

02/19/2004

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

RIGHT NUMBER: 25-11303

NAME AND ADDRESS: JOEL JENKINS
4865 S JENKINS LN
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
0.600 AFY

PRIORITY DATE: 04/01/1930

POINT OF DIVERSION:

T05N R39E S33 NWNWNE Lot 3 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS
0.60 AFY

PLACE OF USE: COMMERCIAL Within JEFFERSON County

T05N R39E S33 Lot 3 NWNE

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: Beneficial Use

Water Right 25-11303

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discovery makes
better evidence
can be provided

There is nothing in
those documents that
would suggest any priority
date.

Could not be domestic (def B)
@ 2500 GPD if some evidence
of priority is provided. However
it appeared unusual for many years.

The person said formerly Blackwell only.

Priority date
hand day well?

if not so...

then the 1940-50?

1/28/04 sent e-mail to
Cardice requesting EOP
letter.

1/28 letter sent

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7/09/03 WFL
Hand-driven sandpoint
w/ pump removed.
Commercial well.



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7/09/03 wbl.
just above well cap
looking NE toward
intersection of Monon-Tampa
highway and Hwy 36.



RECEIVED

Feb 18 - 1904

FEB 18 2004

Department of Water Resources
Eastern Region

attention Michael Holliday:

Deputy attorney General assigned to represent the Idaho Dept. of Water Resources in Basin 25 in the Snake River Basin adjudication, Jefferson County Idaho.

Mr Holliday on Feb 13th we gave to your office in Idaho Falls which we thought proved the existence of our claim and existence of the Lorenzo Ida - townsite, of which you said was poor evidence. So here is some more. we the undersigned having grown up, lived, and worked in the area of Lorenzo Townsite, we do verify that these businesses had water. (well water) because there was no water tower, except for the railroad. they were shallow wells, but they had water, as far as to the exact location, we can't, except for implement shop, Blacksmith shop. We think this well is the original or very close to it. around ~~1900~~ the 1930's

Ellen Drake

4159 E Menona Sorenson Hwy.
Rigby Idaho

Hoggans Merc.

Paul Allred 4015 E 600N
Rigby Idaho
Genevieve Allred

sister to Morris L. Guidinger who owned property and lived on the corner of Annis - Lorenzo Highway and Highway 20.

Deanna Jenkins

Joel Jenkins

I Remember the Post office, gas station, Merc, and the machine, Blacksmith Shop in Lorenzo Ida.

Frank Jenkins - 256 W 4th St Rigby, Ida.

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Feb. 12, 2004

To whom it may concern. (Michael Holliday)
Candice M. McHugh
Deputy Attorney General
Idaho Department of Water Resources.
Re SRBA Claim 25-11303

We the Claimant - Joel & Deanna Jenkins:
we do bear by Claim to Commercial and Domestic
Water Right that have gone with the land & Commercial
District of the town site of Lorenzo Idaho - located
in Jefferson County, Idaho. Established as store in 1901
and on record in the Jefferson County Historical Society in
Rigby Idaho - Having bought all the ground along main St.
then, what was Yellowstone Hiway & The Business
District and the lots adjacent to the Business
District as shown in attached diagram NO I
diagram NO II tells the business District of Lorenzo,
a Post office was built in 1963
Church House " built in 1924

Our Property Now has three wells on it in
which we claim water rights to dating back to when
Lorenzo Idaho was Founded & named after the L.D.S.
President Lorenzo Snow early 1900's

The above is a true statement based on two Books
Snake River Echoes Vol 13 NO I
Snake River Echoes Vol 28 NO II

Witness Frank Jenkins

Owner Joel Jenkins

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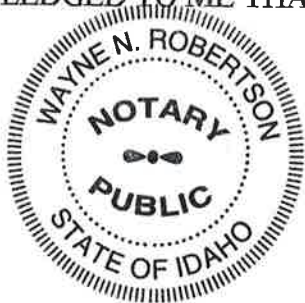
PROFILED

The Lorenzo Town Site was laid out in 1885
TO
Ida Dept of Water Resources in Basin 25 in the Snake River Basin Adjudication

STATE OF Idaho)
COUNTY OF Madison) : SS

ON THIS 12th DAY OF February, IN THE YEAR 2004, BEFORE
ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED

Joel Jenkins
KNOWN OR IDENTIFIED TO ME TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE
SUBSCRIBED TO THE WITHIN AND FOREGOING INSTRUMENT AND
ACKNOWLEDGED TO ME THAT SHE/HE/THEY EXECUTE THE SAME.



Wayne N. Robertson
NOTARY PUBLIC OF IDAHO
RESIDING AT Ketchum, IDAHO
MY COMMISSION EXPIRES: 12-25-2009

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NO I

House
Well NO 3

COMM
Well H 1
MACHINE

125'	002A		125'
25'	Cliff McCowin 173294 267154		25'
25'	25'		25'
16'			16'
125'	001A		125'
25'	Everett Chaney 140224 288094 296254 286255 286256		25'
25'	16'	286257 286258	25'

25'	020A		25'
25'	Joel & DeAnna Jenkins 242223 318970 318971		25'
125'	Assessed With #010A		25'
16'			16'
125'	003A		125'
25'	Joel F. Jenkins 164985 249023		25'
25'	Assessed With #010A		25'

125'	001A		125'
25'	Iris R. Layton 299601 299602		25'
25'			25'
16'			16'
125'	008A		125'
25'	Iris Layton 116-5959 249515		25'
25'	299601 299602		25'
125'	012A		125'
25'	Merlin Stoddard 171315		25'
25'			25'
16'			16'

125'	010A		125'
25'	Joel F. Jenkins 175427 249022 249424 248307		25'
25'			25'
16'			16'
25'			25'

Business
Well #2
Distant
Highway
then
Yellowstone Highway

001A	
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ON Record is the Jefferson County Historical Society in
Main Street of Lorenzo
Rigby Idaho

Main street was the Yellowstone Highway which entered from the south along the west side of the railroad, made an S curve, went between the stores on the west side, and the spud "Potato" house and beet dump on the east side, then another S curve to align it with the railroad again before crossing the river.

Along the west side of the highway was a three-cornered field that was the town ball diamond. It seemed that every Saturday afternoon in the summer there was a big ball game that everyone attended.

North of the ball field was Chris Carson's house, then the Shell Service Station and 'Beer Parlor', then a vacant area, Tommy Walker's house and Hogan's store. Hogan's store was built of the black sand-rock from the buttes. It had a flat roof, three large windows in the front and one gas pump. The entrance was on the east side. Inside to the left was the grocery area, to the right was the Post Office and dry-goods area. The back of the store was the living quarters for the Hogan family.

One year crushed gravel for the highway was stored on the ball field. This made a good coasting hill in the winter. After the gravel was gone Wayne Tibbitts and Lynn Anderson built a grocery store there. About this same time the Hogan store closed and Norris Guidinger lived in the store and had a welding shop in a building behind.

The Anderson store was added to and included a meat cutting room, cold storage lockers and the Post Office. Eventually there was a new post office building south of the store, complete with a flag pole and a letter drop box. The meat cutting area in the store was changed into a lunch counter.

When the four lane highway came to town Tommy Walker's house was moved across the river and the rest of the buildings along 'Main Street' were torn down as they would have been in the middle of the road.

NO II

SCANNED

NOV 01 2004

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April 29, 1991

Joel Jenkins
4865 S. Jenkins Lane
Rexburg, ID 83440

RE: Evidence of Priority

Dear Mr. Jenkins:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". 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 Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice 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 all of the 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 this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

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NOV 11 1992

Joel Jenkins

Page 2

Please submit the required evidence supporting the priority date by **May 29, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-11303
JOEL JENKINS
4865 S JENKINS LANE

REXBURG

ID 83440

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10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Jenkins, Jr.

CLAIM I.

T. NO.

AR5-11303

DATE RECEIVED

11-21-88

CK #

AMOUNT \$ 54.00

YES

NO

1. Is the name and address complete with zip code?

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required) N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered? N/A

Is the consumptive use correct? N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct? Exempt

If this claim is based on an existing water right, has the identification number been entered? N/A

Should this claim be receipted and data entered?

Claim checked by:

EC/px - OK

Comments:

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E0004240

AUG 01 2001

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: A25-11303
Date Received: 11/21/1988
Receipt No: E004240
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOEL JENKINS 208-356-7436
Address: 4865 S JENKINS LANE
REXBURG, ID 83440

2. Date of Priority: JUN 06, 1898

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	39E	33	NW	NW	NE		JEFFERSON

5. Description of diverting works:
8" DIAMETER WELL, 80' DEEP, SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/GAS STATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	39E	33	NW	NE		COMMER	

11. Place of use in counties: JEFFERSON

A25-11303

Page 1

Date: 12/22/88

A2511303



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

13. Other Water Rights Used:
NONE

14. Remarks:

THE PRIORITY DATE AND USE ARE BASED ON WHEN THE TOWNSITE OF
LORENZO WAS ESTABLISHED AND THE USE OF THE WATER BY THE BUSINESS
IN EXISTANCE AT THE TIME.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A25-11303,

Date Received

21 November 1988.

Receipt Number

5004240ENC

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

Joel Jenkins

Phone (208)

356-7436

Mailing Address

4865 S. Jenkins LaneRefugio
Idaho83440

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

June 6 1898

3. Source of water supply (a)

groundwater.

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

5N

Range

39E

Section

33NW1/4 of NW1/4 of NE

1/4, Govt. Lot,

B.M., County of

Jefferson.

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. 8" diameter well, 80 ft.

deep, submersible pump,

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from Jan 1 to Dec 31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (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.) 4 gas stations

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	
5N	39E	33		C															

Total number of acres irrigated _____

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

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.
_____ or None (X)

14. Remarks: The priority date and use are based on when the townsite of Lorenzo was established & the use of the water by the businesses in existence at the time.

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

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NOV 11 1992
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 _____
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 1

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

Signature of Claimant (s) X Joel Jenkins

Date X 11-21-88

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day of November 1988

SEAL

Notary Public Ernest Carlson

Residing at Idaho Falls, ID

My Commission Expires 17 June, 1994

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 _____ Ident. Number _____

MICROFILMED
Copies White-State, Yellow-Claimant
NOV 11 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

111° 52' 30" 43° 45' 30 000m E 31 32 50'

R39E

Well →

T5N
T4N

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