

2004

DEPA

CES

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant Vaughn or Darlene Jensen Phone 527-3398 208

Post Office Address Rt 1 Box 35, Moore Id 83255

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Well in Sec 22 T5N R26E (NW NENE) is not producing capacity this temporary change will only be in effect until well driller can repair current well

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 34-7055 Priority 12/20/1973 Amount (cfs/ac-ft) 2.00 cfs Nature of Use IRRIGATION Period of Use 4/1 to 10/31
to
to
to

2. Total amount of water being transferred 2.00 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			SE	NW	13	3N	26E	Butte	Jay V Jensen Well

5. Lands irrigated or place of use: Limited to 132.5 ac within 182 ac

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	26E	22	36			39													75
		23					14	38	39	16									107

Total Acres 182 ac

6. General Information:

TC-34-44

- a. Who owns the water right to be changed? Doug V Jensen
- b. Describe the arrangement allowing use of the right Agreement
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
will be able to continue irrigating place of use
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. will not irrigate when water is diverted to new place of use
- e. Absent the changes, how would the right be used for the remainder of the year? Will continue to be used
- f. Describe other water rights used for the same purpose.
Surface water rights
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Darlene Jensen
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by Kaw Date 5/27/04 Fee \$50⁰⁰

Receipted Kaw # E625893 Recommend: ☒ approve ☐ deny

Watermaster recommendation Approval

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-34-44

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this 2nd day of June, 2004.

Ronald R. Carl
For the Director

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR)
TEMPORARY CHANGE OF A)
WATER RIGHT 34-7055)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC-34-44

Vaughn or Darlene Jensen)

WHEREAS, a drought emergency has been declared for Butte County
to allow administrative actions to lessen the severe impacts of the drought conditions in the county;
and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency,
the director of the Department of Water Resources ("Department") is authorized to allow temporary
changes in the point of diversion, the place of use, and the purpose of use for valid existing water
rights or temporary exchanges of water authorized under water rights when the director determines
that such changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on May 27, 2004, Vaughn or Darlene Jensen submitted
the attached Temporary Change Application TC-34-44 to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can
be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

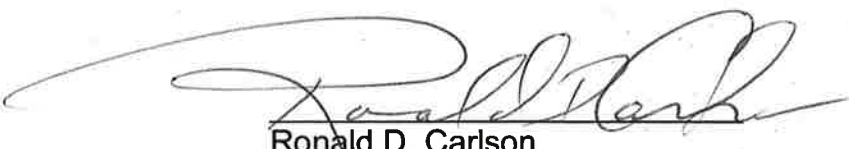
1. Diversion and use of right no(s). 34-7055 is authorized
only at the point of diversion and place of use described on the application.
2. This temporary Change approval does not authorize construction of a new well as a new point
of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the diversion and use of water
under the temporary change approval cause injury to other water rights, constitute an
enlargement in use of the original right, be inconsistent with the conservation of water resources
within the state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a replacement water supply to
lands or other uses that normally have a full water supply, except for the drought condition. This
temporary change approval may not be used to provide water for new development or to allow
expansion of the use of water under existing water rights.

ORDER AUTHORIZING
TEMPORARY CHANGE

TC-34-44

5. Right(s) 34-7055 are limited to the irrigation of a total of 318 acres in a single irrigation season
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicants agree to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. The applicant shall measure the amount of water diverted and shall report the amount of water diverted under this approval.
10. The Water master of Water District No. 34 is authorized to administer the temporary change approval.
11. This Temporary change approval expires on June 30, 2004 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use, and nature of use existing prior to the temporary change approval..

DATED this 2nd day of JUNE, 2004.


Ronald D. Carlson
Eastern Regional Manager

TC-34-44

We as signers have agreed
to exchange well water
(ground water) for a portion
of the 2004 Irrigation season.
total of 100 minor inches

Jay V. Jensen
& Vaughn Jensen

State of Idaho
Department of Water Resources
Transfer of Water Rights

RECOMMENDATION OF WATERMASTER

Transfer Application No:

Water Right No(s): 34-7055

TC-34-44

Transfer Applicant's Name: Vaughn or Darlene Jensen
Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 28th, day of May, 2004

Water District No: 34


Watermaster's Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 34-7055

WATER RIGHT NUMBER: 34-7055

INFO ONLY

TC-34-44

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAY V DE ANN N JENSEN RT 1 BOX 112A MOORE, ID 83255 (208)554-2093
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FARM SERVICE AGENCY 9173 W BARNES STE B BOISE, ID 83709-1555 (208)378-5650

Priority Date: 12/20/1973

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	4.800 CFS	

Total Diversion: 4.800 CFSLocation of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 13,Twp 03N,Rge 26E, B.M.	BUTTE County
GROUND WATER	SW1/4SW1/4	Sec. 27,Twp 05N,Rge 26E, B.M.	BUTTE 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	
03N 26E 13									40.0	40.0	38.0	40.0			40.0		198.0
03N 26E 24					40.0	40.0	40.0										120.0

Total Acres: 318

Conditions of Approval:

- 016 See remarks for additional conditions of approval.
- 01E A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

- General 5. CON'T: INTO THE ISLAND CANAL & IS AGAIN DIVERTED DOWNSTREAM TO THE PROPERTY THROUGH THE MUNSEY DITCH. WELL IS A 75 HP GE MOTOR W/PUMP.

Comments:Dates and Other Information:

Claim Received Date: 3/23/1990
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2372

WATER RIGHT NUMBER: 34-2372

Owner TypeName and Address

Current Owner

L VAUGHN or DARLENE B JENSEN, 3347 W 2900 N, MOORE, ID 83255
(208)527-3398

Priority Date: 06/17/1960

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

04/01 to 10/31

1.580 CFS

276.50 AF

Total Diversion:

1.580 CFS

276.50 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4NE1/4NE1/4 Sec. 22,Twp 05N,Rge 26E, B.M.

BUTTE 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	
05N 26E 22	36.0			39.0													75.0
05N 26E 23					14.0	38.0	39.0	16.0									107.0

Total Acres: 182

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X27 This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.
8. X35 Rights 34-0028H, 34-0080, 34-0663A, 34-2372, 34-10552 and 34-13415 when combined shall not exceed a total diversion rate of 5.40 cfs, a total annual maximum diversion volume of 637 af at the field headgate, and the irrigation of 182 acres.

Comments:

1. Comment: This is now an approved transfer, transfer number = 67092

Dates and Other Information:

Decreed Date: 1/25/2002

Owner Name Connector: And

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3.5

Civil Case Number: 39576

Judicial District: FIFTH

11.9

434

Rights: 34-259C/377C/379/738B/925A/28H/80/663A/2372

34-10552/13415/372B/2340B

RateVolumeAcres

5.4

637

182

Rights: 34-28H/80/663A/2372/10552/13415

Combined Use Limits:RateVolumeAcres

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-10552

WATER RIGHT NUMBER: 34-10552

Owner Type Name and Address

Current Owner L VAUGHN or DARLENE B JENSEN, 3347 W 2900 N, MOORE, ID 83255

Priority Date: 06/17/1960

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

04/01 to 10/31

1.540 CFS

269.50 AF

Total Diversion:

1.540 CFS

269.50 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4NE1/4 Sec. 22,Twp 05N,Rge 26E, B.M. BUTTE 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	
05N 26E 22	36.0			39.0													75.0
05N 26E 23					14.0	38.0	39.0	16.0									107.0

Total Acres: 182

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X27 This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.
8. X35 Rights 34-0028H, 34-0080, 34-0663A, 34-2372, 34-10552 and 34-13415 when combined shall not exceed a total diversion rate of 5.40 cfs, a total annual maximum diversion volume of 637 af at the field headgate, and the irrigation of 182 acres.

Comments:

1. MEYER 8/22/1991 THIS NOTICE IS BASED ON AN EXPANSION OF LIC 34-2372. WELL HAS ALWAYS PRODUCED ENOUGH WATER TO IRR THE LAND COVERED BY BOTH THE LIC & THIS NOTICE. NO LAWFUL APPROPRIATION SHOWN. AS PER REMARKS SUBMITTED BY CLAIMANT ON NOTICE OF CLAIM IS FOR ADDITIONAL WATER TO COVER LAND NOT INCLUDED IN LICENSE 34-02372.

2. ESRBA 4/30/1992 THE CLAIMANT WANTS THIS CLAIM RECOMMENDED AS AN EXPANSION OF LIC 34-2372. HOWEVER, THE CLAIMANT CLAIMED ADDITIONAL WATER & STATED ON HIS NOTICE OF ERROR THAT HE IS USING ADDITIONAL WATER FROM HIS WELL. THE SECOND PRESUMPTION DOES NOT ALLOW AN EXPANSION OF DIV RATE. THEREFORE, THIS CLAIM MUST REMAIN RECOMMENDED FOR DISALLOWAL. ***** S.W.

Comment: This is now an approved transfer, transfer number = 67092

Dates and Other Information:

Decreed Date: 11/28/2001

Owner Name Connector: And

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3.5

Civil Case Number: 39576

Judicial District: FIFTH

Combined Use Limits:RateVolumeAcres

11.9

434

Rights: 34-259C/377C/379/738B/925A/28H/80/663A/2372

34-10552/13415/372B/2340B

RateVolumeAcres

5.4

637

182

Rights: 34-28H/80/663A/2372/10552/13415

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13415

WATER RIGHT NUMBER: 34-13415

Owner TypeName and Address

Current Owner

L VAUGHN or DARLENE B JENSEN, 3347 W 2900 N, MOORE, ID 83255

Priority Date: 08/15/1964

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION

04/01 to 10/31

0.520 CFS

Total Diversion: 0.520 CFSLocation of Point(s) of Diversion

GROUND WATER NW1/4NE1/4NE1/4 Sec. 22,Twp 05N,Rge 26E, B.M. BUTTE 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	
05N 26E 22	36.0			39.0													75.0
05N 26E 23					14.0	38.0	39.0	16.0									107.0

Total Acres: 182

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X35 Rights 34-0028H, 34-0080, 34-0663A, 34-2372, 34-10552 and 34-13415 when combined shall not exceed a total diversion rate of 5.40 cfs, a total annual maximum diversion volume of 637 af at the field headgate, and the irrigation of 182 acres.

Comments:

1. scurtis 9/20/2002 2:19:19 PM Transferred Right This is now an approved transfer, transfer number = 67092

Dates and Other Information:

Decreed Date: 11/28/2001

Owner Name Connector: And

Generic Max Volume Per Acre: 3.5

Civil Case Number: 39576

Judicial District: FIFTH

Rate

5.4

Volume

637

Acres

182

Rights: 34-28H/80/663A/2372/10552/13415

Combined Use Limits:Rate

11.9

VolumeAcres

434

Rights: 34-259C/377C/379/738B/925A/28H'34-80'663A/

34-2372/10552/13415/372B/2340B/