

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

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

VEDA J RUPP
12789 HILINE RD
POCATELLO ID 83202

HAROLD L RUPP TRUST
PO BOX 5307
CHUBBUCK ID 83202

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.26 CFS
534.8 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-2292 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1490 AF.

PRIORITY DATE: 06/09/1953

POINT OF DIVERSION:

T05S R34E S35 SENESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.260 CFS 534.80 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T05S R34E S35	NESE	2.0	T05S R34E S35	NWSE	2.0
T05S R34E S35	SWSE	40.0	T05S R34E S35	SESE	31.0
T05S R34E S36	SWSW	33.0	T06S R34E S01 Lot 4	NWNW	40.0
T06S R34E S01	SWNW	33.0	T06S R34E S02 Lot 1	NENE	30.0
T06S R34E S02 Lot 2	NWNE	40.0	T06S R34E S02	SWNE	39.0
T06S R34E S02	SENE	30.0	T06S R34E S02 Lot 3	NENW	18.0
T06S R34E S02	SENW	27.0			

365 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-2292 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 365 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 283 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

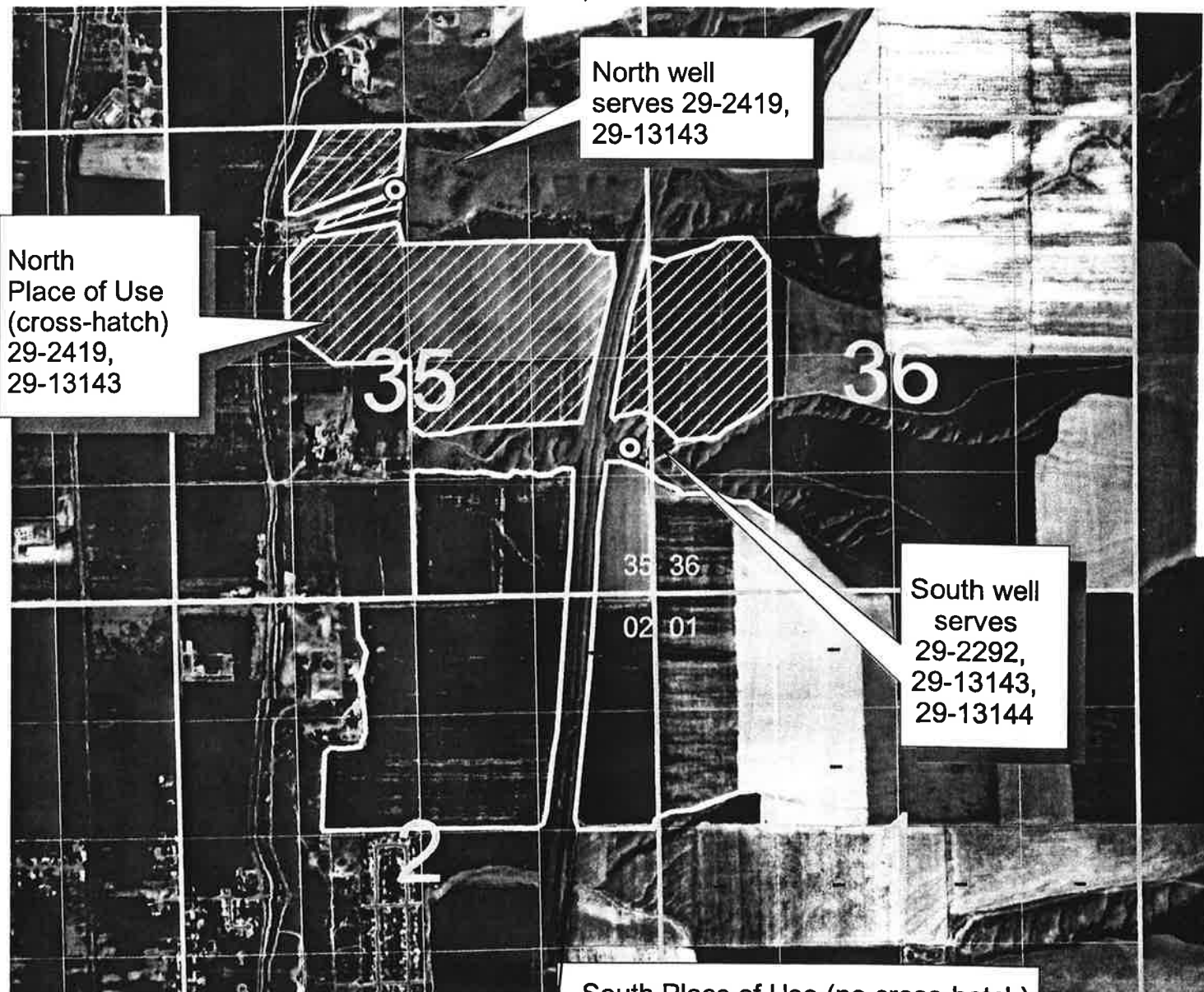
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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

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: 29-13144

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

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

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

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

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.

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CHUBBUCK ID 83202
Telephone Number: (208)237-8997

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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: 4-16-03 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 29-13144 V1

WATER RIGHT NUMBER: 29-13144 V1

Comments:

1. bcontor 9/7/2001 Recommendation

Comment: This is for additional Q found by licensing examiner on initial field exam 6/9/1953 but not licensed with 29-2292. Part of this additional Q has been claimed under 29-13143 and part under 29-13144. The 29-13144 portion has had an accomplished transfer to the lands of 29-2419. Both systems (all 4 rights) have historically been operated with an interconnected mainline.

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POU	9/7/2001 7:49:33 AM	bcontor			Active
Priority Date	9/7/2001 11:22:24 AM	bcontor			Active
POD	9/7/2001 11:24:59 AM	bcontor			Active
Source	9/7/2001 11:25:35 AM	bcontor			Active
POU	9/7/2001 11:30:30 AM	bcontor			Active
Use	9/7/2001 11:32:14 AM	bcontor			Active
Season	9/7/2001 11:34:39 AM	bcontor			Active
Summary	9/7/2001 11:46:33 AM	bcontor	9/7/2001 11:46:33 AM	bcontor	Active
Quantity	9/7/2001 11:50:08 AM	bcontor	9/7/2001 11:46:33 AM	bcontor	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13144 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/7/2001 7:48:09 AM	bcontor	Edited shape boundary
Contacts	9/7/2001 11:21:19 AM	bcontor	(No) 1. Do you want to schedule an appointment? Comment for 1: Recommendation based upon office interview with claimants' representatives, license exam 29-2292, GIS analysis.
POD	9/7/2001 11:22:14 AM	bcontor	Edited point location
POU	9/7/2001 11:24:15 AM	bcontor	Edited shape boundary
POU	9/7/2001 11:24:36 AM	bcontor	Edited shape boundary
POU	9/7/2001 7:47:47 AM	bcontor	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the parent right have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	9/7/2001 7:49:04 AM	bcontor	Edited PLS
Contacts	9/7/2001 11:21:08 AM	bcontor	(No) 1. Do you want to schedule an appointment? Comment for 1: Recommendation based upon office interview with claimants' representatives, license exam 29-2292, GIS analysis.
Priority Date	9/7/2001 11:20:39 AM	bcontor	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? Description for Question 12/13 - License exam 29-2292
POD	9/7/2001 11:22:35 AM	bcontor	Edited PLS
POD	9/7/2001 11:23:15 AM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

Description for Question 8 - License 29-2292

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13144 V1

Source	9/7/2001 11:23:50 AM	bcontor	(No) 1. Is the basis of claim decree or license? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - License 29-2292
POU	9/7/2001 11:25:21 AM	bcontor	Edited PLS
POU	9/7/2001 11:28:46 AM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - License 29-2292, GIS
Use	9/7/2001 11:30:30 AM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - License 29-2292
Season	9/7/2001 11:32:54 AM	bcontor	(No) 1. Is the basis of claim decree or license? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13144 V1

Summary	9/7/2001 11:44:49 AM	bcontor	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POD	9/7/2001 11:48:23 AM	bcontor	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Q is from license exam 29-2292 Description for Question 10 - 283 acres x 4.0 afa/acre = 1132 afa. 1.26 cfs x 1.9835 x 214 days = 534.9 afa. Q is limiting; recommend lower volume. Combined use limitation w/ 29-2292 reflects combined acre limitation @ 4.0 afa/acre.

MEMORANDUM

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

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

Re: Combined average limitation

Two needs appear for combined limitation

1) Present "cushaking" of Ben. use nights for additional & from licensed nights. Accomplish this by combined average limitations w/ each pair.

2) Present "enlargement" of earlier priority night 29-13143 in connection w/ accomplished refer to overlapping of license 29-2419. Accomplish this by limiting their portion of Ben use night (29-13143, 29-13144) to 25% share of original acres.

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

Average limit p 2 9/6/01

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

North Pole 233 acres
~~29-2419 233 acres~~
 South Pole 365 acres
 Total 598 acres

29-2292
 29-2419

Ben. use
 4.24 g/s
2.95 g/s
 7.19 g/s
1.82 g/s
 9.01 g/s

$$\frac{9.01}{598} = 0.01507 \text{ g/s/acre}$$

North Pole 233 acres $\times 0.01507 = 3.51$
 $3.51 - 2.95 = 0.56 \text{ g/s for } 29-13143$

Average limit p 3 9/6/01

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

England Ben. use was 100% overlap w/
89-2092, 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:

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

$$89-2092 \text{ } \downarrow \text{ } 89-13144 = 365$$
~~$$89-2092, 89-13143, 89-13144 =$$~~

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
June 7, 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, 2001
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

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Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION, 2001
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:

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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.

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.

ORA 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____
July 2001
Signature [Signature] Date of request JANUARY 31, 2001
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

[Signature]
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 29-13144
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)

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

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

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

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

VEDA J RUPP Phone: (208)237-3144

12789 HILINE RD
POCATELLO ID USA 83202

HAROLD L RUPP TRUST Phone: *208-237-8997*

PO BOX 5307
CHUBBUCK ID USA 83202

2. Date of Priority: 10/14/1950

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	

5. Description of diverting works:

WELL, PUMP AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	4.24	1291

Dev. Use, South

7. Total Quantity Appropriated is:
4.24 C.F.S. and/or 1291 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	1	NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	33
						Section Acres	73
05S	34E	2	NE	NE		IRRIGATION	32
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	32
			NE	NW		IRRIGATION	20
			SE	NW		IRRIGATION	28
						Section Acres	192
05S	34E	35	SE	SE		IRRIGATION	32
			SW	SE		IRRIGATION	40
						Section Acres	72
05S	34E	36	SW	SW		IRRIGATION	32
						Section Acres	32
						Total Acres	369

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:

CLAIM AMENDED TO SHOW A BENEFICIAL USE CLAIM FOR ADDITIONAL DIVERSION RATE DOCUMENTED IN ORIGINAL LICENSING EXAM 29-2292. AMENDMENT ALSO UPDATES CORRECT OWNERSHIP.

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: _____

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.

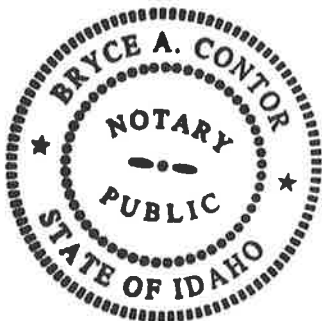
Subscribed and sworn (or affirmed) before me this 23 day
of August 2001

Bryce A. Contor

Notary Public

Residing at Mud Lake

My commission Expires 10/14/01



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 Aug 2001 Bryce A. Contor

Notary Public

Residing at Mud Lake

My commission Expires 10/14/2005



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 29-13144
Date Received: 1/31/01
Receipt No: F006450
Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

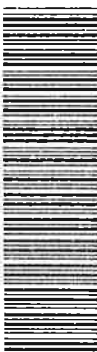
MELVILLE W JENSEN TRUST Phone: (360)385-4819

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

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

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

A2913144



2. Date of Priority: 10/14/1950

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 NW	BANNOCK	

5. Description of diverting works:

TWO WELLS, PUMPS AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

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

IRRIGATION

04/01 11/01 4.24

1291

7. Total Quantity Appropriated is:
4.24 C.F.S. and/or 1291 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	1	NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	33
			Section Acres				
05S	34E	2	NE	NE		IRRIGATION	32
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	32
			NE	NW		IRRIGATION	20
			SE	NW		IRRIGATION	28
Section Acres					192		
05S	34E	35	SE	SE		IRRIGATION	32
			SW	SE		IRRIGATION	40
Section Acres					72		
05S	34E	36	SW	SW		IRRIGATION	32
Section Acres					32		
Total Acres					369		

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 29-02292.

TRANS.1041

P/U INCOMPLETE. SEE FILE.

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 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 _____ Jennifer Crabtree

Notary Public

Residing at Idaho Falls, Idaho



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

My commission Expires 9/23/03