

09/08/2006

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

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RIGHT NUMBER: 22-10584

NAME AND ADDRESS: STACY H JENSEN  
4244 N 5725 W  
REXBURG ID 83440

BETTY F JENSEN  
756 N 2 E  
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 09/13/1984

POINT OF DIVERSION: T06N R40E S17 SWSWSW Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>       | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------|----------------------|-----------------|
| DOMESTIC                    | 01/01 12/31          | 0.020 CFS       |
| Domestic use is for 1 shop. |                      |                 |

PLACE OF USE: DOMESTIC Within MADISON County

T06N R40E S17 SWSW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: [www.idwr.state.id.us](http://www.idwr.state.id.us)

EASTERN REGION

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

KENTON D JOHNSON  
PO BOX 759  
REXBURG ID 83440

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-10584

Dear Mr. Johnson:

It has come to our attention that you may have recently purchased a tract of land in Teton County. The property to which I am referring was most recently owned by Betty & Stacy Jensen. The legal description is as follows:

T06N, R40E, S17, SWSW

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

**Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.**

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree  
Technical Records Specialist  
Enclosure(s)

EASTERN DISTRICT OFFICE  
900 N. SKYLINE DR.  
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE  
REQUESTED

★ ★  ★ ★  
★ ★ U.S. POSTAGE ★ ★  
1221 PB35  
8922 \$00.63 0 NOV 28  
5930 MAILED FROM ZIP CODE

Kenton D Johnson  
P.O. Box 759  
Rexburg Id 83440

NOV 28 1989  
RMB  
MAIL TO FORWARD

NOV 28 1989  
RMB  
MAIL TO FORWARD

BETTY F JENSEN  
756 N 2 E  
REXBURG ID 83440

FOE

22-10584

09/28/2006

**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: 22-10584

STACY H JENSEN

4244 N 5725 W

REXBURG ID 83440

Telephone Number: (208)356-7545

BETTY F JENSEN

756 N 2 E

REXBURG ID 83440

Telephone Number: (208)356-7545

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: 10-5-06 SIGNATURE: Stacy H Jensen  
Please print your name: Stacy H. Jensen

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

*Kait  
10/20*

09/19/2006

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: 22-10584

STACY H JENSEN

4244 N 5725 W

REXBURG ID 83440

Telephone Number: (208)356-7545

BETTY F JENSEN

756 N 2 E

REXBURG ID 83440

Telephone Number: (208)356-7545

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: 10-5-06

SIGNATURE: Betty F. Jensen

Please print your name: Betty F. Jensen

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

Kait  
10/20

June 8, 2005

STACY H JENSEN  
756 N 2<sup>ND</sup> E  
REXBURG ID 83440

**FINAL NOTICE**

**PLEASE READ**

**RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10584**

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

***Your claim, as referenced above, claims a Priority Date of SEP 13, 1984, from GROUNDWATER.***

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

9/27/05 No Response ⇒ Disallowed → No BU found

AND, VIOLATES MANDATORY Permit Statute 42-229 IC  
\* could work as Domestic 'B' limited to 2500 GPD.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

6N406

**CHANGE IN ADDRESS**

This form can be used to notify the Department  
of a change in address for Department records  
(Please print or type)

22-10584

[ ] Name(s): Stacy H. Jensen  
Betty F. Jensen

[ ] Old Mailing Address: A. 4 Box 19A  
Reynolds Idaho  
83440

[ ] New Mailing Address: 756 N 2nd E  
Reynolds Idaho  
83440

changed  
3-8-04  
JC

Telephone Number: (208) 356 - 7545

[ ] Signature(s)  
(must be signed by all  
individuals listed unless  
you have authority to sign  
on their behalf)  
Date: 4-6-2004

Stacy H. Jensen  
Betty F. Jensen  
(include your title if on behalf of company or organization)

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region  
1910 Northwest Blvd., Suite 210  
Coeur d'Alene, ID 83814-2615  
FAX: (208) 769-1454

IDWR Western Region  
2735 Airport Way  
Boise, ID 83705-5082  
FAX: (208) 334-2348

IDWR Eastern Region  
900 N. Skyline Dr., Suite A  
Idaho Falls, ID 83402-1718  
FAX: (208) 525-7177

IDWR Southern Region  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380  
FAX: (208) 736-3037

MAILED  
2-24-04

February 24, 2004

STACY JENSEN  
RT 4 BOX 19A  
REXBURG ID 83440

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10584

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

*Your claim, as referenced above, claims a Priority Date of SEPTEMBER 13, 1984, from A WELL.*

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....  
**The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.**  
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Nick L. Olson  
Special Contract Agent  
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"  
Notice of Claim (copy)

22-10584



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: A22-10584  
Date Received: 8/03/1988  
Receipt No: E001061  
Received By: DDW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: STACY H. JENSEN 208-356-7545  
Address: RT. 4 BOX 19A  
REXBURG, ID 83440  
OR  
Name: BETTY F. JENSEN 208-356-7545  
Address: RT. 4 BOX 19A  
REXBURG, ID 83440

2. Date of Priority: SEP 13, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06N      | 40E   | 17      | SW     | SW     | SW     |     | MADISON |

5. Description of diverting works:  
WELL AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| COMMERCIAL | 01/01 | 12/31 | 0.020  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
C/ONE SHOP



10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 06N      | 40E   | 17      | SW SW      |     | COMMER |       |

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:

15. Basis of Claim: BENEFICIAL USE

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): X. Stage & Jensen Date: X Aug 3, 1988  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Blaine ) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

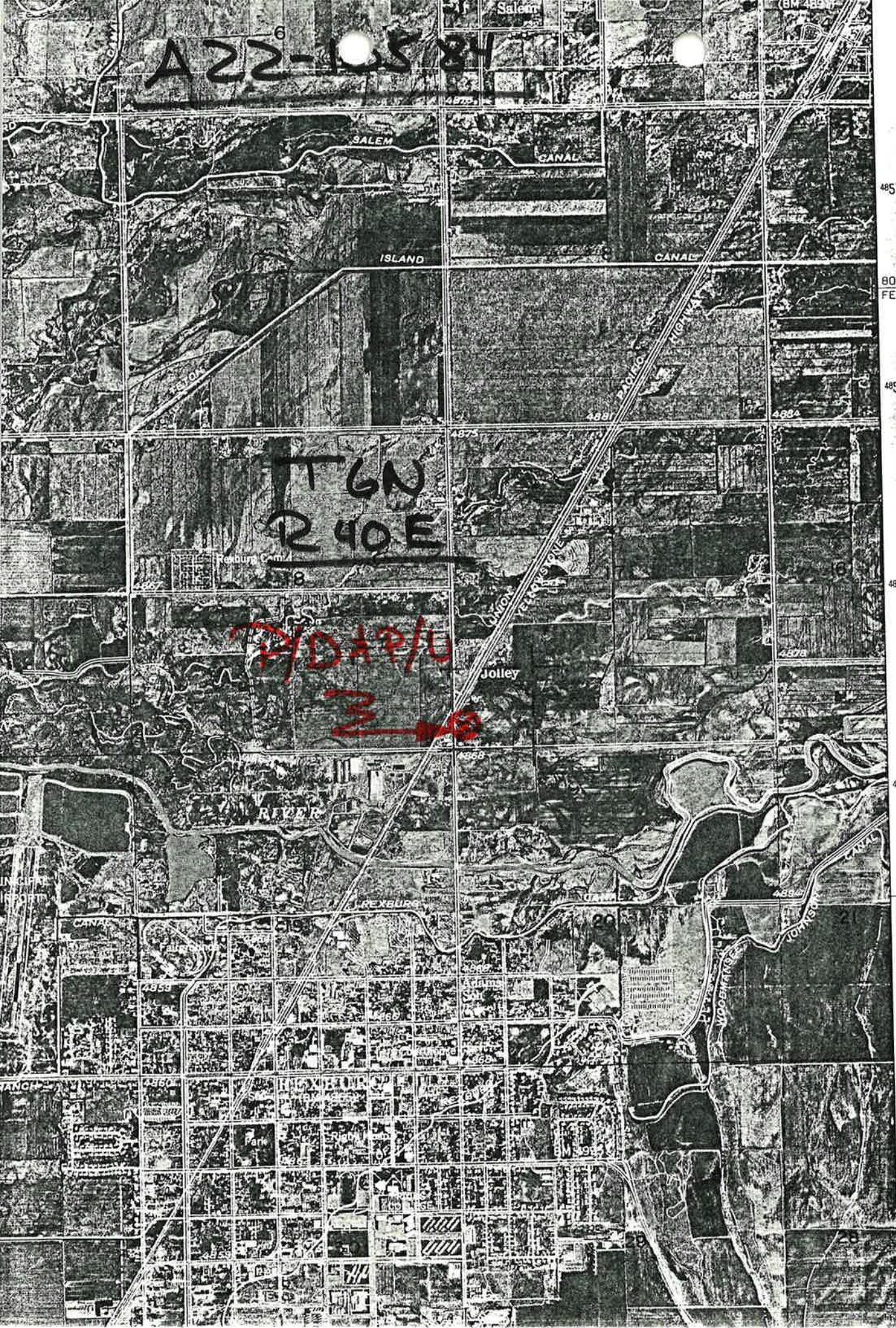
of August 19 88

Colleen Wray  
Notary Public

Seal

Residing at Shak Falls  
My Commission Expires 5/29/1991

A22-10584



4857

800 000  
FEET

4856

4855

4854

50'

4853

4852

MICROFILMED  
NOV 05 1992