESW 17	NESE 10	
			NWSE 40	SWSE 39	SESE 8	238

Total number of acres irrigated: 238

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

COPIED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07672

CONDITIONS OF APPROVAL AND REMARKS

- EXP 104
Q
R63
8. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
9. This right when combined with all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 833.0 af for the lands above.

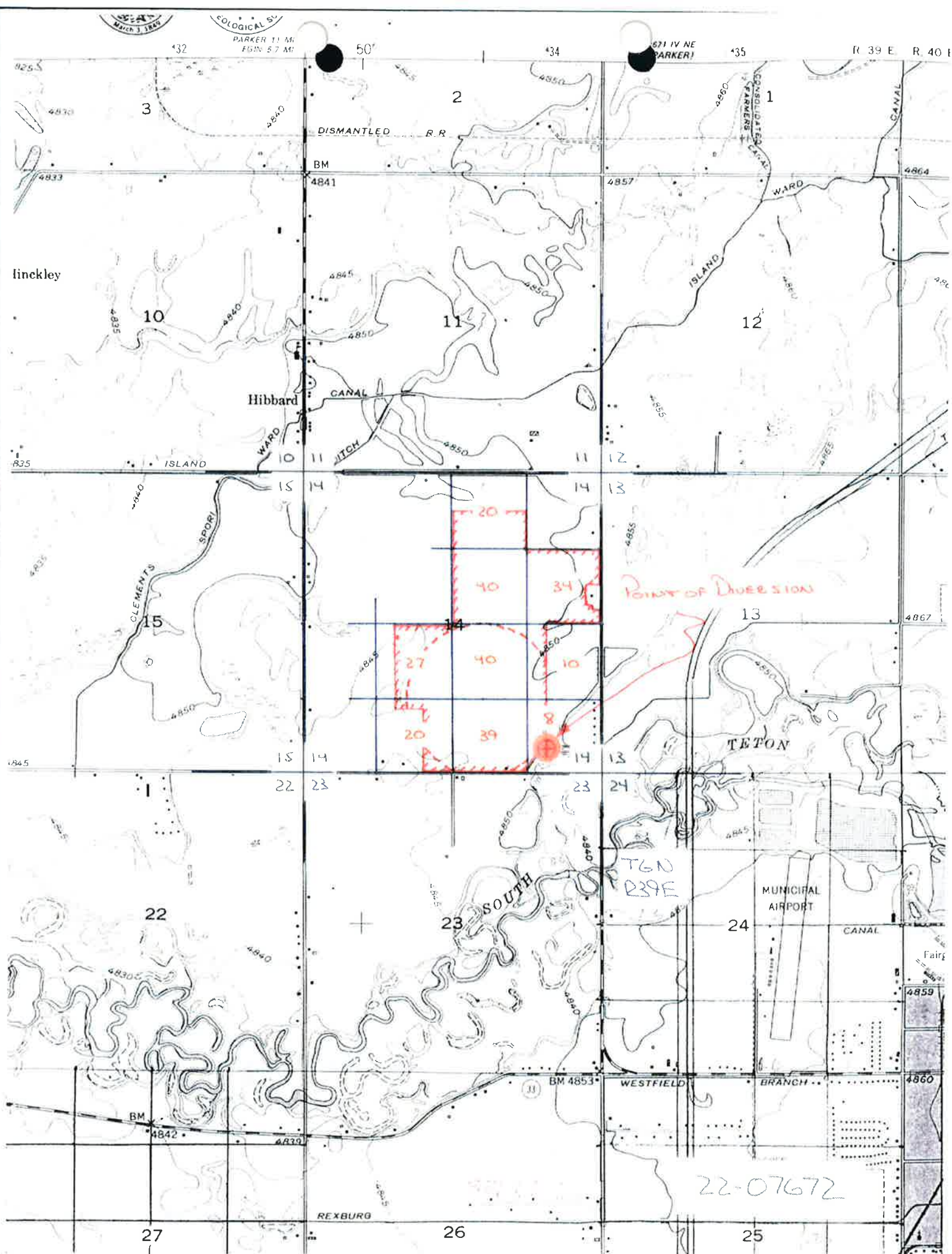
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director affixed at Boise, this 16TH day of MAY, 19 97.


Acting for KARL J. DREHER, Director



RECORDED

MAY 20 1997



22-07672

23	14
24	13

Director Division

#1753
T-648
NW

T6N
R39E

1403
T-691
NW

14	11
13	12

<u>Source</u>	<u>Tributary</u>			
Ground Water				
Teton River	Snake River			
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	4.76 CFS	833 AFA
Total Diversion			4.76 CFS	

Location of Point(s) of Diversion:

GROUND
WATER SWSESE Sec. 14 Township 06N Range 39E MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	39E	14		NWNE 20			SWNE 40			SENE 37				
				NESW 30			SESW 15							
				NESE 10			NWSE 40			SWSE 38			SESE 8	

Total Acres: 238

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Teton Island Feeder Canal Company irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code. § I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

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
1. C18 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.

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded.
2. S38 The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

Signature(s)

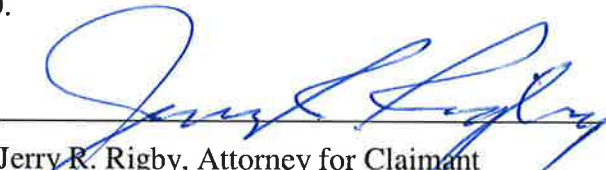
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.


Jerry R. Rigby, Attorney for Claimant

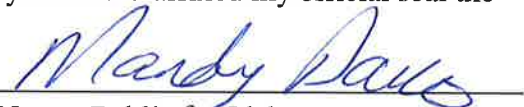
STATE OF IDAHO,)

ss.

County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.


Notary Public for Idaho

Residing at: St. Anthony

My Commission Expires: 6/24/2011





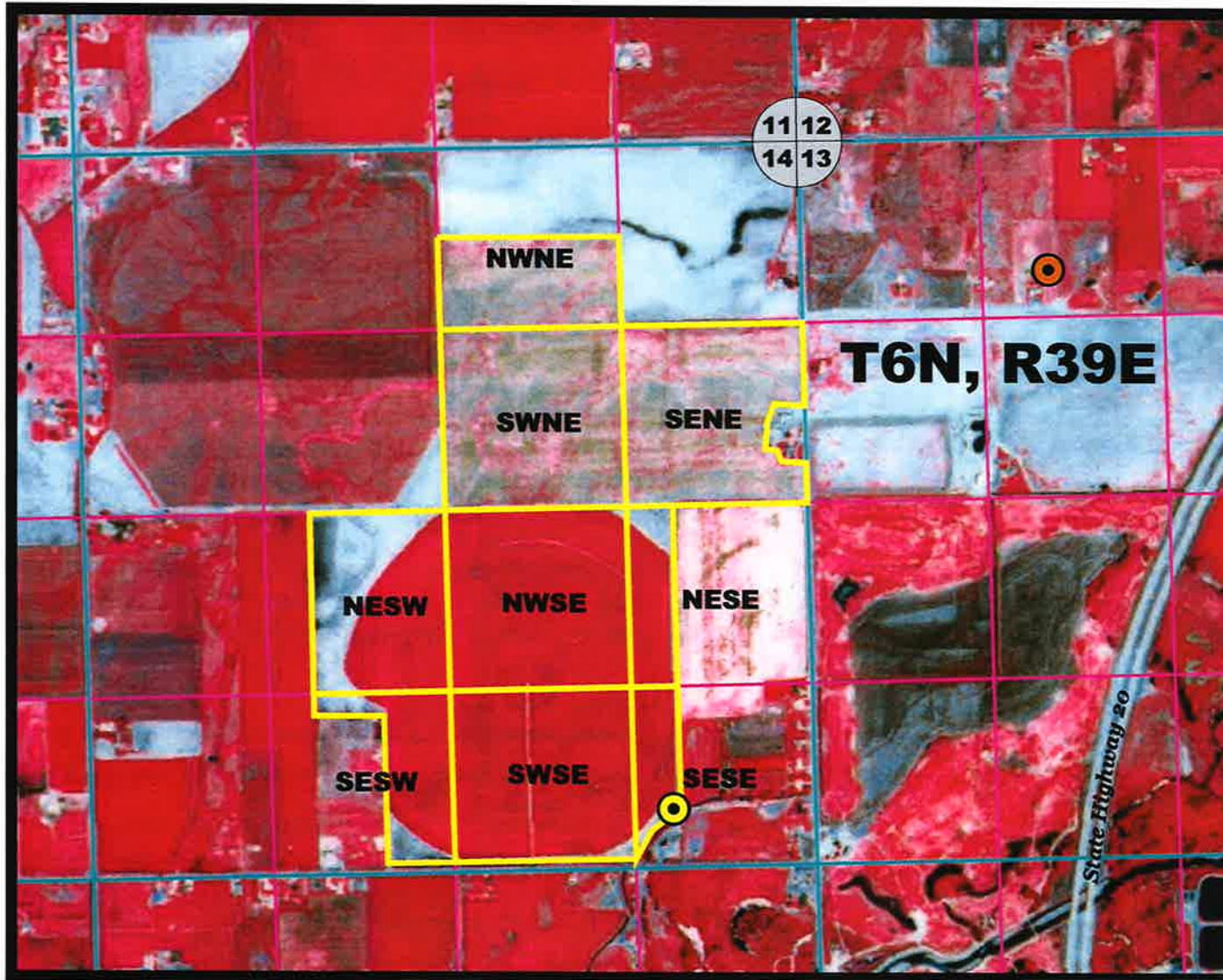
JUN 23 2006

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 Feet

Water Right(s):
22-7672

Point(s) of Diversion:
T6N, R39E
Sec. 14 SWSESE

Place of Use: (parts of)
T6N, R39E Sec. 14
SENE, W2NE, E2SW, SE

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: September 2005

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 22-7672
Date Received: 3/17/2005
Receipt No: E030682
Received By: 3/17/05 ABR

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

1. Name of Claimant(s)
HOWARD JENSEN FARMS Phone: (208) 356-3273
1028 BARNEY DAIRY RD
REXBURG ID USA 83440
2. Date of Priority: 04/16/1990
3. Source: GROUND WATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
06N	39E	14	SE	SE		MADISON	
5. Description of diverting works:
well to mainline and pivots and sprinklers.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4.76	833
7. Total Quantity Appropriated is:
4.76 C.F.S. and/or 833 A.F.A.
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	14	NW	NE	IRRIGATION	20
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	37
			NE	SW	IRRIGATION	27
			SE	SW	IRRIGATION	17
			NE	SE	IRRIGATION	10
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	8
					Section Acres	238
					Total Acres	238

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:

ACREAGE FEES PAID UNDER CANAL CLAIMS.

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 Organizations:

I do solemnly swear or affirm that I am President Hawaiian Islands Farms of
Title

_____, that I have signed the foregoing

Organization

document in the space below as President of

Title

Hawaiian Islands Farms, and that the statements contained in the

Organization

foregoing document are true and correct.

Signature of Authorized Agent Hawaiian Islands Farms

President

Title and Organization

3-17-05

Date

State of Idaho)

County of BONNIEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 17th

of MARCH 20 05

Allen B. Reasony

Notary Public

Residing at Boano Falls Ln

My commission Expires 9/23/09

