

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

Rights No. 22-2303B and 22-2303C are also diverted through point of diversion described above.

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

)  
)  
)  
)  
)  
)

Subcase No. 22-10044

**Standard Form 5**

**STIPULATED ELEMENTS  
OF A WATER RIGHT**

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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

**OBJECTOR:**

United States on behalf of the  
Bureau of Land Management

\_\_\_\_\_  
Joseph J. Jensen

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry A. Brown *FWP* Date  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

\_\_\_\_\_  
Betty J. Jensen

\_\_\_\_\_  
Date

**IDWR CONCURRENCE:**

*Ernest Carpenter* *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: 22-10044

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: 0.650 CFS  
140.00 AFY

*Fwp*

*EMC*

PRIORITY DATE: 06/25/1953

POINT OF  
DIVERSION:

T06N R39E S20

SWNESE

Within MADISON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
0.650 CFS  
140.00 AFY

PLACE OF USE:

IRRIGATION

Within MADISON County

|                  |      |       |
|------------------|------|-------|
| T06N R39E S20    | NESE | 4.00  |
| T06N R39E S20    | NWSE | 2.00  |
| T06N R39E S20    | SWSE | 14.00 |
| T06N R39E S20    | SESE | 20.00 |
| 40.0 ACRES TOTAL |      |       |

**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

This right is a split from former right 22-2303.

Rights No. 22-2303B and 22-2303C are also diverted through point of diversion described above.

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 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

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Signature of person or attorney mailing the form

# Department of Water Resources Eastern Region



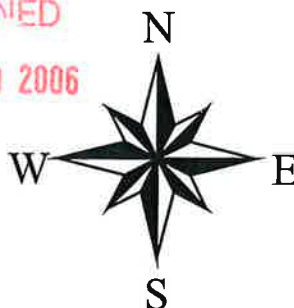
Claim No.: 22-10044



**PROFILED**

0 1320 2640 Feet

SCANNED  
JUN 29 2006



GIS Place of Use Illustration  
1987/88 NAPP Photography  
Prepared by: Kristin Moore  
Date Prepared: September 2005

- Point of Diversion
- 22-10044.shp
- Township/Range
- Sections
- QQ

926-05

Original right 22-2303 (not 22-2302) is currently owned by  
BYU-Idaho and claimant. original license allowed  $10 \text{ cfs} / 613 \text{ ac} =$   
 $.016313 \text{ cfs/ac}$ .

Original POM 613 ac.

- 22-2303B, C
- 319 ac owned by BLM and other private owners not claiming water from the right 22-2303; property not irrigated. 5.2 cfs belongs to this property.
  - 254 ac. owned by LDS Church / BYU-Idaho / Ricks College (all the same owner). 4.14 cfs belongs to them of original quantity. Rights 22-2303B and 22-2303C are located within this 254 ac, but only claiming a total of 155 ac of it. An accomplished change of place of use occurred in which the quantity of water allowed for the 254 ac. = 4.14 cfs was concentrated on 155 ac for the two rights allowing .02 cfs/acre to be recommended for 22-2303B and 22-2303C.  
22-2303B: recommend 116 ac. 2.32 cfs  
22-2303C: recommend 39 ac. .78 cfs

22-10044

- 40 ac. owned by Joseph Jensen. Cannot recommend .8 cfs because original license does not allow 0.02 cfs/acre and there is no evidence that claimant withheld 0.02 cfs/acre when he sold 22-2303C to Ricks College. Therefore, can only recommend .016313 cfs/acre according to license.  
recommend 40 ac 0.65 cfs

SCANNED

JUN 29 2006

PROFILED



Photo #1, POD looking south east.

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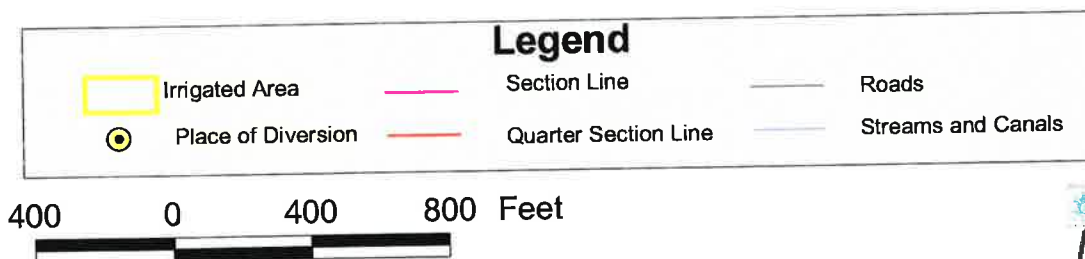


Photo #2. POU looking north west from south east corner.

*Bac 9/24/04*

Water Right Claim Number 22-10044  
Township , 6N39E

07/12/2001



SPATIAL  
DYNAMICS

Claim No. 22-10044

Document Checklist

☒ Copy License/Decree

could it find any info on #10044  
son looked up #2302??

☐ Copy Transfer

☒ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

Claim no. A22-10044

Claimant Contact Log

Date Remarks Agent initials

8/18/04 356-6421 8:10 PM - Mrs. Jensen

Please call Mr. Jensen before meeting w/  
BYUI people

8/20/04 Met w/ Mr. Jensen @ BYUI family.  
looked at POD. Found was met to POD

8/3/04 Inspected POD w/ Alvin Lusk of BYUI.

## Contacts Data Entry Form

Claim Number: A22-10044

| 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.

~~This is a split in 22-2303. See report in A22-2303B. Name / address are correct.~~

Above note was an error - I mis-read the claim. On further inspection it looks like the claim incorrectly identifies the license as 22-2302. POB, POB and priority on claim are consistent w/ 22-2303. The full license is still under claimed even if BYUI amends its claim. See split note in A22-2303B.

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

**Priority Date Data Entry Form**Claim Number: A22-10044

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

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:

June 25 1953 per copy of license in A22-2303 B  
and per claim.

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Water Right No(s). A 22-10044

**GPS DATA:**

Tag # A000 8458 Location: Back side (east) of pole  
w/ power meter Bac 9/3/04

**Diversion Data:**

Source: \_\_\_\_\_ Trib to: \_\_\_\_\_

**MOTOR**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

**PUMP**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

**NOTES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: \_\_\_\_\_ Agent: \_\_\_\_\_

## Point of Diversion and Source Data Entry Form

Claim Number: A22-10044Water 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? A22-2303B, A22-2303C

Transfers Pending or approved: \_\_\_\_\_

Document how the POD and Source were verified:

6 N 39 E 80 NESE. GPS waypoint 1  
2670422 E 1405504 N 70TMF3 BAC 9/3/04

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

## Place Of Use Data Entry Form

Claim Number: A22-10044Claimed 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:

Field inspection 8/20/04 & 9/3/04. See layout  
Base 9/3/04

Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

## Season of Use and Quantity Data Entry Form

Claim Number: A22-10044Water 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:

License is A22-23038 has no season of use. License diversion rate  $\leq 0.02$  cfs/acre but it appears an accomplished change has concentrated diversion rate per acre. Three claims from this license still do not claim out of original pool or cfs. Claimant amended claim to 0.02/acre.

Bae 9/3/04

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

# State of Idaho

## License and Certificate of Water Right

Water License No. G-24247

Amount 10 c.f.s.

Water District No. \_\_\_\_\_

Priority June 25, 1953

THIS IS TO CERTIFY that ORVILLE O. JEPSON, TIMOTHY H. PARKINSON & PRESTON H. PARKINSON of Idaho Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 25, 19 53; that Permit No. G-24247 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 second feet, was issued thereunder on December 18, 19 58, showing that said works were completed on the 3rd day of July, 19 58; and that on the 3rd day of July, 19 58, ORVILLE O. JEPSON, TIMOTHY H. PARKINSON & PRESTON H. PARKINSON

of Idaho Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-24247 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

11 of Licenses at page 6571, on the 18th day of December, 19 58;

The right hereby confirmed dates from June 25, 19 53;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 20, Tp. 6 N., R. 30 E., B. M. County Madison

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 10 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. | 30 E. | 17   | SE 1/4 SW 1/4       | 40                            | 40                           |
|      |       |      | LOT 6               | 41.95                         | 41.95                        |
|      |       |      | NE 1/4 NE 1/4       | 40                            | 40                           |
|      |       |      | NW 1/4 NE 1/4       | 40                            | 40                           |
|      |       |      | SW 1/4 NE 1/4       | 40                            | 40                           |
|      |       |      | SE 1/4 NE 1/4       | 40                            | 20                           |
|      |       |      | LOT 1 NW 1/4        | 23.15                         | 23.15                        |
|      |       |      | LOT 2 SE 1/4 NW 1/4 | 51.40                         | 51.4                         |
|      |       |      | LOT 3 NW 1/4 SW 1/4 | 37.55                         | 37.55                        |
|      |       |      | SW 1/4 SW 1/4       | 40                            | 40                           |
|      |       | 20   | SE 1/4 SW 1/4       | 40                            | 40                           |
|      |       |      | NE 1/4 SW 1/4       | 40                            | 40                           |
|      |       |      | NE 1/4 SE 1/4       | 20                            | 20                           |
|      |       |      | NW 1/4 SE 1/4       | 40                            | 40                           |
|      |       |      | SW 1/4 SE 1/4       | 40                            | 40                           |
|      |       |      | SE 1/4 SE 1/4       | 20                            | 20                           |
|      |       |      | LOT 8               | 29.02                         | 29.02                        |
|      |       | 19   | LOT 8               | 29.02                         | 29.02                        |

Total number of acres irrigated - 613.07

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

18th day of December, 19 58.

/s/ Geo. N. Carter

State Reclamation Engineer.

(SEAL)

21-2105  
22-2303

# State of Idaho

## License and Certificate of Water Right

Water License No. G-25340Amount 1 c. f. s.

Water District No. ....

Priority Nov. 16, 1954

THIS IS TO CERTIFY that ETSIL I. FISHER  
 of Rexburg, Idaho, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated November 16, 19 54; that Permit No. G-25340  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1.0 second feet, was issued thereunder on February 3, 19 59, showing that said works  
 were completed on the 11th day of January, 19 58; and that on the 11th  
 day of January, 19 58, ETSIL I. FISHER

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 a well  
a tributary of subterranean, for the purpose of irrigation  
under Use Permit No. G-25340 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  
11 of Licenses at page 6604, on the 3 day of February, 19 59;  
 The right hereby confirmed dates from November 16, 19 54;

The Point of Diversion is located  
 in the SW 1/4 NE 1/4, Sec. 4, Tp. 6 N., R. 39 E., B. M. County of Madison  
 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 1.0 cubic feet per second.

## Description and location of use:

| Twp.        | Range        | Sec.     | Forty-acre Tract                | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|-------------|--------------|----------|---------------------------------|----------------------------------|---------------------------------|
| <u>6 N.</u> | <u>39 E.</u> | <u>4</u> | <u>NW 1/4 NE 1/4 (Lot 2)</u>    | <u>58.0</u>                      | <u>40</u>                       |
|             |              |          | <u>NE 1/4 NW 1/4 (Lot 3)</u>    | <u>40.0</u>                      | <u>10</u>                       |
|             |              |          | <u>SW 1/4 NE 1/4</u>            | <u>40.0</u>                      | <u>15</u>                       |
|             |              |          | <u>SE 1/4 NE 1/4</u>            | <u>40.0</u>                      | <u>20</u>                       |
|             |              |          | <u>SE 1/4 NW 1/4</u>            | <u>40.0</u>                      | <u>32</u>                       |
|             |              |          | <u>NE 1/4 SW 1/4</u>            | <u>40.0</u>                      | <u>40</u>                       |
|             |              |          | Total number of acres irrigated |                                  | <u>157</u>                      |

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  
3rd day of February, 19 59.

(SEAL)

GEO. N. CARTER

State Reclamation Engineer.

Wrong  
locationWrong W.R.  
look @ 22-2303  
KH21-2106  
22-2302

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

Permit No. G-25340

This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_1. Name of applicant Etsil I. Fisher *Rickburg*2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 4T. 6 N R. 39 E, B. M. County of Madison *Rickburg*

4. Describe works as they exist, giving dimensions and capacities of same: Drilled well 195' x 18"  
Pump: Peerless #164418 - 8" discharge pipe, Motor: US #985928 - 30 HP  
Elec. Meter: GE #20 079757 Utah Power Service #, km 24.0 - 15 min. min  
demands 56, Multiplier 240. - Sprinkler system: 6" main line;  
uses 3 lines regularly (3"), Nozzles 1/4" x 3/32"

5. 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):

*9*  
Lot 2, Lot 3, SW 1/4, SE 1/4, NE 1/4, NW 1/4, all in Sec. 4, Twp. 6 N., Rge. 39 E., B. M. *Rickburg*

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

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

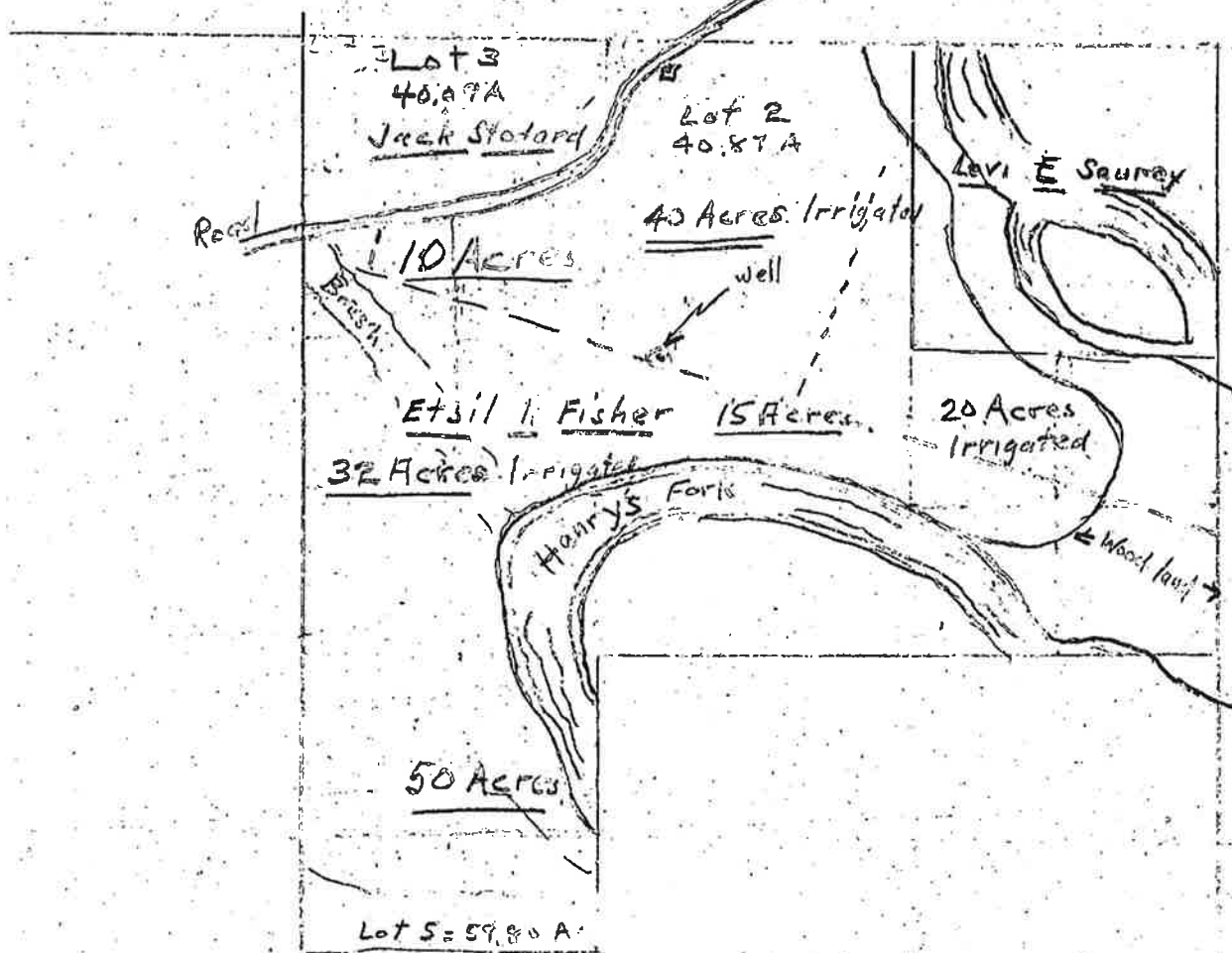
Remarks: The Sept. 11, 1956 inspection was made with Mr. Etsil I. Fisher. He states he can irrigate his land every 8 days and change lines every 8 hours.

This examination was made on the 11 day of Sept., 1956(Signed) James H. Ware

Examiner.

G25340

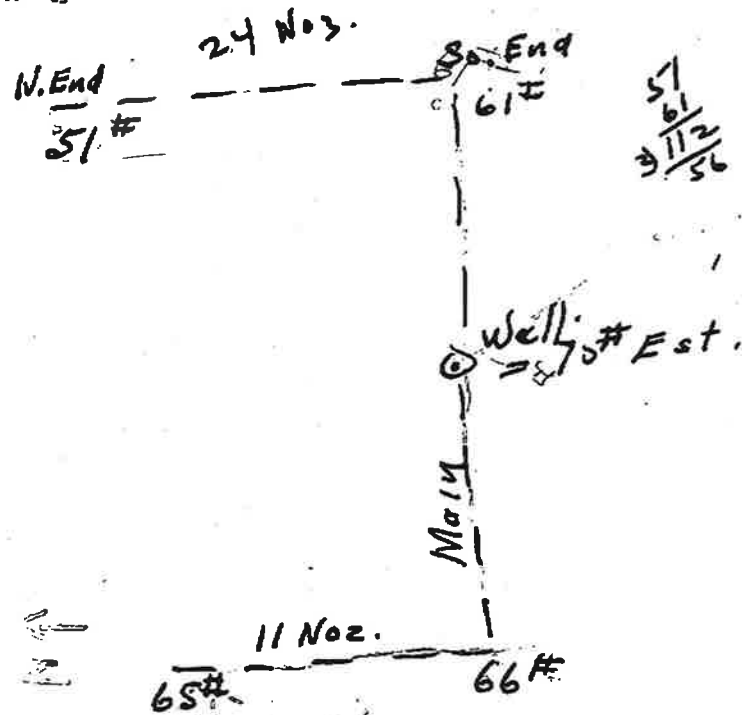




10  
 40  
 20  
 15  
 32  
 50  
 167 Acres  
 157 11

40 acres to N.S. Sauney

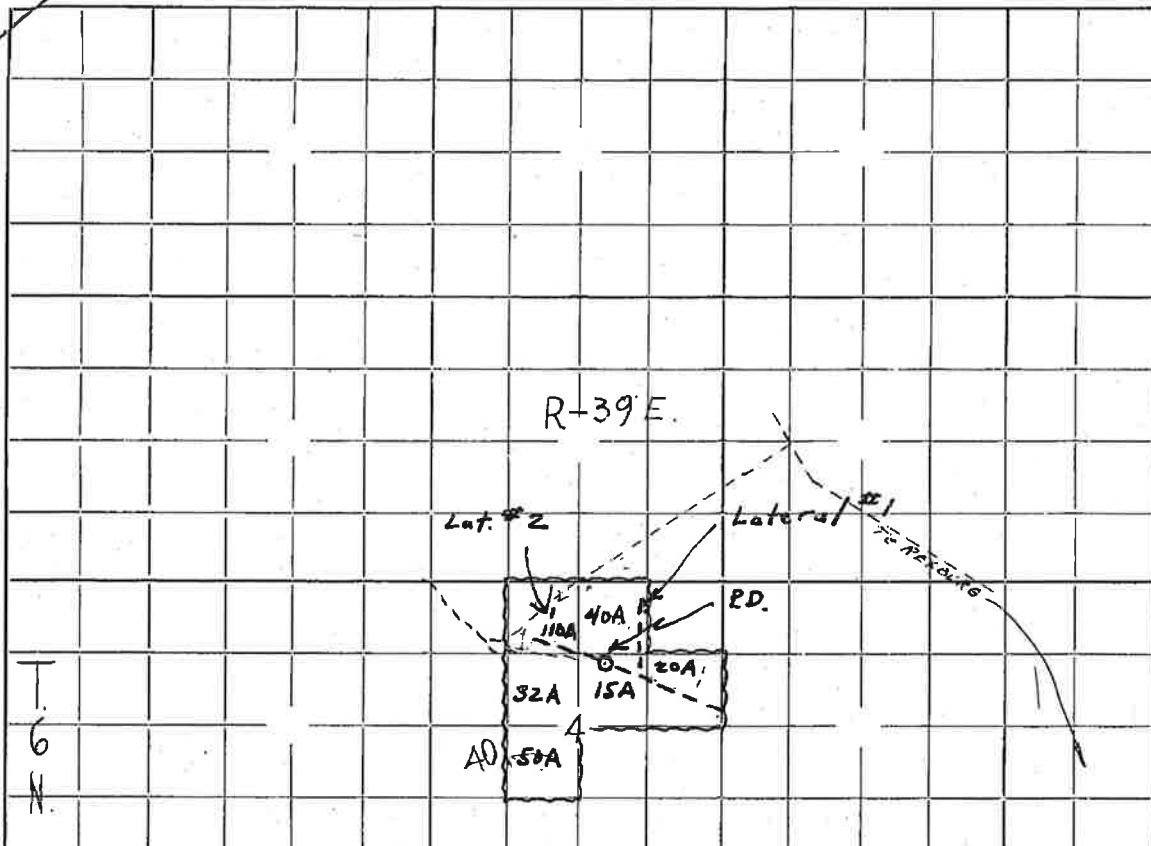
25340



Nozzles: Rainbird 40  
11/64" - 3/32"

*[Signature]*

25346



| Sprinkler Discharges |        |                       |                          | Subdivisions 6 |                        |
|----------------------|--------|-----------------------|--------------------------|----------------|------------------------|
| Line #               | A.V. % | Flow/Nozzle<br>g.p.m. | Total for Line<br>g.p.m. | No. of Nozzle  | Irrigated - 167 Acres! |
| 1                    | 56     | 8.37                  | 200.88                   | 24             | Q = 0.65               |
| 2                    | 65.5   | 8.35                  | 91.85                    | 11             |                        |
| Total                |        |                       | 292.73                   |                |                        |

or  
0.65 c.f.s.  
3.3' Miners inches.

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 A22-10044

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

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

Please type or print clearly

Beth J Jensen or  
1. Name of Claimant (s) Joseph J Jensen Phone (208) 356-6421

Mailing Address 5195 W Highway 33 Rexburg ID Zip 83440

2. Date of Priority (Only one (1) per claim) June 25 1953

3. Source of water supply (a) Ground Water  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 6N Range 39E Section 20,  
SW 1/4 of NE 1/4 of SE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Madison

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.

Well, mainline and sprinklers

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 9/1 to 10/1 amount 0.80 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.80 (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 |        |
| GN  | 39E | 20  |        |       |       |       |        |       |       |       |        |       |       |       | 4      | 2     | 14    | 20    | 40     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 40

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.  
BYU rights 22-2303B and 22-2303C use the or None ( )

14. Remarks: Same well.

Original right 22-2303 is now owned by claimant and  
BYU Idaho. An accomplished change has reduced  
the total irrigated acres and concentrated  
diversion rate to 0.02 cfs per acre.

Last Name Fensen Ident No. A22-10044

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Fensen

Ident No. A22-10044

*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 22-2303  
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 \_\_\_\_\_ 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 Madison ) SS.

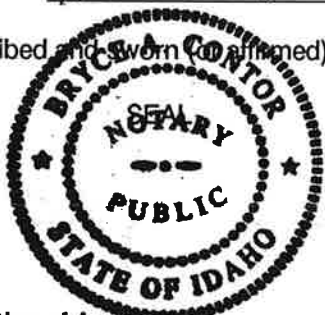
Subscribed and sworn (or affirmed) before me this

20<sup>th</sup>

day of

August

2004  
49



Notary Public \_\_\_\_\_

Residing at \_\_\_\_\_

Mid Lake

My Commission Expires \_\_\_\_\_

10/14/05

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

A22-10044

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: **A22-10044**  
Date Received: 6/ 9/1988  
Receipt No: E000369  
Received By: Rcw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOSEPH J JENSEN 208-356-6421  
Address: 5195 WEST HWY 33  
REXBURG ID 83440

OR

Name: BETTY J JENSEN 208-356-6421  
Address: 5195 WEST HWY 33  
REXBURG ID 83440

2. Date of Priority: JUN 25, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06N      | 39E   | 20      | SW     | NE     | SE  |     | MADISON |

5. Description of diverting works:

WELL APPROXIMATELY 365', MAINLINE AND 5, 1/4 MI LATERALS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.700 |      |        |

7. Total Quantity Appropriated is:

0.700 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 39E   | 20      | NE     | SE  |     | IRR | 4.0   |

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 06N           | 39E   | 20      | NW     | SE  |     | IRR | 2.0   |
|               |       |         | SW     | SE  |     | IRR | 14.0  |
|               |       |         | SE     | SE  |     | IRR | 20.0  |
| Section Acres |       |         |        |     |     |     | 40.0  |
| Total Acres   |       |         |        |     |     |     | 40.0  |

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:  
NONE

14. Remarks:  
CLAIM REPRESENTS PORTION OF LICENSE 22-2302 APPURTENANT TO  
Applicants land  
ADDED STREET NUMBER AND PHONE NUMBER TO BETTY JENSEN 09/12/94 SS.

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.

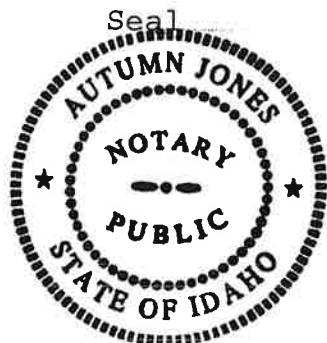
Signature of Claimant(s): Joseph J. Jensen Date: 5-3-99  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 3<sup>rd</sup> day

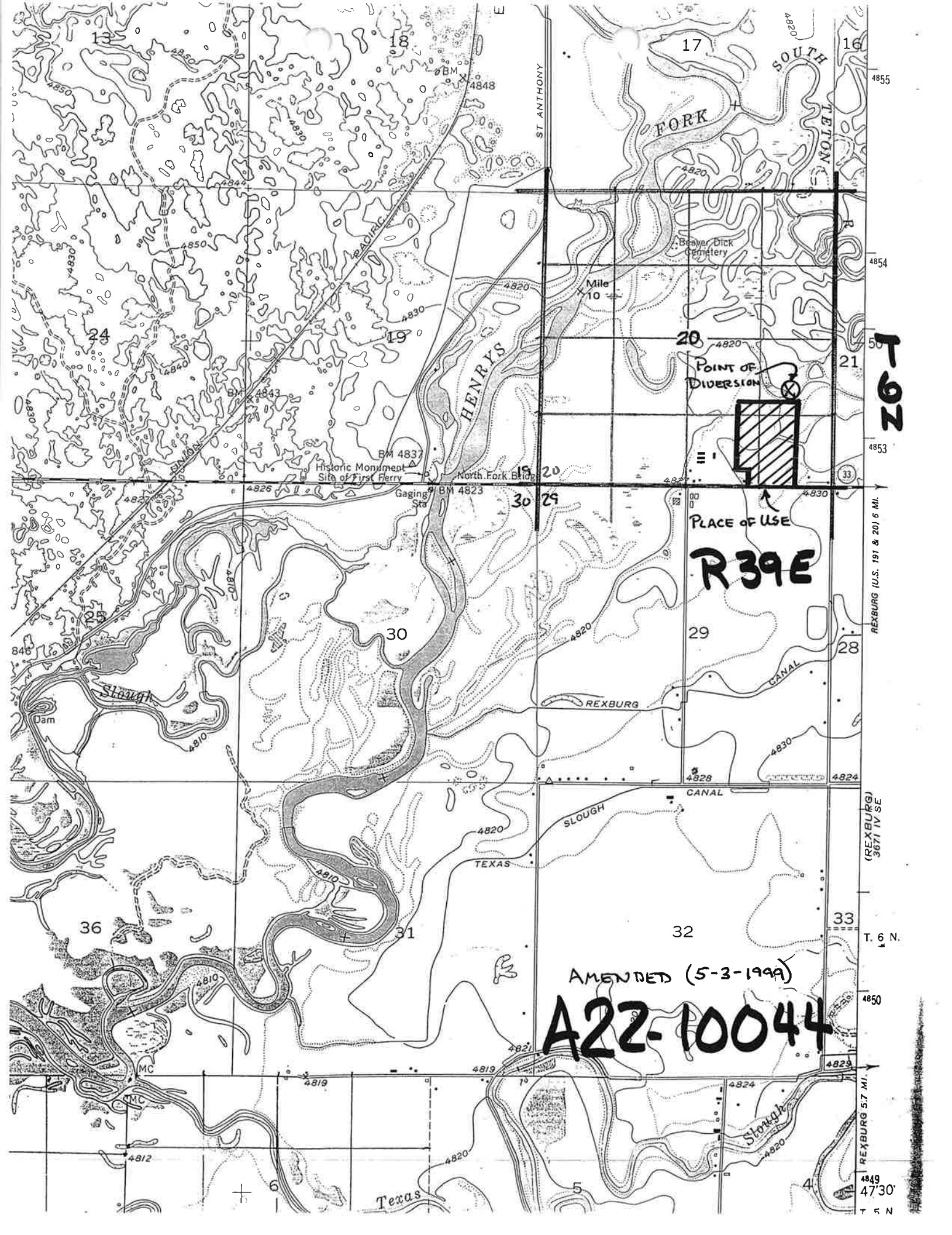
of may 19 99

Autumn Jones  
Notary Public



Residing at Idaho Falls

My Commission Expires 4-21-2005



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: A22-10044  
Date Received: 6/09/1988  
Receipt No: E000369  
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

OR

Name: BETTY J. JENSEN  
Address: REXBURG, ID 83440

2. Date of Priority: JUN 25, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06N      | 39E   | 20      | SW     | NE     | SE  |     | MADISON |

5. Description of diverting works:  
WELL APPROXIMATELY 365', MAINLINE AND 5, 1/4 MI LATERALS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.200  |      |        |

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A2210044



10. Place of Use:

| Township      | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|-----|----|-----|-----|-----|-------|
| 06N           | 39E   | 20      | NE  |    | SW  |     | IRR | 16.0  |
|               |       |         | NW  |    | SW  |     | IRR | 8.0   |
|               |       |         | SW  |    | SW  |     | IRR | 16.0  |
|               |       |         | SE  |    | SW  |     | IRR | 20.0  |
| Section Acres |       |         |     |    |     |     |     | 60.0  |
| Total Acres   |       |         |     |    |     |     |     | 60.0  |

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:  
NONE

14. Remarks:  
CLAIM REPRESENTS PORTION OF LICENSE 22-2302 APPURTENANT TO  
AFFIANT'S LAND

15. Basis of Claim: BENEFICIAL USE  
Water Right Number:

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 Bonnerville ) SS.

Subscribed and sworn (or affirmed) before me this 9<sup>th</sup> day  
of June 19 88 Doena Green  
Notary Public

Seal

Residing at Rigby  
My Commission Expires 4-22-1994

MICHIGAN  
OCT 29 1992

REXBURG 5.7 MI.

T 6 N.

(REXBURG)  
3671 IV SE

REXBURG (U.S. 191 & 20) 4.7 MI.

36  
116  
52

Point of  
Division

