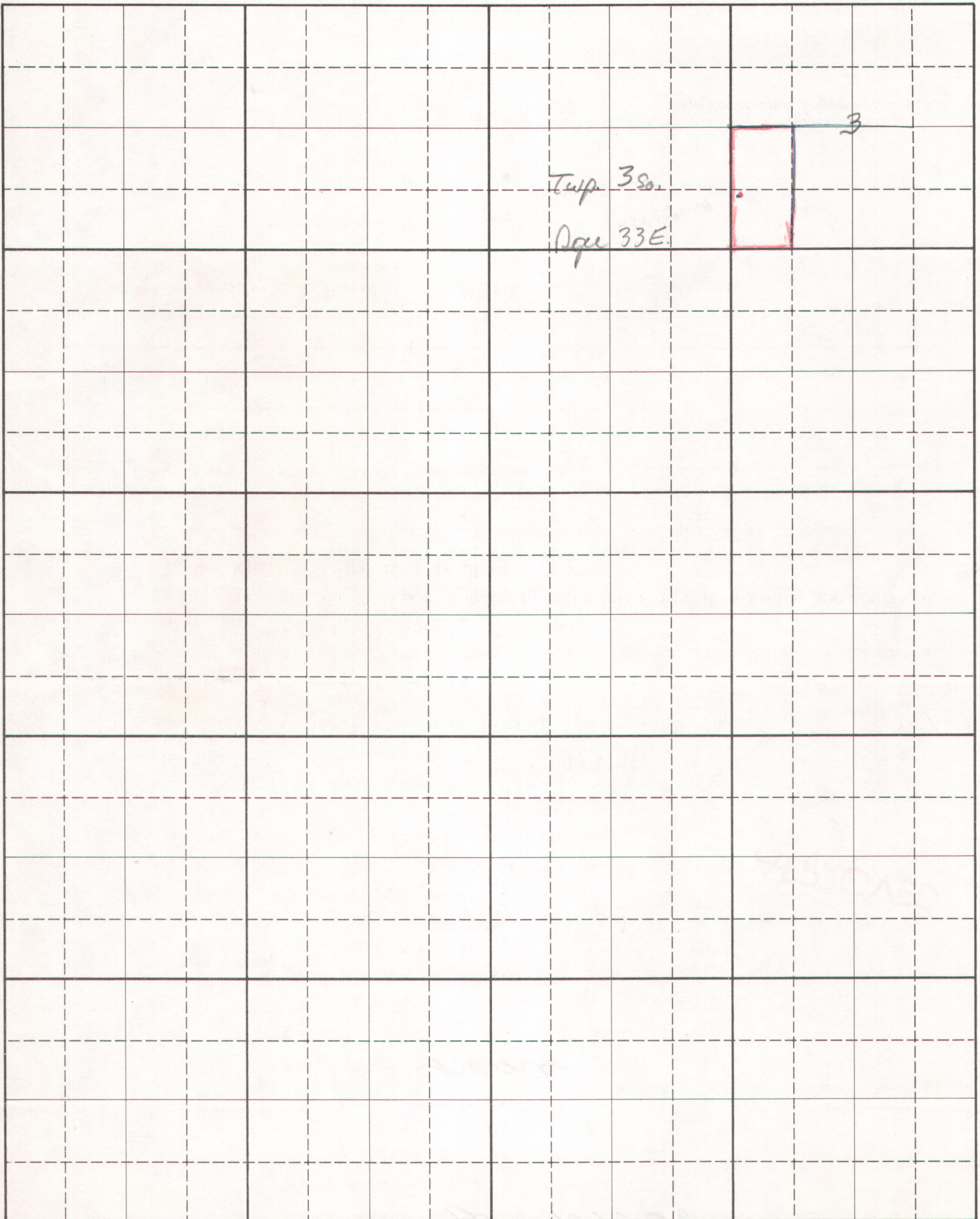


Point of diversion
boundary

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Magnus Jensen
(Applicant)

35-7058

RECEIVED

NOV 8 1968

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham } ss.
State of Idaho }

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 17th day of October, 1968,

and the last publication having been made on the

24th day of Oct., 1968; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 24

day of October, 1968.

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

James R. Countryman

JAMES R. COUNTRYMAN
NOTARY PUBLIC
Residing at Blackfoot, Idaho
MY COMMISSION EXPIRES
APRIL 25, 1970

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Magnus Jensen, Route #5, Box 136, Blackfoot, Idaho, has on September 23, 1968, applied for permit under application No. 35-7058 to divert 1.60 cubic feet per second of water from a subterranean source. Water will be diverted by a well and sprinklers within the SW1/4 SW1/4 Sec. 3, T. 3 S, R. 33 E, B.M., Bingham County and is to be used from March 1 to November 30 for irrigation in the W1/2 SW1/4, Sec. 3, T. 3 S, R. 33 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.: Oct. 17 and 24
(878)

#878

35-7058

T
3
S

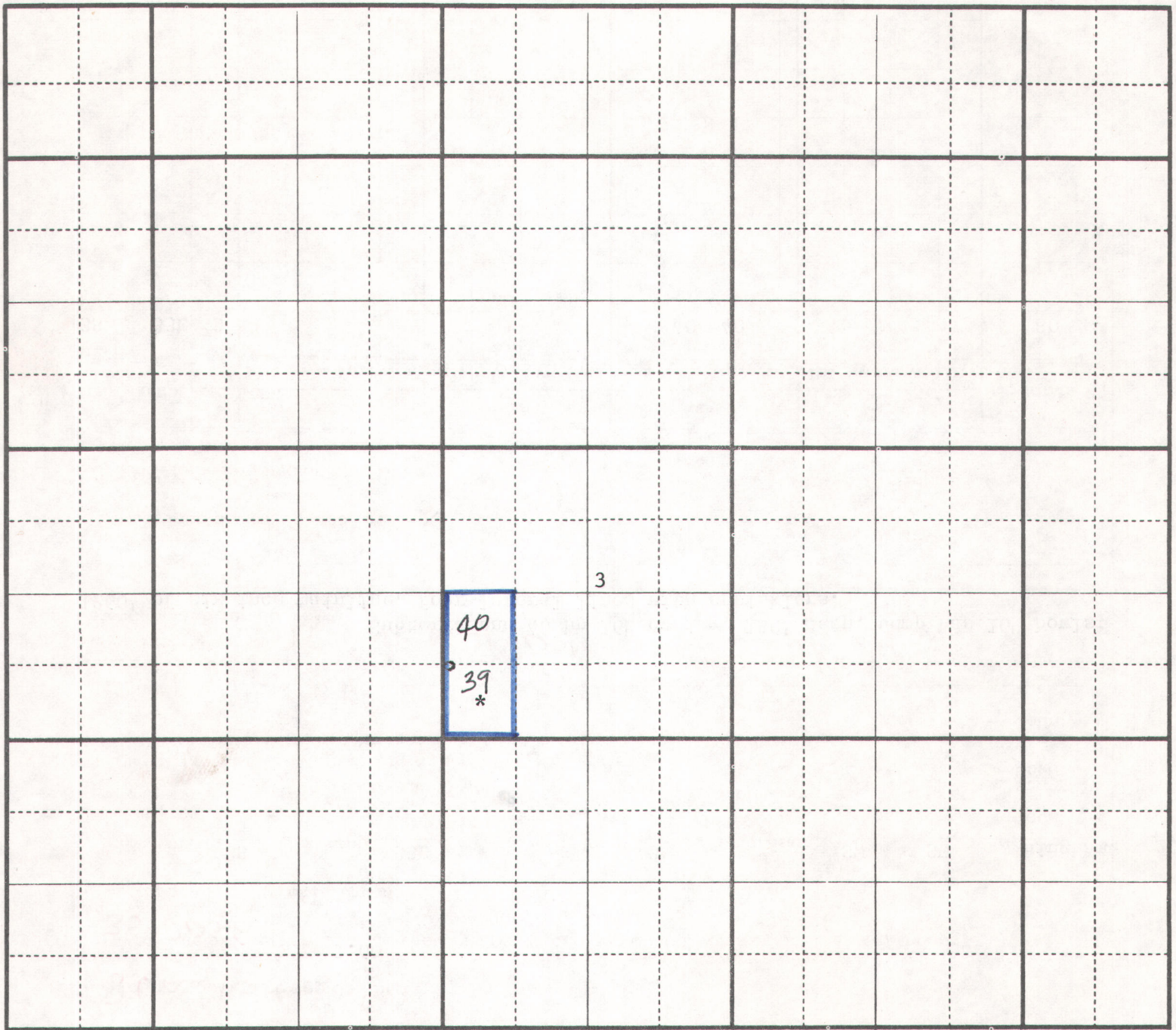
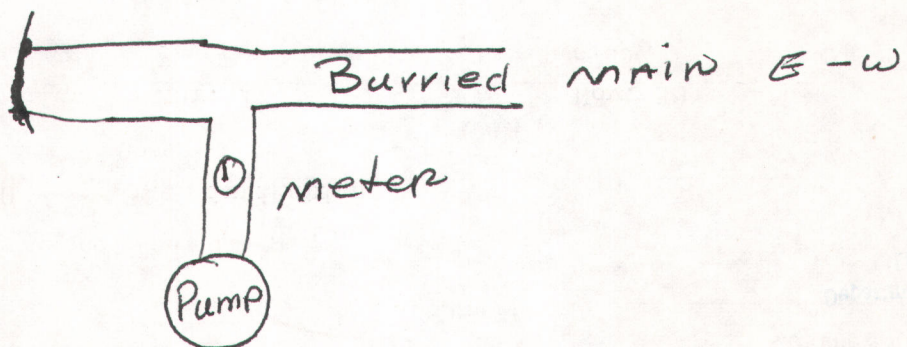


Diagram of System



Robert M. Kerr, Jr.
Dean Williams
KERR AND WILLIAMS
Attorneys at Law
P. O. Box 708
Blackfoot, Idaho 83221
Phone 785-1290

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM

ESTATE OF

MAGNUS D. JENSEN,

Deceased.

CASE NO. 234

LETTERS TESTAMENTARY

The Will of Magnus D. Jensen having been admitted to in-
formal probate, J. Duane Jensen is hereby appointed personal
representative and executor of the estate.

WITNESS HONORABLE EUGENE L. MCCOY, MAGISTRATE OF THE
SAID DISTRICT COURT, WITH THE SEAL OF SAID COURT AFFIXED THIS
16 day of October, 1972.

Eugene L. McCoy

MAGISTRATE

35 7058

STATE OF IDAHO }
COUNTY OF BINGHAM } SS.
I hereby certify that the foregoing instrument is a
full, true and correct copy of the original on file in
the office of the undersigned Clerk of the Magis-
trate's Division, District Court of the Seventh Judicial
District of Idaho, for Bingham County.

Date: Oct. 16 19 72
GRACE WILLIAMS
Clerk, Dist. Court Magistrate Div.

By [Signature]
Deputy Clerk

State of Idaho
Department of Water Administration
WATER RIGHT LICENSE

License of Water Right No. 35-7058 Priority Sept. 23, 1968 Amount 1.33 cfs

THIS IS TO CERTIFY, that Magnus Jensen, Estate of
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7058 issued pursuant to Application for Permit dated September 23, 1968,
and has submitted proof to the Department of Water Administration on October 30, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.33 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>1.33</u> cfs and	<u>277 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.33 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
277 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3,
Twp. 3 S, Rge. 33 E, B. M. in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 S	33 E	3									40	39							79

Total number of acres irrigated 79

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
June, 19 74.

Director

MICROFILMED

Identification No. 35-7058

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 22 SEC. FT.
LICENSE PAG NO. _____

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Magnus Jensen, deceased (See document in file)
post office address R.F.D. # 5 Box 136 Blackfoot, Idaho
2. Source of water supply Drilled well from underground supply which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3 Township 3S
Range 33 E. B.M. Bingham County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M.
4. Quantity to be appropriated:
a. 1 $\frac{3}{5}$ = 1.60 cubic feet per second and/or
b. None acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from March 1 to November 30 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. To be sprinkler irrigated.

- b. Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

- c. Proposed well diameter is 12 inches; proposed depth of well is 140 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 8000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35-7058

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
3S	33E.	3										40	40					80
			NE 1/4				NW 1/4				SW 1/4				SE 1/4			
TOTALS																		

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes 70 shares of Rockford Canal

Co. stock are for this land but will be sold or abandoned before

well water is used.

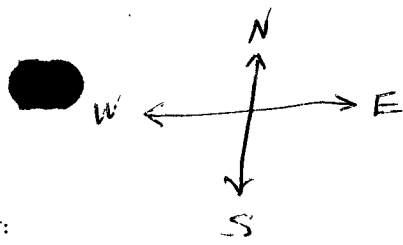
9. a. Who owns the property at the point of diversion Magnus Jensen

b. Who owns the land to be irrigated or place of use Magnus Jensen

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

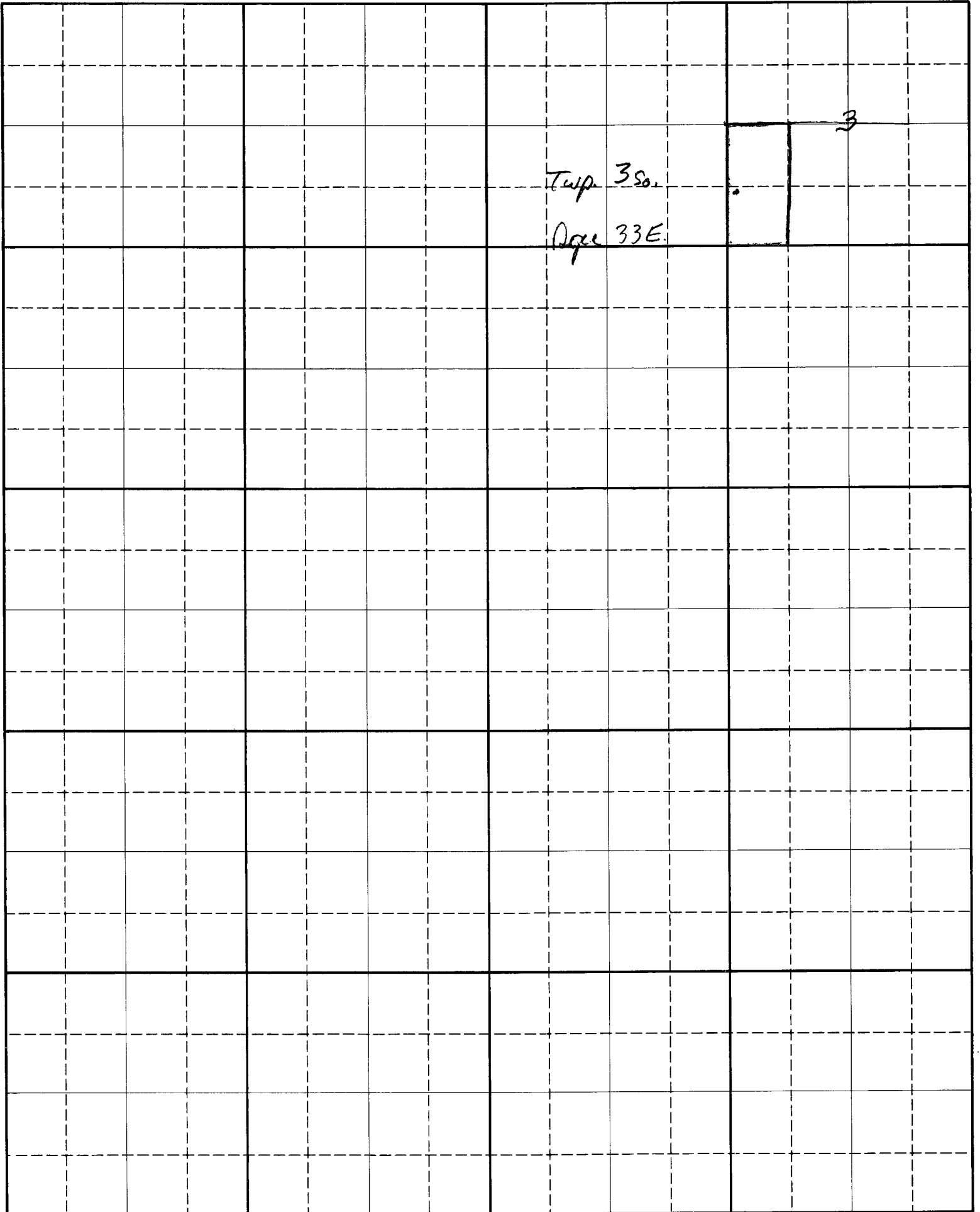
applicant to make this filing

10. Remarks



Point of diversion
boundary

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Magnus Jensen
(Applicant)

35-7058

dy 7-23-68 8:00 am.
Received by dy Date 9-23-68 Time 8:00 AM
Preliminary check by NLM Fee \$ 25.00 9-23-68
Receipted by ej Date 9-23-68
Publication prepared by JS Date 10-4-68
Published in Blackfoot Press
Publication dates 10-17-68
Publication approved JS Date 10-17-68
Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by CAJC R/L

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

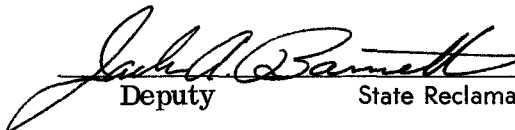
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7058, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 73.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 19th day of November 19 68.


Deputy State Reclamation Engineer

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Magnus Jensen, Route #5, Box 136, Blackfoot, Idaho, has on September 23, 1968, applied for permit under application No. 35-7058 to divert 1.68 cubic feet per second of water from a subterranean source. Water will be diverted by a well and sprinklers within the SW1/4, SW1/4 Sec. 8, T. 33 N., R. 13 E., B.M., Bingham County, Idaho, to be used from March 1 to November 30 for irrigation of the SW1/4, SW1/4, Sec. 8, T. 33 N., R. 13 E., B.M.

Any protest against this application must be filed with the Department of Agriculture within ten days from the last date of publication of this notice.

W. K. HIGGINSON
State Reclamation Engineer
Oct. 17 and 24

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 17th day of October, 1968,

and the last publication having been made on the

24th day of Oct., 1968; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown
Subscribed and sworn to before me this 24

day of October, 1968.

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969.

James R. Countryman
NOTARY PUBLIC
Residing at Blackfoot, Idaho
MY COMMISSION EXPIRES
APRIL 25, 1970

June 17, 1974

Re: Permit No. 35-7058 - Estate of Magnus Jensen

J. Duane Jensen
Route 5, Box 136
Blackfoot, Idaho 83221

Dear Mr. Jensen:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jfr

Enclosure

MICROFILMED

May 29, 1974

Re: Permit No. 35-7058 - Magnus Jensen, Estate of

J. Duane Jensen
Route 5 - Box 136
Blackfoot, Idaho 83221

Dear Mr. Jensen:

A representative of this Department has made an examination of the works covered by the above referenced permit and has found the following:

Quantity of water diverted: 1.33 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.33 cfs

The maximum quantity diverted shall not exceed 277 acre feet per year.

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, Twp. 3 S, Rge. 33 E, B.M.

Beneficial use: Irrigation of 79 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 3, Twp. 3 S, Rge. 33 E, B.M.

Priority date established: Sept. 23, 1968

If you do not concur with these findings, please contact us within 10 days; otherwise, a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Eastern District Office

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder J. Duane Jensen (Magnus Jensen, deceased)
Post office address Route #5, Box 136, Blackfoot, Idaho 83221 Phone 684-4629
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 1.60 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Mar. 1 to Nov. 30
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 35-7058
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 1.60 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3S N/S, Range 33E E/W, B.M., Section 3, Subdivision SW $\frac{1}{4}$ SW $\frac{1}{4}$, Bingham County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: Subterranean 40 hp 16" casing, 130' deep, pump has 10" bowls; 1260' of six inch mainline, four lateral lines with sprinklers.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3S	33E	3										40	40						80

MICROFILMED

TOTAL ACREAGE 80

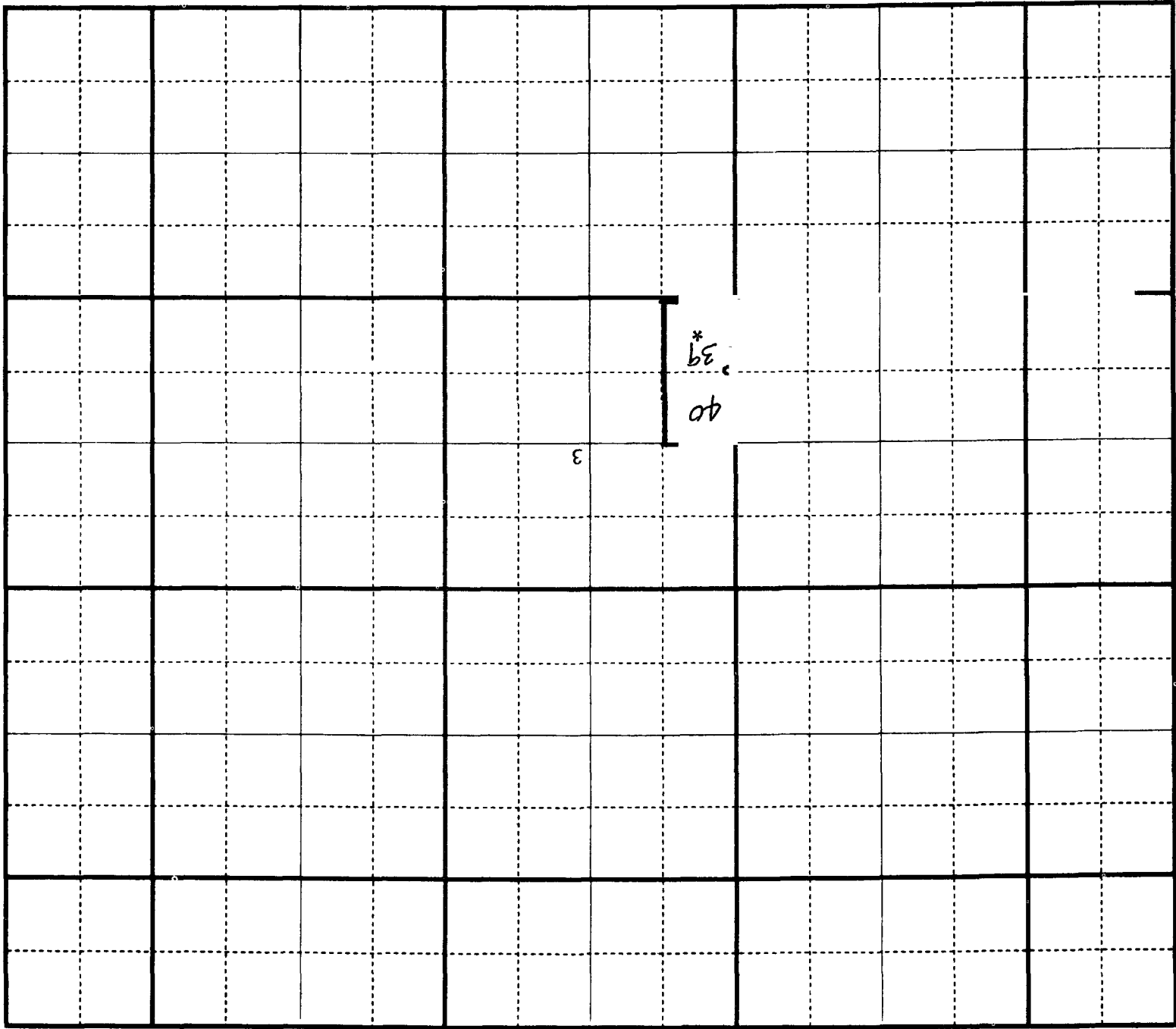
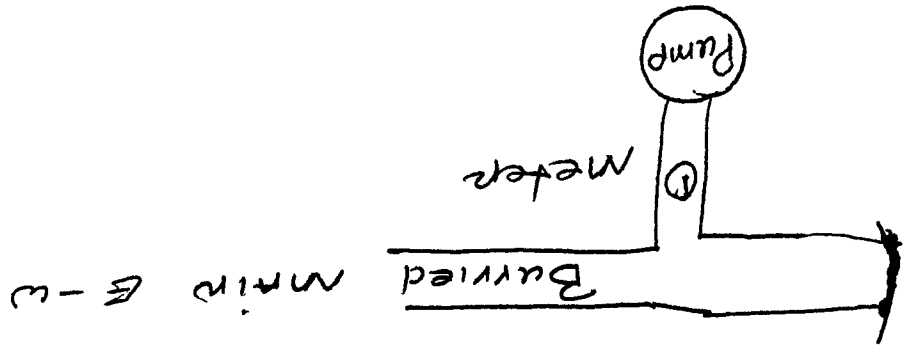
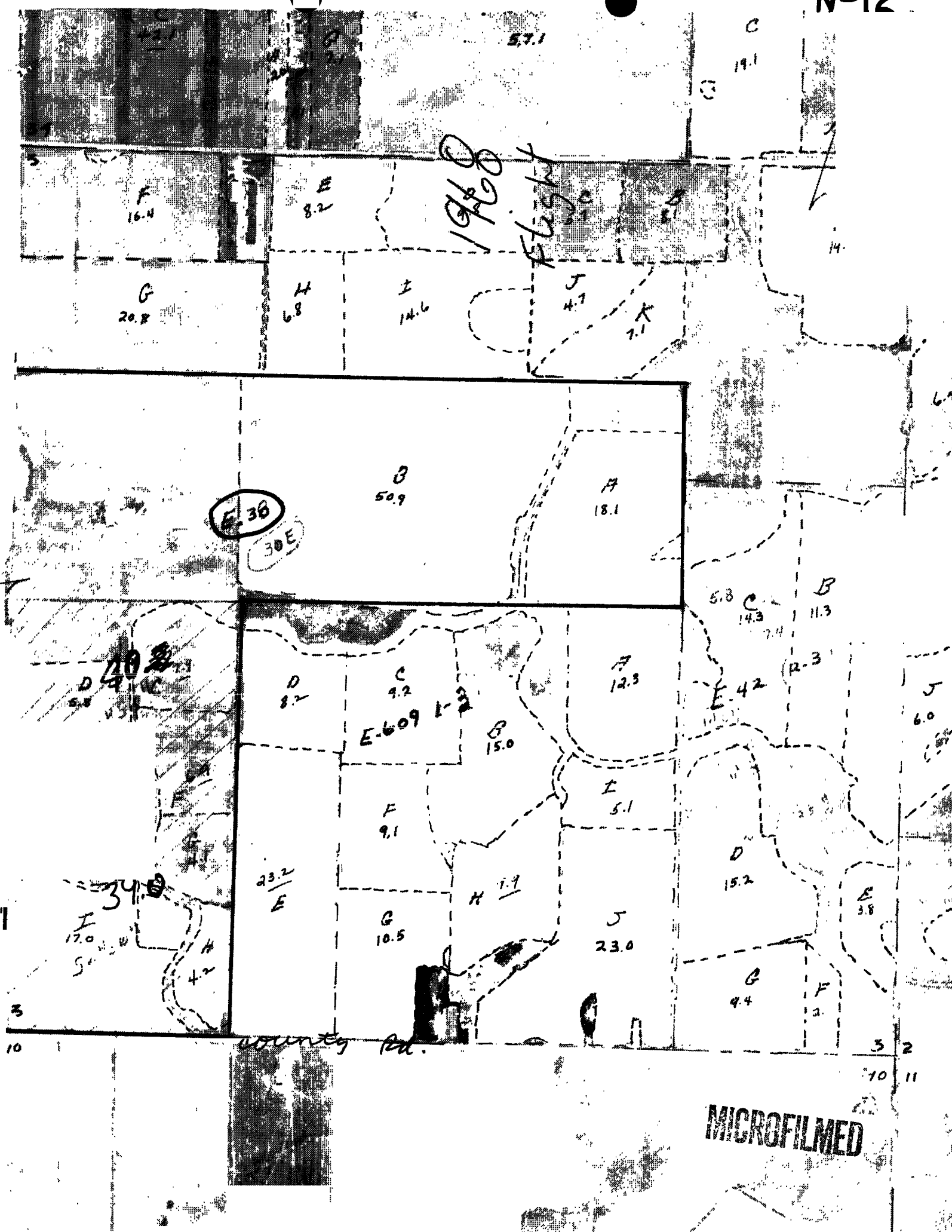


Diagram of System





DATE OF EXAM MAY 23, 1974

ACREAGE
Found 79
Recommended 79

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.33 c.f.s. V = 276 AF/Ann. from Apr 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.33 cfs Method of measurement In Line Meter

Total Q recommended 1.33 cfs Meter No. MOSS9839 Type Badger Condition Good

Total V recommended 276 Af/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$Q = \frac{600 \text{ gal/min}}{448.8} = 1.33 \text{ cfs}$

~~4 1/2 mile Hand Lines~~ 1 1/4 mile Hand Lines $V = 79 \times 3.5 = 276 \text{ Af/Ann}$

SYSTEM DESCRIPTION:

G.E. TRI CIAD MOTOR 40 Hp Ser# DES408446
Layne & Bowler Ser# D26789 600RPM

4, 1/2 mile hand lines 1 1/4 No2

REMARKS:

System & Land shown by owner
owner could not justify lengths irr. season
he felt Apr 1 to Nov 1 was reasonable.

Examiner's Signature W. R. Rhoads Date MAY 28, 74

Checked by Ronald D. Carlson Date MAY 28, 74

Approved by _____ Date _____

November 7, 1973

Re: Permit No. 35-7058, Magnus Jensen, deceased

**J. Duane Jensen
Route #5, Box 136
Blackfoot, Idaho 83221**

Dear Mr. Jensen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

**D. Darlene Reich
Water Rights Supervisor**

DDR:JC

**cc: Kerr & Williams
Attn: Robert M. Kerr, Jr.**

35 7058

Identification No. _____

Permit No. 35-7058

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

ok jo

1. a) Name of Permit Holder MAGNUS D. JENSEN
b) Post Office Address Rt. #5, Box 136 Blackfoot, Idaho
2. Permit Number 35-7058
3. Date of Priority that you are prepared to establish September 23, 1968 at 8:00 a.m.
4. a) Source from which water was appropriated Under ground
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 3
Township 3 South, Range 33 East Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 1.34 cfs for irrigation purposes from May 1, 1970 to Oct. 15, 1970 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1.34 cfs for irrigation purposes from May 1, 1970 to Sept. 30, 1971 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1.34 cfs for irrigation purposes from May 1, 1972 to Sept. 30, 1972 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated Since May 1, 1973 (600 gpm) 1.34 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Water measured on meter read by J. Duane Jensen, following instructions of installer
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N/A

b) Describe the agreement or understanding by which you take water from the works: N/A

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Subterranean 40 H.P. 16 inch casing, 130 Ft. deep, pump has 10 inch bowls; 1260 feet of six inch main line, ^{four} lateral lines with sprinklers.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Measure Rite propeller meter Mdim - 6"
c) Give well drillers name and address and date the well was completed Bill Findley; Blackfoot, Idaho January 1970

Exam typed 11/2/23 by jo

35 7058

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place

of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

:uois

[illegible]

Total number of acres irrigated

Magnus D. Jensen died September 12, 1972, and J. Duane Jensen was

10. Remarks:

appointed October 16, 1972, by the District Court of the Seventh Judicial District, Bingham County, Idaho, to serve as Personal Representative and

Executor of the Will

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/29/73

(Date)

Estate of Magnus D. Jensen, deceased

(Signature)

Personal Representative

State of INDIANA)
County of BLANCHE) ss.

5.

~~County of (JINAH)~~

On this 27th day of October, 1973, personally appeared before me the

My commission expires January 19 1974

Notary Public residing at _____

Notary Public residing at 1000 1st St
San Francisco

Robert M. Kerr, Jr.
Dean Williams
KERR AND WILLIAMS
Attorneys at Law
P. O. Box 708
Blackfoot, Idaho 83221
Phone 785-1290

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM

ESTATE OF

MAGNUS D. JENSEN,

Deceased.

CASE NO. 234

LETTERS TESTAMENTARY

The Will of Magnus D. Jensen having been admitted to in-
formal probate, J. Duane Jensen is hereby appointed personal
representative and executor of the estate.

WITNESS HONORABLE EUGENE L. MCCOY, MAGISTRATE OF THE
SAID DISTRICT COURT, WITH THE SEAL OF SAID COURT AFFIXED THIS
16 day of October, 1972.

Eugene L. McCoy

MAGISTRATE

35 7038

1 Oct 16 1972
J. Duane Jensen

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS
AREA CODE 208 785-1290
291 NO BROADWAY, P O BOX 708
BLACKFOOT, IDAHO 83221

DEAN WILLIAMS

October 29, 1973

State of Idaho
Department of Water Administration
Statehouse Annex - Annex 2
Boise, Idaho, 83707

Re: Permit No. 35-7058, Magnus Jensen

Gentlemen:

I enclose herewith Proof of Application to Beneficial Use under the above mentioned permit. Mr. Jensen died and the proof is made by the Personal Representative and Executor under the will. I enclose a certified copy of his letters of authority. I enclose also an aerial photo, which unfortunately is quite out of date, but is the best we can find available. The land has been leveled and the small pieces combined since the photo was taken.

I hope these will be found satisfactory. If something more is required please phone me.

Yours very truly,


Robert M. Kerr, Jr.

RK:M

35 7058

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

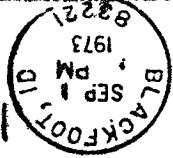
3

SHOW WHERE DELIVERED (*only if requested*)

35

2058

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moistened gummed ends and attach this card to back of article.

RETURN
TO



DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83707

35 7058

August 31, 1973

CERTIFIED MAIL

#24822

Re: Permit No. 35-7058

Magnus Jensen
R.F.D.##5, Box 136
Blackfoot, Idaho 83221

Dear Mr. Jensen:

One of the conditions of approval of your water Permit No. 35-7058 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

cc: Robert M. Kerr, Jr.

35 7058

August 16, 1973

Re: Permit No. 35-7058

Kerr and Williams
Attn: Robert M. Kerr, Jr.
291 N. Broadway, Box 708
Blackfoot, Idaho 83221

Dear Mr. Kerr:

Here is a list of approved types of measuring devices as requested in your August 14, letter.

The type that is most suitable for an enclosed sprinkler system is a commercial propeller meter. Most pump suppliers can supply this type of meter.

If we can assist you further, please let us know.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc
Enclosure

35 7058

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS
AREA CODE 208 785-1290
291 NO. BROADWAY, P. O. BOX 708
BLACKFOOT, IDAHO 83221

DEAN WILLIAMS

August 14, 1973

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RE: Permit No. 35-7058 - Magnus Jensen

Gentlemen:

Could you please advise me the type and size of measuring devices which are considered approved for a permit of this kind. As I understand it the pump is powered by a 40 hp electric pump and the discharge is a 6 inch outlet into a 6 inch mainline. I want to be sure that we are in compliance before we submit the proof.

Yours very truly,

KERR AND WILLIAMS


Robert M. Kerr, Jr.

RMK:mlm

35 7058

August 8, 1973

Re: Permit No. 35-7058 - Magnus Jensen

Mr. Robert M. Kerr, Jr.
Kerr & Williams
P. O. Box 708
Blackfoot, Idaho 83221

Dear Mr. Kerr:

Pursuant to your request of August 7, 1973, we are enclosing a proof affidavit o
for use in connection with the above referenced permit.

We have also enclosed an assignment form for your consideration. We would sug-
gest that this permit be assigned to Mrs. Jensen by the executor of Mr. Jensen's
estate.

If you have any questions regarding the above matters or if we may be of further
assistance, please advise.

Sincerely,

D. Daflene Reich
Water Rights Supervisor

DDR:jc
Enc: proof affidavit
Assignment form

35 7058

ROBERT M. KERR, JR.

LAW OFFICES
KERR AND WILLIAMS
AREA CODE 208 785-1290
291 NO. BROADWAY, P. O. BOX 708
BLACKFOOT, IDAHO 83221

RECEIVED
AUG 8 1973
DEAN WILLIAMS
Department of Water Administration

August 7, 1973

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RE: Permit No. 35-7058 Magnus Jensen

Gentlemen:

Will you please send us the necessary forms and instructions for proof of construction of works and application of water to beneficial use in connection with the above permit. Mr. Jensen is now deceased but the proof will be completed either by his wife or by the personal representative of his estate according to your instructions.

Yours very truly,

KERR AND WILLIAMS


Robert M. Kerr, Jr.

RMK:mlm

35 7058

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

November 20, 1968

Re: Permit No. 35-7058

**Magnus Jensen
R. F. D. # 5, Box 136
Blackfoot, Idaho 83221**

Dear Mr. Jensen:

We enclose a copy of your approved application for permit 35-7058
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

**Enclosures: Copy of application
Receipt No. 2093 for \$25.
2 informational letters**

35-7058

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

November 4, 1968

Re: Application No. 35-7059-Robert M. Buffi
Application No. 35-7058-Magnus Jensen

Blackfoot News
P. O. Box 70
Blackfoot, Idaho

Gentlemen:

As of this date, we have not received the affidavits of publication for the above referenced applications. We have not received the certified bills either. Please submit these items promptly so we may continue processing these applications.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

35-7058

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Magnus Jensen, Route #5, Box 136, Blackfoot, Idaho, has on September 23, 1968, applied for permit under application No. 35-7058 to divert 1.60 cubic feet per second of water from a subterranean source. Water will be diverted by a well and sprinklers within the SW1/4 SW1/4 Sec. 3, T. 3 S, R. 22 E, B.M., Bingham County and is to be used from March 1 to November 30 for irrigation in the W1/2 SW1/4, Sec. 3, T. 3 S, R. 22 E, B.M.

U
November 30

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.: Oct. 17 and 24
(878)

35-2058

DON SAMUELSON
GOVERNOR



P. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATE HOUSE ANNEX 2
BOISE, IDAHO 83707

October 4, 1968

Re: Application No. 35-7059 - Robert N. Buffi
Application No. 35-7058 - Magnus Jensen

Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Legal notices

35-7058

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Magnus Jensen, Route #5, Box 136, Blackfoot,
Idaho has on September 23, 1968
applied for permit under application No. 35-7058 to divert ~~water~~ 77777
1.60 cubic feet per second ~~acre feet~~ of water from ~~a subterranean~~
source. Water will be diverted by ~~a well and~~
sprinklers within the ~~SW 1/4~~
sec. 3, T. 3 S., R. 33 E., B.M., Bingham County
and is to be used from ~~March 1 to November 30 for~~
irrigation
in the W 1/2 sec. 3, T. 3 S., R. 33 E., B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Blackfoot News, Blackfoot, Idaho,
on October 17 and October 24, 1968.

35-7058