

RECEIVED**AUG 07 2013**DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMITIdent. No 37-22834

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Amy Ruth Jensen Testamentary Trust, Clifton E. Jensen Trustee and Clifton E. and Suzanne K. Jensen Phone 208-837-6116Name connector (check one): ☐ and ☐ or ☒ and/orMailing address: P. O. Box #201 City HagermanState Idaho Zip 83332 Email: cliffjensen@cableone.net2. Source of water supply Wastewater from W-Drain-NSC which is a tributary of Malad River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
6S	13E	36			NW	NW	Gooding	Waste Water	W-Drain - NSC

4. Water will be used for the following purposes:

Amount 5.0 cfs for Diversion to Storage purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)Amount 318.4 ac. ft. for Irrigation Storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 99 for Recreation/Aesthetic Storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 5.0 cubic feet per second (cfs) and/or (b) 318.4 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Existing headgate, ditch and reservoirb. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity 99 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.
For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ Noe. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols. (Irrigation, Recreation & Aesthetic Storage)

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	13E	35														X			

Total number of acres to be irrigated: 65

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? #37-21456, #37-21827 (Jensen)
#37-21486, #37-21828 (Awalt)

10. a. Who owns the property at the point of diversion? State of Idaho Parks & Recreation - Malad George State Park
- b. Who owns the land to be irrigated or place of use? Testamentary Trust & Clifton & Suzanne Jensen
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Prior Agreement

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Reservoir will not be enlarged. Application seeks to increase the rate of Diversion to storage and add other storage uses. Multiple reservoir fills are authorized under prior rights.

Diversion rate intended to be additive with Awalt application for total additional diversion rate of up to 10 CFS.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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 rejection of the application or cancellation of an approval.

Clifton E. Jensen
Signature of Applicant

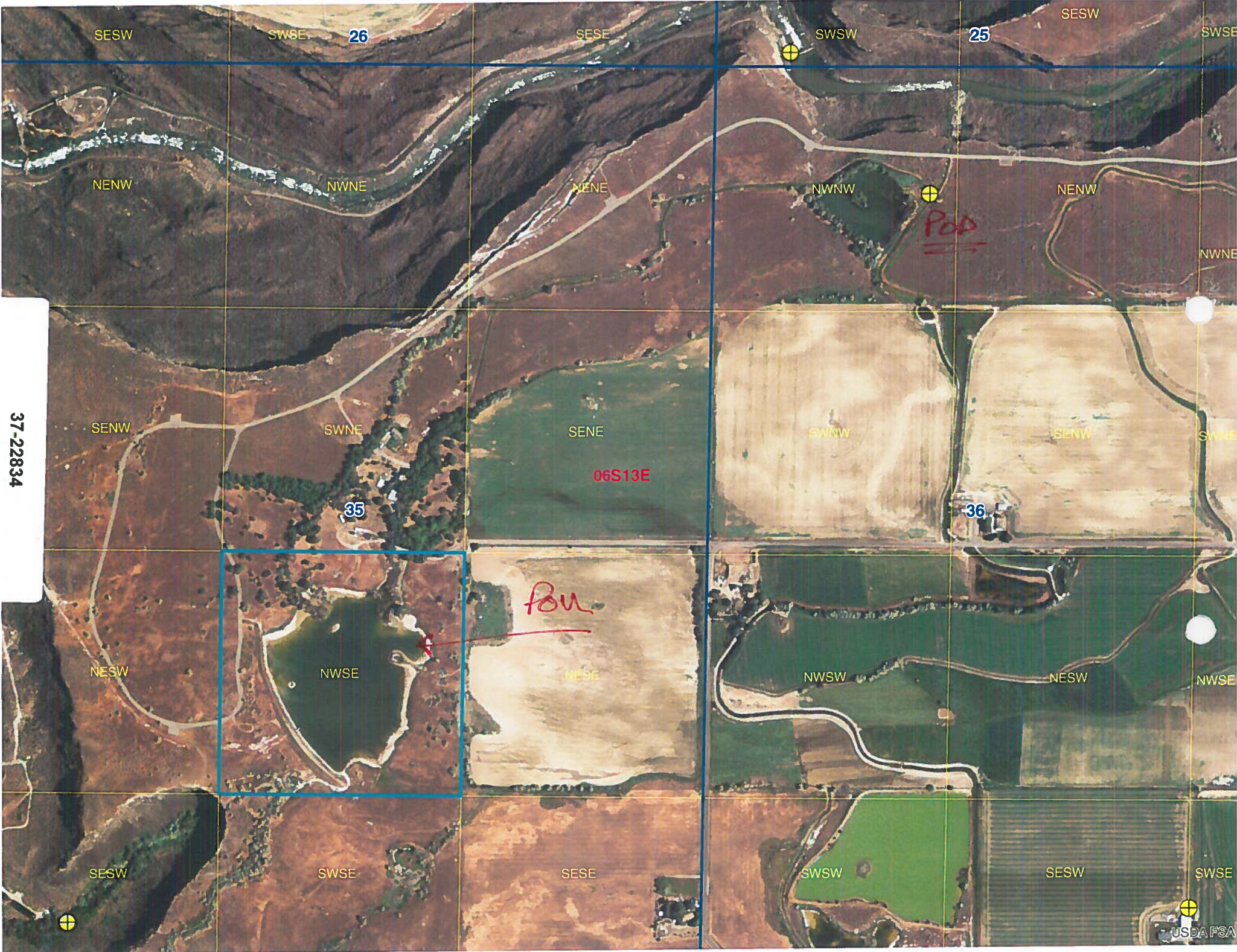
Clifton E. Jensen Trustee & Owner
Print Name (and title, if applicable)

Suzanne K. Jensen
Signature of Applicant

Suzanne K. Jensen Owner
Print Name (and title, if applicable)

For Department Use:

Received by Cy Date 8.7.13 Time Preliminary check by
Fee \$ 410- Receipted by Cy Receipt No. 5033440 Date 8.7.13



37-22834



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 29, 2013

AMY RUTH JENSEN TESTAMENTARY TRUST
C/O CLIFTON E JENSEN TRUSTEE
CLIFTON E JENSEN
SUZANNE K JENSEN
PO BOX 201
HAGERMAN, ID 83332

RE: Application For Permit No. 37-22834

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 9/5/2013 and 9/12/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 23, 2013**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 29, 2013 10:51 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on September 5th & 12th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

August 29, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 37-22834, 37-22835, 45-14446, 47-17611

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 23, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-22834

AMY RUTH JENSEN TESTAMENTARY TRUST
C/O CLIFTON E JENSEN TRUSTEE
CLIFTON E JENSEN
SUZANNE K JENSEN
PO BOX 201
HAGERMAN, ID 83332

Point of Diversion NWNW S36 T06S R13E GOODING County Source WASTE WATER Tributary

Use: AESTHETIC STORAGE 01/01 to 12/31 99 AF

Use: DIVERSION TO STORAGE 03/15 to 11/15 5 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 318.4 AF

Total Diversion: 5 CFS 318.4 AF

Date Filed: 8/7/2013

Place Of Use: AESTHETIC STORAGE & IRRIGATION STORAGE
T06S R13E S35 NWSE

Application seeks to appropriate 5.0 cfs of waste water as diversion to storage from 3/15 to 11/15 into an existing reservoir for irrigation storage of 318.4 AF and 99.0 AF aesthetic storage from 1/01 to 12/31. Application only seeks to increase the rate of diversion and does not increase the existing reservoir capacity or irrigation storage volume. Reservoir is located approximately 2.6 miles north and 3.6 miles east of the intersection of Hwy 30 and Main St. in Hagerman.

37-22835

CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL, CA 93451-0392

Point of Diversion NWNW S36 T06S R13E GOODING County Source WASTE WATER Tributary

Use: AESTHETIC STORAGE 01/01 to 12/31 99 AF

Use: DIVERSION TO STORAGE 03/15 to 11/15 5 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 502.4 AF

Total Diversion: 5 CFS 502.4 AF

Date Filed: 8/13/2013

Place Of Use: AESTHETIC STORAGE & IRRIGATION STORAGE
T06S R13E S35 NWSE

Application seeks to appropriate 5.0 cfs of waste water as diversion to storage from 3/15 to 11/15 into an existing reservoir for irrigation storage of 502.4 AF and 99.0 AF aesthetic storage from 1/01 to 12/31. Application only seeks to increase the rate of diversion and does not increase the existing reservoir capacity or irrigation storage volume. Reservoir is located approximately 2.6 miles north and 3.6 miles east of the intersection of Hwy 30 and Main St. in Hagerman.

45-14446

LAMBERT PRODUCE INC
203 E 1100 S
BURLEY, ID 83318

Point of Diversion L2(SWNESE) S26 T12S R23E CASSIA County Source WILLOW CREEK Tributary SINKS

Point of Diversion SWSWSW S29 T12S R23E CASSIA County Source LAND CREEK Tributary SINKS

Point of Diversion NWNENW S9 T13S R23E CASSIA County Source LAND CREEK Tributary SINKS

Use: GROUND WATER RECHARGE 11/16 to 07/01 24 CFS

Total Diversion: 24 CFS

Date Filed: 12/10/2012

Place Of Use: GROUND WATER RECHARGE

T12S R22E S25 SWNE

T12S R23E S21 NWSW

T13S R23E S4 NESW SWSW SESW

Application proposes diverting up to 24.0 cfs from Willow Creek and/or Land Creek for groundwater recharge use. The proposed Willow Creek point of diversion is located approximately 13.3 miles south & 3.3 miles east of the center of Burley (intersection of Overland and Main). Two points of diversion are proposed from Land Creek at locations approximately 13.4 miles south & 0.5 miles west and approximately 15.4 miles south & 0.75 miles east of the center of Burley (intersection of Overland and Main). The application identifies five groundwater recharge sites located approximately 12.0 miles south & 0.5 miles east, 13.0 miles south & 1.5 miles west, 15.1 miles south & 0.9 miles east, 15.2 miles south & 0.8 miles east, and 15.4 miles south & 0.6 miles east of the center of Burley (intersection of Overland and Main). Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune on September 5th & 12th, 2013

47-17611

JAY MOYLE

4052 N 2600 E

FILER, ID 83328

Point of Diversion SWSW S1 T10S R16E TWIN FALLS County Source UNNAMED STREAM Tributary ROCK CREEK

Use: POWER 01/01 to 07/31 5 CFS

Use: POWER 08/01 to 12/31 9 CFS

Total Diversion: 9 CFS

Date Filed: 7/23/2013

Place Of Use: POWER

T10S R16E S1 NESW

Application proposes to divert water from an unnamed stream known locally as the P coulee to produce power for use on the Moyle property and possibly for sale on the electrical grid. Water will be carried in a pipeline from the proposed diverting works on the rim of Rock Creek Canyon to a power plant adjacent to Rock Creek. The facility will be located approximately 2.3 miles east and 1.4 miles north of the intersection of U.S. Highways 93 and 30 east of Filer, Idaho.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before September 23, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 5th & 12th, 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 29, 2013

CINDY YENTER
WATER DISTRICT #130
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301

Hand Delivered

RE: Application for Permit No. 37-22834 & 37-22835

Dear Ms. Yenter:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

37-22834

Application seeks to appropriate 5.0 cfs of waste water as diversion to storage from 3/15 to 11/15 into an existing reservoir for irrigation storage of 318.4 AF and 99.0 AF aesthetic storage from 1/01 to 12/31. Application only seeks to increase the rate of diversion and does not increase the existing reservoir capacity or irrigation storage volume. Reservoir is located approximately 2.6 miles north and 3.6 miles east of the intersection of Hwy 30 and Main St. in Hagerman.