

IDAHO DEPARTMENT OF WATER RESOURCES 09/07/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: MELVILLE W JENSEN TRUST
C/O GARY JENSEN
10964 RHODY DR
PORT HADLOCK WA 98339

VEDA J RUPP
12789 HILINE ROAD
POCATELLO ID 83202

HAROLD L RUPP TRUST
PO BOX 5307
CHUBBUCK ID 83202

ORA L JENSEN ESTATE
C/O TERRY JENSEN
2660 DAWES ST
RANCHO CORDOVA CA 95670

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.56 CFS
237.7 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-2914 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 932 AF.

PRIORITY DATE: 06/02/1953

POINT OF DIVERSION:

T05S R34E S35 SENENW Within BANNOCK County

T05S R34E S35 SENESE Within BANNOCK County

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.560 CFS 237.70 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T05S R34E S35	SWNE	40.0	T05S R34E S35	SENE	30.0
T05S R34E S35	NENW	26.0	T05S R34E S35	SENW	37.0
T05S R34E S35	NESE	16.0	T05S R34E S35	NWSE	23.0
T05S R34E S36	SWNW	37.0	T05S R34E S36	NWSW	24.0

233 ACRES TOTAL

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT WITH RIGHT NO. 29-2914 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 233 ACRES IN A SINGLE IRRIGATION SEASON.

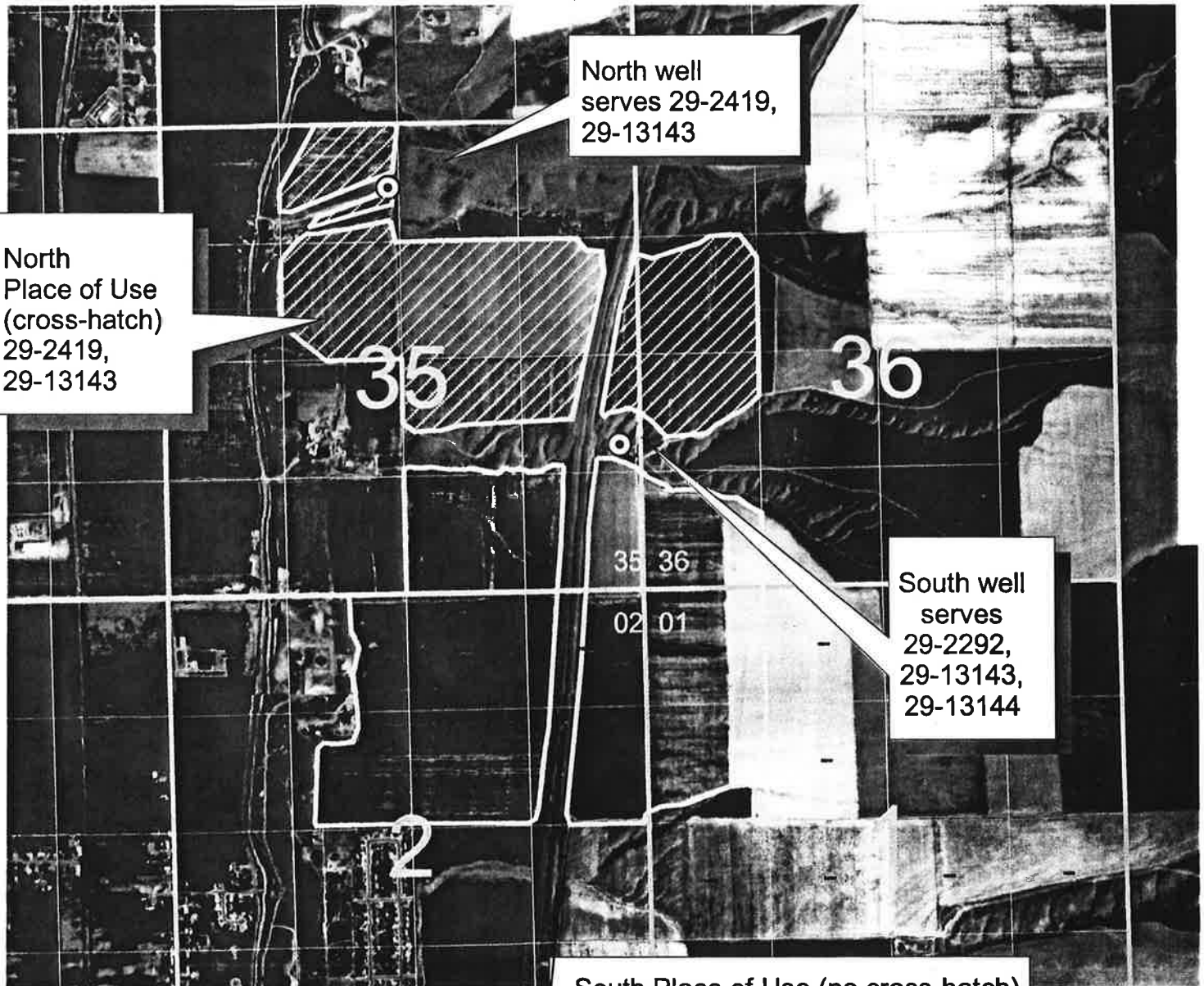
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

EXPLANATORY MATERIAL: Beneficial Use

Idaho Department of Water Resources

Water Right 29-2292, 29-2419, 29-13143, 29-13144



- ⊙ Point of Diversion - This Right
- Point of Diversion - Other Rights
- ▨ Place of Use - This Right
- ▨ Place of Use - Other Rights
- ▨ Township
- ▨ Section
- ▨ Quarter-quarter Section

(color copy in 29-2292 paper file)



Township 5S Range 34E Section 35, 36
Township 6S Range 34E Section 1, 2

Prepared from 1987/1988 NAPP photography by B. Contor, 9/2001.

Paul

02/18/2003

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: April 21, 2003

Water right number: 29-13143

VEDA J RUPP
12789 HILINE RD
POCATELLO ID 83202
Telephone Number: (208)237-3144

MELVILLE W JENSEN TRUST
C/O GARY JENSEN
10964 RHODY DR
PORT HADLOCK WA 98339
Telephone Number: (360)385-4819

HAROLD L RUPP TRUST
PO BOX 5307
CHUBBUCK ID 83202
Telephone Number: (208)237-8997

ORA L JENSEN ESTATE
C/O TERRY JENSEN
2660 DAWES ST
RANCHO CORDOVA CA 95670
Telephone Number: (916)362-0273

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:

4/17/03

SIGNATURE:

Veda J. Rupp

Please print your name:

Veda J. Rupp

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

RECEIVED

APR 24 2003

Department of Water Resources
Eastern Region

Paul

02/18/2003

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: April 21, 2003

Water right number: 29-13143

VEDA J RUPP
12789 HILINE RD
POCATELLO ID 83202
Telephone Number: (208)237-3144

MELVILLE W JENSEN TRUST
C/O GARY JENSEN
10964 RHODY DR
PORT HADLOCK WA 98339
Telephone Number: (360)385-4819

HAROLD L RUPP TRUST
PO BOX 5307
CHUBBUCK ID 83202
Telephone Number: (208)237-8997

ORA L JENSEN ESTATE
C/O TERRY JENSEN
2660 DAWES ST
RANCHO CORDOVA CA 95670
Telephone Number: (916)362-0273

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:

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

DATE: 4-16-03

SIGNATURE:

H. Lavelle Rupp Jr. - Trustee

Please print your name:

H. Lavelle Rupp Jr. - Harold L. Rupp Trust

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

RECEIVED

APR 24 2003

Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13143 V1

WATER RIGHT NUMBER: 29-13143 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MELVILLE W JENSEN TRUST C/O GARY JENSEN 10964 RHODY DR PORT HADLOCK, WA 98339 (360)385-4819
Current Owner	VEDA J RUPP 12789 HILINE ROAD POCATELLO, ID 83202
Current Owner	HAROLD L RUPP TRUST PO BOX 5307 CHUBBUCK, ID 83202
Current Owner	ORA L JENSEN ESTATE C/O TERRY JENSEN 2660 DAWES ST RANCHO CORDOVA, CA 95670 (916)362-0273

Priority Date: 06/02/1953

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.560 CFS	237.70 AF
	<u>Total Diversion:</u>	0.560 CFS	237.70 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4NW1/4	Sec. 35, Twp 05S, Rge 34E, B.M.
BANNOCK County		
GROUND WATER	SE1/4NE1/4SE1/4	Sec. 35, Twp 05S, Rge 34E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	34E	35			40.0	30.0	26.0			37.0					16.0	23.0			172.0
05S	34E	36						37.0				24.0							61.0

Total Acres: 233

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13143 V1

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-2914 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 233 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-2914 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 932 AF.

Comments:

1. bcontor 9/7/2001 Basis of right

Comment: This is a beneficial use right for additional Q developed with 29-2292 as evidenced by licensing exam 29-2292. When 29-2419 was licensed, its system was tied to 22-2292s system. The additional Q was distributed to both POU as an accomplished transfer. This claim is for the portion overlapping 29-2419 and 29-13144 is for the portion overlapping 29-2292.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13143

WATER RIGHT NUMBER: 29-13143

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ORA L JENSEN ESTATE C/O TERRY JENSEN 2660 DAWES ST RANCHO CORDOVA, CA 95670 (916)362-0273
Current Owner	MELVILLE W JENSEN TRUST C/O GARY JENSEN 10964 RHODY DR PORT HADLOCK, WA 98339 (360)385-4819
Current Owner	VEDA J RUPP 12789 HILINE ROAD POCATELLO, ID 83202
Current Owner	HAROLD L RUPP TRUST PO BOX 5307 CHUBBUCK, ID 83202

Priority Date: 06/02/1953

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.950 CFS	816.00 AF
	<u>Total Diversion:</u>	2.950 CFS	816.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4SE1/4	Sec. 35, Twp 05S, Rge 34E, B.M.
BANNOCK County		
GROUND WATER	SE1/4NE1/4SW1/4	Sec. 35, Twp 05S, Rge 34E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	34E	35			40.0	25.0	38.0			40.0					16.0	17.0			176.0
05S	34E	36						31.0				26.0							57.0

Total Acres: 233

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-13143

Conditions of Approval:

Remarks:

1. THIS CLAIM AMENDED TO SHOW CORRECT OWNERSHIP AND TO SHOW A CLAIM FOR BENEFICIAL USE BASED UPON ADDITIONAL DIVERSION RATE DOCUMENTED BY LICENSING EXAM 29-2292. THIS CLAIM IS THE SAME PLACE OF USE AS 29-2419. HISTORICALLY 29-2292 AND 29-2419 HAVE BEEN USED TOGETHER IN A COMMON MAINLINE SYSTEM. CLAIM 29-13143 AND 29-13144 TOGETHER REPRESENT THE ADDITIONAL DIVERSION RATE DEVELOPED FROM THE WELL OF 29-2292 AND USED ON THE ENTIRE FARM AS AN ACCOMPLISHED TRANSFER.

Comments:

Dates and Other Information:

Claim Received Date: 1/31/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MEMORANDUM

To: 29-2292, 29-2419
29-13143, 29-13144

Fr: Bryce Condo,
Date: 9/6/01

Re: Combined Average Limitation

Two needs appear for combined limitation

1) Percent "cushaking" of Ben. Use rights
for additional 2, from licensed rights.
Accomplish this by combined average
limitations w/ each pair.

2) Percent "enlargement" of earlier priority
right 29-13143 in connection w/ accomplished
refer to overlapping of license 29-2419.
Accomplish this by limiting each portion
of Ben use right (29-13143, 29-13144)
to 25-share of original areas.

29-13143 = 2.95 ds claimed
29-13144 = 4.24 ds claimed

This appears to be an error; the original intent was to apportion the 1.82 ds of documented "beneficial use" capacity as needed to balance division water. It looks like I forgot to adjust the division water.

Average limit p 2 9/6/01

North Pole	233 acrs
~~North Pole~~	~~233 acrs~~
South Pole	365 acrs
Total	598 acrs

29-2292	4.24 ds
29-2419	2.95 ds
	<u>7.19 ds</u>
Ben. use	1.82 ds
	<u>9.01 ds</u>

$$\frac{9.01}{598} = 0.01507 \text{ ds/ac}$$

$$\text{North Pole } 233 \text{ acrs} \times 0.01507 = 3.51$$

$$3.51 - 2.95 = 0.56 \text{ ds for } 29-13143$$

Atropine limit p 3 9/6/01

South Pole 1.82 ds - 0.56 ds = 1.26 ds
89-13144

Original Ben. use was 100% overlap w/
89-2292, 409 acc.

$$409 \text{ acc} \times 0.56 = \frac{1.82}{1.26 \text{ acc limit for } 89-13143}$$

$$409 \text{ acc} - 1.26 = 283 \text{ acc limit for } 89-13144$$

Combined limits:

$$89-2914 \text{ } \downarrow \text{ } 89-13144 \text{ } 13143 = 233$$

$$89-2292 \text{ } \downarrow \text{ } 89-13144 = 365$$
~~$$89-2292, 89-13143, 89-13144 =$$~~

for

MEMORANDUM

To: 29-2292
29-2419
29-13143
29-13144
Fr: Bryce Contor
Date: 8/23/2001



Re: Amended claims, office visit, intent of recommendations

Today I visited in the office with Lavell Rupp, representative of Veda Rupp and the Harold L. Rupp Trust; and Gordon Jensen, representative of the Melville W. Jensen Trust and the Ora L. Jensen Estate.

Originally Veda and Harold Rupp had filed claims 29-2292 and 29-2419, based upon licenses. Historically the lands had belonged first to Veda Rupp's and Melville Jensen's father, then were jointly owned by Veda Rupp and her husband, and Melville Jensen and his wife. By some oversight, Rupp's omitted Melville Jensen as an owner on claim 29-2292, and both Jensens as owners on claim 29-2419.

Since that time, both Jensens, as well as Harold Rupp, have passed away. Terry Jensen as representative of the Jensen Trust and Jensen Estate filed competing claims 29-13143 and 29-13144. This was not an attempt to claim all of the original rights, but to make sure the Jensen heirs were represented as owners.

In my preliminary investigation I found evidence that there was additional original diversion rate documented in licensing exam 29-2292, but never licensed. I also found that the systems are interconnected, that the diversion rates per acre are not in balance, and that the capacities of the wells are not in balance with the original licenses.

Earlier, by telephone, Lavell Rupp and Gary Jensen had indicated an intent to eventually divide the property, and perhaps to file transfers to change place of use. Letters in the files give some of the history of these conversations.

Based on today's interview Lavell and Gordon, I have done the following:

1. Accepted amended claims on both licenses, to clarify POD and to show Veda Rupp, the Harold L Rupp Trust, the Ora L Jensen Estate, and the Melville W Jensen trust as owners.
2. Accepted amended claims on the two "competing" claims 29-13143 and 29-13144 to change them into beneficial use claims for the additional

diversion rate documented in the licensing exam. These also were adjusted to show the same four owners as the two licenses.

My intent is to recommend these four claims basically as claimed, with appropriate combined use limitations. In doing this, I assert that the original development of 29-2292 was for the 6.06 cfs found, on the original POU. (this is still within 0.02/acre). When adjacent 29-2419 was developed and the mainlines were connected, there was an accomplished transfer to a PPU with the lands of 29-2419 of some of the additional diversion rate.

The beneficial use right did not involve any new acres and there has not been any enlargement of original licensed acres.

To accommodate these accomplished transfers and still allow flexibility for dividing the place, I have amended 29-13144 as the portion of the beneficial use right that overlaps 29-2292 and I have amended 29-13143 as the portion that overlaps 29-2419. Because there are no "new" acres associated with the beneficial use, none of the rights will carry K06, but both pairs (29-2292 and 29-13144, 29-2419 and 29-12143) will carry appropriate combined acreage limitations.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 18, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LaMar Rupp
PO Box 5307
Chubbuck, Idaho 83202

Re: Adjudication Claim 29-2292, 29-2419

Dear Mr. Rupp:

I have begun reviewing these adjudication claims. The well under 29-2292 was originally licensed for 4.24 cfs, which is probably not quite adequate for the 369 acres you appear to be irrigating. The capacity of the well was measured in 1953 at 6.06 cfs, which is much more appropriate for 369 acres.

If you wish, I can prepare a "beneficial use" claim for the additional diversion rate, with a priority of 1953. This would result in an additional 1.82 cfs, or about 817 gallons per minute. The fee would be \$100.

Another issue with these water rights is that the diversion rate per acre is not balanced between the two rights. It appears that the two systems are interconnected, and operated together. It would be appropriate to recommend these two rights (three, if you file the beneficial use claim) on a "permissible place of use" basis. The advantage to this is that you would be able distribute your available diversion rate across the entire farm, from either water right or well.

The disadvantage would be that if the land were divided, or a portion were sold off, each piece of land would get a proportionate share of each water right. If you wished to keep the older water right on one parcel, and the junior right(s) on another, the "permissible place of use" would interfere with your plans.

Please consider what you would like to do, and let me know. You may call me at home in the evenings at 208-663-4853, if you can't reach me during the day.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Harold and Veda Rupp
12789 Hiline Road
Pocatello, Idaho 83202

Re: Adjudication claims 29-2292, 29-2419

Dear Water Users:

These two adjudication claims are based upon licensed ground water rights for irrigation. License 29-2292 was originally issued to Henry Jensen, but was shown in the names of Harold and Veda Rupp and Melville and Ora Jensen in a 1965 transfer. License 29-2419 was issued in 1969 to the same four parties.

Based upon these two licenses, there have been four adjudication claims filed. Claim 29-2292 is filed in the names of Harold or Veda Rupp, or Ora Jensen. Claim 29-2419 is filed in the names of Harold or Veda Rupp. Claim 29-13143 and claim 29-13144 are filed by the Melville W. Jensen Trust and the Ora L. Jensen Estate, asserting partial ownership of rights 29-2292 and 29-2419.

We are now investigating adjudication claims in Basin 29, to prepare recommendations to present to the court. My charge is to accurately report the water rights, including the ownership of the rights.

If the lands are still jointly owned, I must recommend the water rights to all the owners of the lands. If the lands have been divided, the water rights must be divided accordingly. Unless the conveyance documents or deeds explicitly state otherwise, water is divided proportionately to the division of the irrigated lands.

Please contact me to help me sort out what is the correct ownership status of these water rights. If you have copies of deeds or conveyance documents, these would be most helpful. You may leave a message for me at 525-7161. I am hard to catch up to, but I will return your calls within a week.

Thank you,

Bryce A. Contor
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
June 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Melville W Jensen Trust
C/O Gary Jensen
10964 Rhody Dr
Port Hadlock, Washinton 98339

Re: Adjudication claims 29-2292, 29-2419

Dear Water Users:

These two adjudication claims are based upon licensed ground water rights for irrigation. License 29-2292 was originally issued to Henry Jensen, but was shown in the names of Harold and Veda Rupp and Melville and Ora Jensen in a 1965 transfer. License 29-2419 was issued in 1969 to the same four parties.

Based upon these two licenses, there have been four adjudication claims filed. Claim 29-2292 is filed in the names of Harold or Veda Rupp, or Ora Jensen. Claim 29-2419 is filed in the names of Harold or Veda Rupp. Claim 29-13143 and claim 29-13144 are filed by the Melville W. Jensen Trust and the Ora L. Jensen Estate, asserting partial ownership of rights 29-2292 and 29-2419.

We are now investigating adjudication claims in Basin 29, to prepare recommendations to present to the court. My charge is to accurately report the water rights, including the ownership of the rights.

If the lands are still jointly owned, I must recommend the water rights to all the owners of the lands. If the lands have been divided, the water rights must be divided accordingly. Unless the conveyance documents or deeds explicitly state otherwise, water is divided proportionately to the division of the irrigated lands.

Please contact me to help me sort out what is the correct ownership status of these water rights. If you have copies of deeds or conveyance documents, these would be most helpful. You may leave a message for me at 525-7161. I am hard to catch up to, but I will return your calls within a week.

Thank you,

Bryce A. Contor
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
June 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Ora L. Jensen Estate
C/O Terry Jensen
2660 Dawes Street
Rancho Cordova, CA 95670

Re: Adjudication claims 29-2292, 29-2419

Dear Water Users:

These two adjudication claims are based upon licensed ground water rights for irrigation. License 29-2292 was originally issued to Henry Jensen, but was shown in the names of Harold and Veda Rupp and Melville and Ora Jensen in a 1965 transfer. License 29-2419 was issued in 1969 to the same four parties.

Based upon these two licenses, there have been four adjudication claims filed. Claim 29-2292 is filed in the names of Harold or Veda Rupp, or Ora Jensen. Claim 29-2419 is filed in the names of Harold or Veda Rupp. Claim 29-13143 and claim 29-13144 are filed by the Melville W. Jensen Trust and the Ora L. Jensen Estate, asserting partial ownership of rights 29-2292 and 29-2419.

We are now investigating adjudication claims in Basin 29, to prepare recommendations to present to the court. My charge is to accurately report the water rights, including the ownership of the rights.

If the lands are still jointly owned, I must recommend the water rights to all the owners of the lands. If the lands have been divided, the water rights must be divided accordingly. Unless the conveyance documents or deeds explicitly state otherwise, water is divided proportionately to the division of the irrigated lands.

Please contact me to help me sort out what is the correct ownership status of these water rights. If you have copies of deeds or conveyance documents, these would be most helpful. You may leave a message for me at 525-7161. I am hard to catch up to, but I will return your calls within a week.

Thank you,

Bryce A. Contor
Senior Water Resource Agent

Contor, Bryce

From: Contor, Bryce
Sent: Friday, May 18, 2001 3:34 PM
To: McHugh, Candice
Cc: Music, Vicky
Subject: competing claims

Claims 29-13143 and 29-13144 were filed by the Ora L. Jensen Estate and the Melvin W. Jensen Trust, alleging co-ownership of claims 29-2292 and 29-2419. 29-2292 is filed by Harold or Veda Rupp or Ora L. Jensen, 29-2419 is filed only by Rupps.

Unless you have a better plan (I hope you do) my idea was to invite both sets of claimants to document their ownership of the right, then sort it out and make a recommendation. I haven't looked at the claims to know if they will otherwise be recommendable.

SCANNED

Form 42-1409(10)-1
8/91

MAY 14 2001

Date Received _____

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

OKA JENSEN ESTATE AND M.W. JENSEN TRUST ⁹¹⁶ 362-0273
Name of Claimant Phone Number

2660 DAWES ST Rancho Cordova CA 95670
Mailing Address City State Zip

BANNOCK
County(s) where place of use is located Date claim originally due

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

THE REASON WE ARE LATE IS CO-OWNERS FILED CLAIMS
29-02292 AND 29-02419. THIS NEW CLAIM IS TO ESTABLISH
PARTIAL OWNERSHIP OF ABOVE NOTED WATER RIGHTS

Claimant requests an extension to _____, 19 _____

Tony Jensen JANUARY 31, 19 2001
Signature Date of request

Kaye Hallinan
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [_____ denied] for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this 30 day of January, 19 2001

Ernst Calver
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MEMORANDUM

Date: 1/31/01

From: Craig Saxton

Subject: 29-13143 and 29-13144

Back ground:

Two families have owned and operated the land covered under water right licenses 29-02292 and 29-02419. The Rupp's family and the Jensen Family. Adjudication claims were filed on these water rights by the Rupp's.

The Jensen family has part ownership of the land and now wants their names on the adjudication claims. The only way to add the Jensen's names to the claims filed by the Rupp's would be to have the Rupp's sent a letter to add the Jensen's names.

The Jensen's told me that there is some sort of tension and the Rupp's would not allow the Jensen's name to be added.

Result:

The Jensen's filed separate adjudication claims on the land in question. The Jensen's claims were filed exactly like the claims filed by the Rupp's. The intention of filing the claims is not to claim sole ownership of the water rights, but rather to ensure that their names are included as owners when the department makes it's recommendation to the court.

Fees:

Acreage fees paid by AJ claims 29-02292 and 29-02419. A notice of extension of time to avoid late fees was filed based on the fact that the Jensen's thought that their name was included on the original filing.

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 29-13143
Date Received: 1/31/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

ORA L JENSEN ESTATE Phone: (916)362-0273

C/O TERRY JENSEN
2660 DAWES ST
RANCHO CORDOVA CA USA 95670

MELVILLE W JENSEN TRUST Phone: (360)385-4819

C/O GARY JENSEN
10964 RHODY DR
PORT HADLOCK WA USA 98339

VEDA J RUPP Phone:

12789 HILINE ROAD
POCATELLO ID USA 83202

HAROLD L RUPP TRUST Phone: 208-237-8997

PO BOX 5307
CHUBBUCK ID USA 83202

2. Date of Priority: 06/02/1953

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	34E	35	SE NE SE	BANNOCK	
05S	34E	35	SE NE SW	BANNOCK	

5. Description of diverting works:

TWO WELLS, PUMPS AND SPRINKLERS SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.95	816

7. Total Quantity Appropriated is:
2.95 C.F.S. and/or 816 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
05S	34E	35	SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	25
			NE	NW	IRRIGATION	38
			SE	NW	IRRIGATION	40
			NE	SE	IRRIGATION	16
			NW	SE	IRRIGATION	17
Section Acres						176
05S	34E	36	SW	NW	IRRIGATION	31
			NW	SW	IRRIGATION	26
Section Acres						57
Total Acres						233

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM AMENDED TO SHOW CORRECT OWNERSHIP AND TO SHOW A CLAIM FOR BENEFICIAL USE BASED UPON ADDITIONAL DIVERSION RATE DOCUMENTED BY LICENSING EXAM 29-2292. THIS CLAIM IS THE SAME PLACE OF USE AS 29-2419. HISTORICALLY 29-2292 AND 29-2419 HAVE BEEN USED TOGETHER IN A COMMON MAINLINE SYSTEM. CLAIM 29-13143 AND 29-13144 TOGETHER REPRESENT THE ADDITIONAL DIVERSION RATE DEVELOPED FROM THE WELL OF 29-2292 AND USED ON THE ENTIRE FARM AS AN ACCOMPLISHED TRANSFER.

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: _____

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Veda J. Rupp* Date: 8-23-01
For Veda Rupp and Harold L Rupp Trust

Gordon L. Jensen Date: 23 Aug 01
For Ora L Jensen Estate and Melville W. Jensen Trust

For Organizations:

I do solemnly swear or affirm that I am a representative of Veda J. Rupp and the Harold L Rupp Trust, that I have signed the foregoing document in the space below as representative of Veda J. Rupp and the Harold L Rupp Trust and that the statements contained in the foregoing document are true and correct.

Veda J. Rupp
Signature of Authorized Agent

Representative, Veda J. Rupp and
Harold L Rupp Trust

8-23-01
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Aug 2001 *Bryce A. Contor*

Notary Public

Residing at Mod Lake

My commission Expires 10/14/2001



I do solemnly swear or affirm that I am a representative of the Ora L Jensen Estate and the Melville W. Jensen Trust, that I have signed the foregoing document in the space below as representative of the Ora L. Jensen Estate and the Melville W. Jensen Trust and that the statements contained in the foregoing document are true and correct.

Gordon L. Jensen
Signature of Authorized Agent

Representative, Ora L Jensen Estate and
Melville W Jensen Trust

23 Aug 01
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of August 2001

Bryce A. Contor

Notary Public

Residing at Mod Lake

My commission Expires 10/14/2001



SCANNED
MAY 14 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 29-13143
Date Received: 1/31/01
Receipt No: F026450
Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ORA L JENSEN ESTATE Phone: (916)362-0273

C/O TERRY JENSEN
2660 DAWES ST
RANCHO CORDOVA CA USA 95670

MELVILLE W JENSEN TRUST Phone: (360)385-4819

C/O GARY JENSEN
10964 RHODY DR
PORT HADLOCK WA USA 98339

A2913143



2. Date of Priority: 10/26/1959

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
05S	34E	35	SE	NE	SE	BANNOCK	
05S	34E	35	SE	NE	SW	BANNOCK	

5. Description of diverting works:

TWO WELLS, PUMPS AND SPRINKLERS SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
---------	------	----	--------	------------

IRRIGATION

04/01 10/31 2.95

816

7. Total Quantity Appropriated is:
2.95 C.F.S. and/or 816 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
05S	34E	35	SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	25
			NE	NW	IRRIGATION	38
			SE	NW	IRRIGATION	40
			NE	SE	IRRIGATION	16
			NW	SE	IRRIGATION	17
Section Acres						176
05S	34E	36	SW	NW	IRRIGATION	31
			NW	SW	IRRIGATION	26
Section Acres						57
Total Acres						233

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS TO ESTABLISH PARTIAL OWNERSHIP OF WATER RIGHTS CLAIMED IN 29-02419.

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 Gary Jensen Kaye Hallinan of _____ Title

Melville W. Jensen Trust that I have signed the foregoing Organization

document in the space below as TERRY L. JENSEN Executor of Title

ORA L. JENSEN Estate and that the statements contained in the Organization

foregoing document are true and correct.

Terry Jensen
Signature of Authorized Agent

ORA L. JENSEN Estate
Title and Organization

JANUARY 31, 2001
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 31st

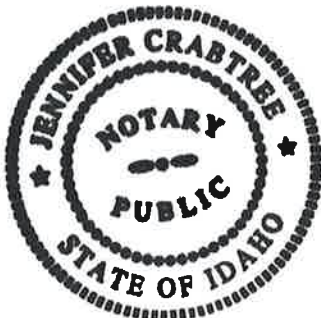
of Jan 2001

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Idaho

My commission Expires 9/23/03



Gary Jensen Kaye Hallinan
01-31-01
01-31-01