

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 35-12467A

2002 APR 11 AM 9:10

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: E J STEINKS RANCHES INC
804 SATURN AVE
IDAHO FALLS, ID 83402

SOURCE: GROUNDWATER

QUANTITY: 4.86 CFS
1516.00 AFY

PRIORITY DATE: 08/26/1957

POINT OF DIVERSION: T03N R37E S05 NESESW Within Bonneville County
S06 SWNESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.86 CFS 1516.00 AFY

PLACE OF USE: Irrigation Within Bonneville County

T03N R37E S06 LOT 01 (NENE) 39.0	LOT 02 (NWNE) 40.0
LOT 02 (SWNE) 40.0	LOT 02 (SENE) 39.0
LOT 02 (NESE) 39.0	LOT 02 (NWSE) 40.0
LOT 02 (SWSE) 39.0	LOT 02 (SESE) 37.0
S07 NENE 22.0	NWNE 38.0
SWNE 6.0	
379.0 Acres Total	

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

PROFILED

SCANNED
OCT 04 2005

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-12467A

NAME & ADDRESS: E J STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS ID 83402

SOURCE: GROUNDWATER

QUANTITY: 4.86 CFS
1516.0 AFY

PRIORITY DATE: 08/26/1957

POINT OF DIVERSION: T03N R37E S05 NESESW Within BONNEVILLE County
S06 SWNESE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 4.86 CFS
1516.0 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T03N R37E S06 Lot 1 (NENE)39 Lot 2 (NWNE)40 SWNE 40 SENE 39
NESE 39 NWSE 40 SWSE 39 SESE 37
S07 NENE 22 NWNE 38 SWNE 6
379 ACRES TOTAL

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.

A3512467A



EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 35-02482 AND
35-02514.
RIGHT NO. 35-12467B IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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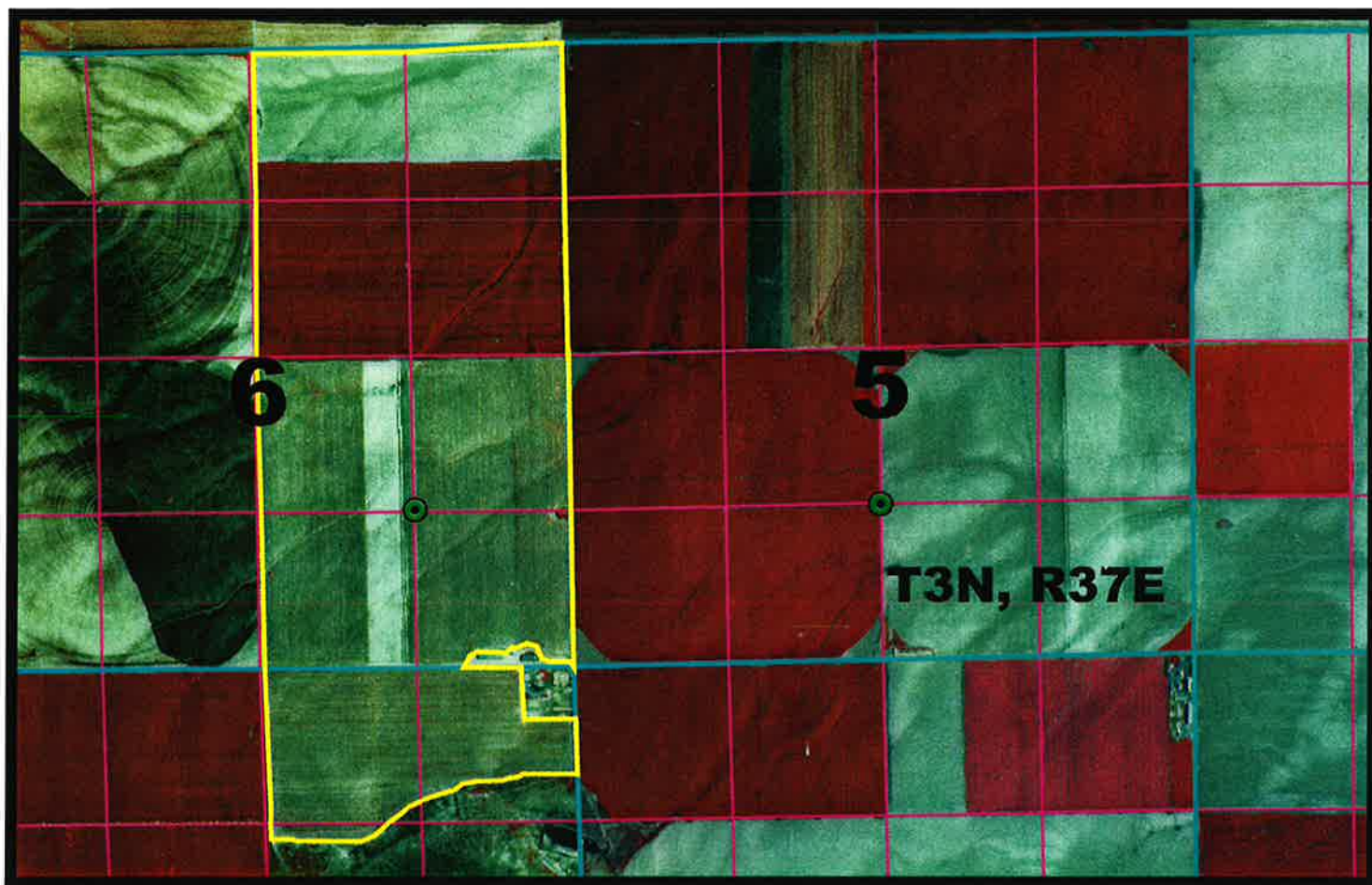
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STATE OF IDAHO

Department of Water Resources
Eastern Region

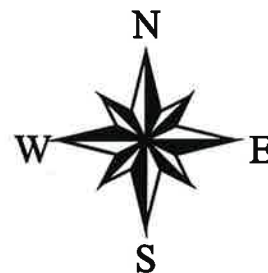
Water Right (s): 35-12467A



1320 0 1320 2640 3960 5280 6600 7920 Feet

Total Irrigated Acres: 379

-  **Point of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **Quarter Quarter Lines**



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GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2001

2002 APR 11 AM 9:09
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Rights 35-12467A and 35-12467B

On February 13, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water rights 35-12467A and 35-12467B are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED 4/11/02

Roger Burdick
ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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OCT 04 2005

2002 APR 11 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 35-12467A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-12467A was mailed
on April 11, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

E J STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS, ID 83402


ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
04/11/02

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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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 28, 2001

E J STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS ID 83402

RE: Transfer #5713 for water right(s) 35-12467A & 35-12467B and
Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Steinke:

On August 4, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5713 modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

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OCT 04 2005

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 35-12467A &
35-12467B

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer **5713**

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 3-1-01

Z. W. Jones
Signature of IDWR Representative

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OCT 04 2005

CERTIFICATE OF MAILING

I certify that on March 2, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:	
E J STEINKE RACHES INC	WAYNE JENSEN
804 SATURN AVE	2777 N 26 W
IDAHO FALLS ID 83402	IDAHO FALLS ID 83402

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

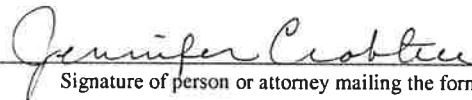
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

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OCT 04 2005

PROFILED

02/28/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-12467A
NAME AND ADDRESS: E J STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS ID 83402

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 4.860 CFS
1,516.00 AFY

PRIORITY DATE: 08/26/1957

POINT OF DIVERSION:

T03N R37E S5 NESESW Within BONNEVILLE County
T03N R37E S6 SWNESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	4.860 CFS 1,516.00 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T03N R37E S06 Lot 1 NENE	39.0	T03N R37E S06 Lot 2 NWNE	40.0
T03N R37E S06 SWNE	40.0	T03N R37E S06 SENE	39.0
T03N R37E S06 NESE	39.0	T03N R37E S06 NWSE	40.0
T03N R37E S06 SWSE	39.0	T03N R37E S06 SESE	37.0
T03N R37E S07 NENE	22.0	T03N R37E S07 NWNE	38.0
T03N R37E S07 SWNE	6.0		

379 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 35-02482 AND 35-02514.^^^
RIGHT NO. 35-12467B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.^^^

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OCT 04 2005

Jen.

This IS What Happened

C/O: Among other things, the C/O
split Right 35-02926

→ 35-02926 (Kolbet) → 35-13293 (Cannon) V1
→ 35-13294 (Jensen) V1

Next: TR 5713 caused Two splits

35-12467 (Steinke) → 35-12467A (Steinke) V1
→ 35-12467B (Jensen) V1

35-02926 (Kolbet) → 35-02926A (Kolbet)
→ 35-02926B (Jensen)

↑
{ This split had already taken place
through the C/O. So I am ignoring this
split

The two Jensen Peices Were then made
a Permissible POL

35-13294 } V2 (Version 2) was created
35-12467B } for these Rights.

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So what is Valid Now??

<del> </del>	#	Name	Version
	35-13293	Cannon	V1
	35-13294	Jensen	V2
	35-12467A	Steinke	V1
	35-12467B	Jensen	V2

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OCT 04 2005



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS ID 83402

RE: Notice of Change of Water Right Ownership (NCO) for
35-12467 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Mr. Steinke:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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OCT 04 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 35-12467,
35-12467A, 35-12467B

)

Case No. 39576

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party ☒ Split **STEINKE - STEINKE & JENSEN**

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED April 17, 2000

Ernest Carlson

Signature of IDWR Representative

FILED

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING
35-12467, 35-12467A, 35-12467B

SCANNED

OCT 04 2005
Page 1

CERTIFICATE OF MAILING

I certify that on April 18, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS ID 83402

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
STEINKE RANCHES INC
804 SATURN AVE
IDAHO FALLS ID 83402

WAYNE JENSEN
2777 N 26 W
IDAHO FALLS ID 83402

4. One copy to:

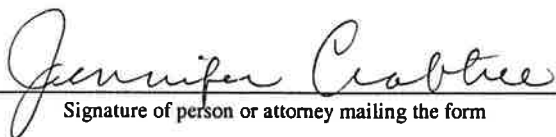
Each party in the subcase, or attorney of record
JOHN ROSHOLT
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED

APR 05 2000

Department of Water Resources
Eastern Region

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 35-12467
Adjudication Claim No(s): A35-12467
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant STEINKE RANCHES INC
804 SATURN AVE, IDAHO FALLS ID 83402
4. New Owner/Claimant(s) WAYNE JENSEN
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2777 N 26 W, IDAHO FALLS, ID 83402
City, State and ZIP Code _____
New Telephone Number (208) 522-9639
5. Date you acquired the property 1/5/2000
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 315 Number and type of stock _____

Diversion rate in CFS 4.04 Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Wayne A. Jensen
1300 W. Jensen

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

PROFILE

OCT 04 2005