

RECEIVED
SEP 14 2012
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s)

☒ Add diversion point(s)

☐ Ownership change

1. APPLICANT(S) J Duane and Janeal C. Jensen Phone 208-684-4629
2. MAILING ADDRESS 92 S. 1500 W. Blackfoot City _____
State ID Zip 83221 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) ~~35-7058~~ 35-11643 9-19-2012 9-19-2012

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is .40 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, Water Right Transfers, Online Resources.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
3S	33E	3		SW	SW	NW	Bingham	Groundwater	
3S	33E	4		SW	SE	NE	Bingham	Groundwater	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Wants to drill new well - Sold 57 acres, Retained 20 acres - need to drill well to water the 20 acres.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐☒

undergone a period of five or more consecutive years of non-use,

☒☐

currently leased to the Water Supply Bank,

☐☒

currently used in a mitigation plan limiting the use of water under the right(s), or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

J. Duane Jensen
Signature of applicant or authorized agent

Print name and title if applicable

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by _____

Date 9/12/12

Fee paid \$ 500⁰⁰ Date 9/14/12

Received by SC

Receipt # E038015

Preliminary review completed by _____

Km

Date 9-18-2012

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-11643

WATER RIGHT NUMBER: 35-11643

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANEAL C JENSEN 92 S 1500 W BLACKFOOT, ID 83221 (208)684-4629
Current Owner	J DUANE JENSEN 92 S 1500 W BLACKFOOT, ID 83221 (208)684-4629
Current Owner	ZIONS FIRST NATIONAL BANK 2460 S 3270 W WEST VALLEY CITY, UT 84119

Priority Date: 04/18/1958

Basis: Decreed

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	4/01 to 10/31	0.640 CFS	128.00 AF
	<u>Total Diversion:</u>	0.640 CFS	128.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NE1/4	Sec. 4, Twp 03S, Rge 33E, B.M.
BINGHAM 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	
03S	33E	3							32.0										32.0

Total Acres: 32

Conditions of Approval:

1. C18 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.
2. RIGHT NO. 35-02368 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-11643

Comments:

1. TAYLOR 1/28/1992 P.D.
Comment: 35-02368 HAS TWO POINTS OF DIVERSION AND ONLY ONE OF THEM IS THE SAME AS THIS CLAIMS
P.D. COPIED FROM REMARKS SAME WELL IS USED FOR WATER RIGHT 35-02368.
2. AJU10-EC 11/19/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. kpickett 9/29/2005 POD
Comment: Correlated PODID 244939 from SpatialDataID 227628 to SpatialDataID 227648

Dates and Other Information:

Licensed Date:
 Decreed Date: 1/31/2002
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 120
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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SubCase:

SubCase Number: 35-11643
 Class: 1
 SF5 Filed Date:
 Special Master Recorn Signed Date: 11/13/2001
 Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 6/2/1999 Objection Status: Active
 Date Filed: 6/2/1999 Objection Status: Active

Water Supply Bank:

WARRANTY DEED

ATEC Order No.:152686

FOR VALUE RECEIVED

J. Duane Jensen and Janel C. Jensen, also known of record as E. Janel Jensen, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

O. Brian Murdock and Joddi E. Murdock, husband and wife

whose current address is
1475 W. Hoff Road
Blackfoot, ID 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

Parcel 1A:

Part of the East Half East Half Section 4 Township 3 South, Range 33 East Boise Meridian, Bingham County, Idaho described as:
Commencing at the Southeast corner of Section 4; thence North 89°41'27" West 765.78 feet along the Section line to the point of beginning; thence North 89°41'27" West 558.56 feet continuing along the Section line to the Southwest corner of the Southeast Quarter Southeast Quarter; thence North 00°12'50" East 2614.62 feet to the Northwest corner of the Northeast Quarter Southeast Quarter; thence North 00°12'50" East 1307.38 feet to the Northwest corner of the Southeast Quarter Northeast Quarter; thence North 89°56'06" East 1321.32 feet to the Northeast corner of the Southeast Quarter Northeast Quarter; thence South 00°10'11" West 2862.44 feet along the East line of Section 4; thence South 89°25'36" West 180.30 feet; thence South 21°18'19" West 127.13 feet; thence South 00°38'12" East 245.33 feet; thence South 88°22'17" East 68.97 feet; thence South 01°37'43" West 20.03 feet; thence North 88°22'17" West 173.50 feet; thence South 21°19'10" West 172.29 feet; thence South 00°31'26" East 76.54 feet; thence South 40°23'44" West 267.92 feet to a point on the North line of lands as described in deed instrument 574538; thence North 89°41'27" West 65.36 feet along said North line; thence South 00°38'31" East 76.11 feet along the West line of said deed; thence South 40°23'22" West 216.13 feet to the point of beginning.

Parcel 1B: The following described ingress-egress easement.

Commencing at the Southeast corner of Section 4; thence North 00°10'11" East 676.27 feet along the Section line to the point of beginning; thence North 88°22'17" West 154.29 feet to a point on the Easterly line of above described parcel; thence North 01°37'43" East 20.03 feet along said Easterly line; thence South 88°22'17" East 153.78 feet to a point on the East line of Section 4; thence South 00°10'11" West 20.03 feet along said East line to the point of beginning.

Parcel 2A: Part of the Southwest Quarter Northwest Quarter Section 3 Township 3 South Range 33 East Boise Meridian, Bingham County, Idaho described as:
Commencing at the Southwest corner of Section 3; thence North 00°10'11" East 3128.09 feet along the West line of Section 3 to the point of beginning; thence North 00°10'11" East 802.55 feet continuing along the Section line to the Northwest corner of the Southwest Quarter Northwest Quarter of Section 3; thence South 89°41'01" East 1321.64 feet to the Northeast corner of the Southwest Quarter Northwest Quarter; thence South 00°07'45" West 721.79 feet along the East line of the Southwest Quarter Northwest Quarter; thence North 89°07'57" West 479.91 feet; thence North 02°00'10" West 46.53 feet; thence South 87°54'10" West 157.04 feet; thence South 53°13'56" West 168.96 feet; thence South 87°52'37" West 548.98 feet to the point of beginning.

Parcel 2B: The following described irrigation mainline easement:
A 10 foot wide irrigation mainline easement being described as being 5 feet each side of the following described centerline:
Commencing at the Southwest corner of Section 3; thence North 00°10'11" East 2620.42 feet to the West Quarter corner of Section 3; thence South 89°52'53" East 46.46 feet along the North line of the Southwest Quarter to the point of beginning of said centerline; thence North 00°10'11" East 509.49 feet to the point of terminus of said centerline.

Parcel 3A: The West Half Southwest Quarter Section 3 South Range 33 East Boise Meridian, Bingham County, Idaho described as:
Beginning at the Southwest corner of Section 3; thence North 00°10'11" East 2620.42 feet to the West Quarter corner; thence South 89°52'53" East 1322.56 feet to the Northeast corner of the West Half Southwest Quarter; thence South 00°07'45" West 2624.73 feet to the Southeast corner of the West Half Southwest Quarter; thence North 89°41'42" West 1324.43 feet to the point of beginning.

Parcel 3B: The following irrigation mainline easement:
A 10 foot wide irrigation mainline easement being described as being 5 feet each side of the following described centerline:
Commencing at the Southwest corner of Section 3; thence North 00°10'11" East 2620.42 feet to the West Quarter corner of Section 3; thence South 89°52'53" East 46.46 feet along the North line of the Southwest Quarter to the point of beginning of said centerline; thence North 00°10'11" East 509.49 feet to the point of terminus of said centerline.

Parcel 4: Part of the Southeast Quarter Southeast Quarter Section 4 Township 3 South Range 33 East Boise Meridian, Bingham County, Idaho described as:
Commencing at the Southeast corner of Section 4; thence North 89°41'27" West 382.88 feet along the Section line; thence North 00°38'31" West 241.50 feet to the Northeast corner of deed instrument 574538 and the point of beginning; thence North 89°41'27" West 175.64 feet along the North line of said deed; thence North 40°23'44" East 267.92 feet; thence South 00°33'44" East 205.00 feet to the point of beginning.

Parcel 5: Part of the Southeast Quarter Southeast Quarter Section 4 Township 3 South Range 33 East Boise Meridian, Bingham County, Idaho described as:
Commencing at the Southeast corner of Section 4; thence North 89°41'27" West 623.88 feet along the Section line to the point of beginning; thence North 89°41'27" West 141.90 feet continuing along the Section line; thence North 40°23'22" East 216.13 feet to a point on the West line of deed instrument 574538; thence South 00°38'31" East 165.39 feet along said deed to the point of beginning. Subject to a County Road right-of-way along the South side.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free

from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 9, 2012

J. Duane Jensen
J. Duane Jensen
Jancal C. Jensen
Jancal C. Jensen

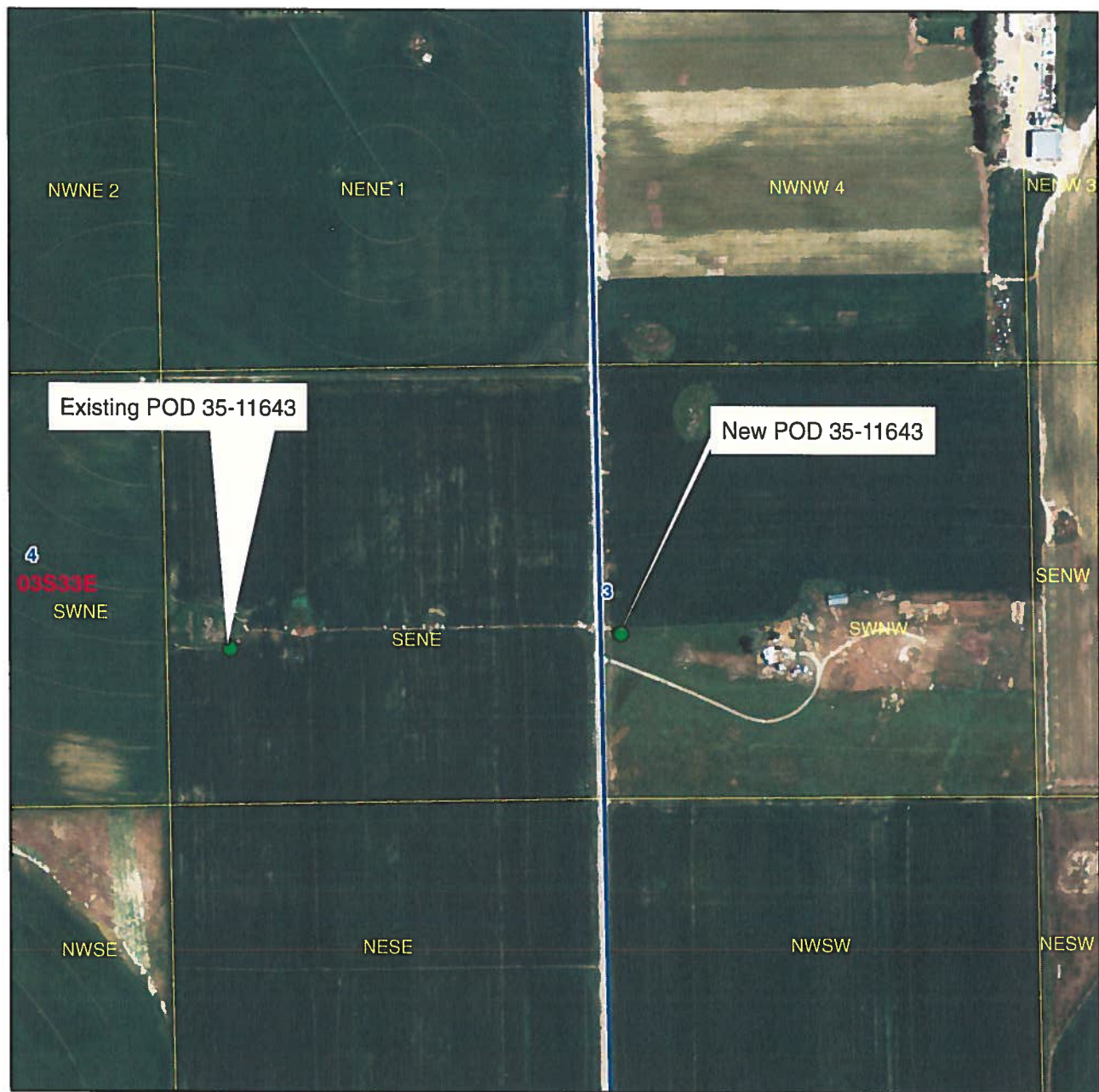
State of Idaho ss.
County of Bingham

On this 9th day of August, 2012, before me, Monte C Peterson, a Notary Public in and for said state, personally appeared J. Duane Jensen and Jancal C. Jensen, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

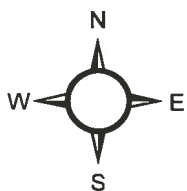
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Monte C Peterson
Notary Public for the State of Idaho
Residing at: Idaho
Commission Expires: 8-30-15

MONTE C. PETERSON
NOTARY PUBLIC
STATE OF IDAHO



J. Duane Jensen New Point of Diversion



78158

0 0.05 0.1 0.2 Miles