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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 67091

This is to certify that: L VAUGHN JENSEN Or  
DARLENE JENSEN  
3347 W 2900 N  
MOORE ID 83255  
(208)527-3398

has requested a change to the water right(s) listed below This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acres</u> | <u>Total</u> | <u>Source</u>    |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|------------------|
| 34-379       | WR/Decreed          | 06/01/1880      | 1.2 cfs     | N/A           | 60           | 434 0        | LOWER PASS CREEK |
| 34-377C      | WR/Decreed          | 06/01/1885      | 1 2 cfs     | N/A           | 60           | 434 0        | BIG LOST RIVER   |
| 34-925A      | WR/Decreed          | 02/01/1893      | 0 3 cfs     | N/A           | 15           | 434 0        | BIG LOST RIVER   |
| 34-259C      | WR/Decreed          | 05/20/1884      | 1 6 cfs     | N/A           | 80           | 434 0        | BIG LOST RIVER   |
| 34-738B      | WR/Decreed          | 06/30/1891      | 0 6 cfs     | N/A           | 30           | 434 0        | BIG LOST RIVER   |

**Purpose of Transfer (Changes Proposed)**

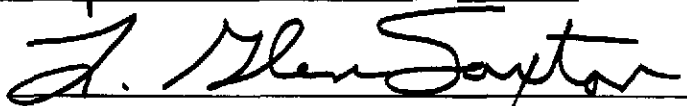
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 34-379                | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 34-377C               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 34-925A               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 34-259C               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 34-738B               | NO           | NO         | YES        | NO             | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|---------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 34-379                | <b>34-379</b>                   | 1.2 cfs              | 210 af                 | 60.0              | 196 0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 34-377C               | <b>34-377C</b>                  | 1 2 cfs              | 210 af                 | 60.0              | 196.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 34-925A               | <b>34-925A</b>                  | 0.3 cfs              | 52.5 af                | 15 0              | 196.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 34-259C               | <b>34-259C</b>                  | 1.6 cfs              | 280 af                 | 80 0              | 196 0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 34-738B               | <b>34-738B</b>                  | 0.6 cfs              | 105 af                 | 30.0              | 196.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>TOTALS</b>         |                                 | <b>4.9 cfs</b>       | <b>686 af</b>          |                   | <b>196.0</b>       |                                    | N/A                   | N/A                     | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 20<sup>th</sup> day of

September, 2002  
  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-259C**  
**As Modified by Transfer No. 67091**

In accordance with the approval of Transfer No. 67091, Water Right No. 34-259C is now described as follows.

**Right Holder:** DARLENE JENSEN And  
 L VAUGHN JENSEN  
 3347 W 2900 N  
 MOORE ID 83255

**Priority Date:** May 20, 1884

**Source:** BIG LOST RIVER

**Tributary:** SINKS

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | to 10/15  | 1.60 CFS              | 280.0 AF      |
|                       |             |           | 1.60 CFS              | 280.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |     | NW |      |    | SW |      |      | SE |      |       | Totals |
|-----|-----|-----|----|----|-----|----|------|----|----|------|------|----|------|-------|--------|
|     |     |     | NE | NW | SW  | NE | NW   | SW | SE | NE   | NW   | SW | SE   |       |        |
| 04N | 26E | 7   |    |    | 9.0 |    |      |    |    | 34.0 |      |    | 38.0 | 81.0  |        |
| 04N | 26E | 8   |    |    |     |    | 37.0 |    |    | 39.0 | 39.0 |    |      | 115.0 |        |

Total Acres 196

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 34-0259C, 34-0377C, 34-0379, 34-0738B, and 34-0925A when combined shall not exceed a total diversion rate of 4.90 cfs, a total annual maximum diversion volume of 686 af at the field headgate, and the irrigation of 196 acres.
3. 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.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**WATER RIGHT NO. 34-259C**  
**As Modified by Transfer No. 67091**

**CONDITIONS OF APPROVAL**

- 7 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/31/1997.
9. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-377C**  
**As Modified by Transfer No. 67091**

In accordance with the approval of Transfer No 67091, Water Right No. 34-377C is now described as follows.

**Right Holder:** DARLENE JENSEN And  
 L VAUGHN JENSEN  
 3347 W 2900 N  
 MOORE ID 83255

**Priority Date:** June 01, 1885

**Source:** BIG LOST RIVER

**Tributary:** SINKS

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | to 10/15  | 1.20 CFS              | 210 0 AF      |
|                       |             |           | 1.20 CFS              | 210 0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E 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   |        |
| 04N | 26E | 7   |    |    |    | 9.0 |    |      |    |    |      |      |    |    | 34.0 |    |    | 38.0 | 81.0   |
| 04N | 26E | 8   |    |    |    |     |    | 37.0 |    |    | 39.0 | 39.0 |    |    |      |    |    |      | 115.0  |

Total Acres: 196

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 34-0259C, 34-0377C, 34-0379, 34-0738B, and 34-0925A when combined shall not exceed a total diversion rate of 4.90 cfs, a total annual maximum diversion volume of 686 af at the field headgate, and the irrigation of 196 acres.
3. 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.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

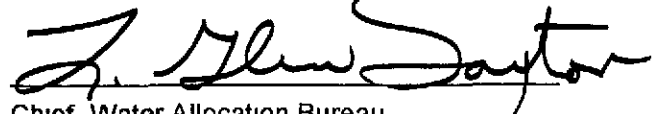
**WATER RIGHT NO. 34-377C**  
**As Modified by Transfer No. 67091**

**CONDITIONS OF APPROVAL**

- 6 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 7 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
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/31/1997.
9. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-379**  
**As Modified by Transfer No. 67091**

In accordance with the approval of Transfer No 67091, Water Right No 34-379 is now described as follows.

**Right Holder:** DARLENE JENSEN And  
 L VAUGHN JENSEN  
 3347 W 2900 N  
 MOORE ID 83255

**Priority Date:** June 01, 1880

**Source:** LOWER PASS CREEK

**Tributary:** BIG LOST RIVER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01 to    | 10/15     | 1.20 CFS              | 210.0 AF      |
|                       |             |           | 1.20 CFS              | 210.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

LOWER PASS CREEK                      SWSE      Sec. 33 Twp 06N   Rge 26E   BUTTE County

BIG LOST RIVER                      SWSE      Sec. 33 Twp 06N   Rge 26E   BUTTE County  
 (Injection)

BIG LOST RIVER                      NWSESE Sec. 4   Twp 05N   Rge 26E   BUTTE County  
 (Rediversion)

**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   |        |
| 04N | 26E | 7   |    |    |    | 9.0 |    |      |    |    |      |      |    |    | 34.0 |    |    | 38.0 | 81.0   |
| 04N | 26E | 8   |    |    |    |     |    | 37.0 |    |    | 39.0 | 39.0 |    |    |      |    |    |      | 115.0  |

Total Acres: 196

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above
2. Rights 34-0259C, 34-0377C, 34-0379, 34-0738B, and 34-0925A when combined shall not exceed a total diversion rate of 4.90 cfs, a total annual maximum diversion volume of 686 af at the field headgate, and the irrigation of 196 acres
3. 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
4. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring devices at the point of injection into the Big Lost River and at the point of rediversion from the river.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

**WATER RIGHT NO. 34-379**  
**As Modified by Transfer No. 67091**

**CONDITIONS OF APPROVAL**

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/31/1997.
9. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-738B**  
**As Modified by Transfer No. 67091**

In accordance with the approval of Transfer No 67091, Water Right No 34-738B is now described as follows.

**Right Holder:** DARLENE JENSEN And  
 L VAUGHN JENSEN  
 3347 W 2900 N  
 MOORE ID 83255

**Priority Date:** June 30, 1891

**Source:** BIG LOST RIVER

**Tributary:** SINKS

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01 to    | 10/15     | 0.60 CFS              | 105.0 AF      |
|                       |             |           | 0.60 CFS              | 105.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E 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 |    |      |  |      |        |
| 04N | 26E | 7   |    |    |    | 9.0 |    |    |      |    |    |      |      |    |    | 34.0 |  | 38.0 | 81.0   |
| 04N | 26E | 8   |    |    |    |     |    |    | 37.0 |    |    | 39.0 | 39.0 |    |    |      |  |      | 115.0  |

Total Acres: 196

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 34-0259C, 34-0377C, 34-0379, 34-0738B, and 34-0925A when combined shall not exceed a total diversion rate of 4.90 cfs, a total annual maximum diversion volume of 686 af at the field headgate, and the irrigation of 196 acres
3. 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.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer

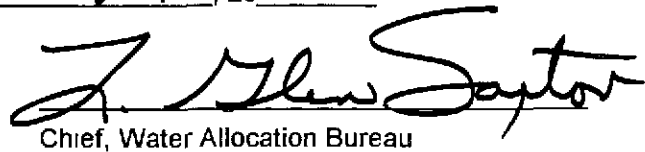
**WATER RIGHT NO. 34-738B**  
**As Modified by Transfer No. 67091**

**CONDITIONS OF APPROVAL**

7. 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/31/1997.
9. This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 34-925A**  
**As Modified by Transfer No. 67091**

In accordance with the approval of Transfer No. 67091, Water Right No 34-925A is now described as follows.

**Right Holder:** DARLENE JENSEN And  
 L VAUGHN JENSEN  
 3347 W 2900 N  
 MOORE ID 83255

**Priority Date:** February 01, 1893

**Source:** BIG LOST RIVER

**Tributary:** SINKS

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01 to    | 10/15     | 0 30 CFS              | 52.5 AF       |
|                       |             |           | 0 30 CFS              | 52.5 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

BIG LOST RIVER NWSESE Sec. 4 Twp 05N Rge 26E 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 |        |      |       |
| 04N 26E 7   |    |    |    | 9.0 |    |    |      |    |    |    |      |      |    |    |    |    | 34.0   | 38.0 | 81.0  |
| 04N 26E 8   |    |    |    |     |    |    | 37.0 |    |    |    | 39.0 | 39.0 |    |    |    |    |        |      | 115.0 |

Total Acres 196

**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above
2. Rights 34-0259C, 34-0377C, 34-0379, 34-0738B, and 34-0925A when combined shall not exceed a total diversion rate of 4 90 cfs, a total annual maximum diversion volume of 686 af at the field headgate, and the irrigation of 196 acres
3. 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.
4. 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
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

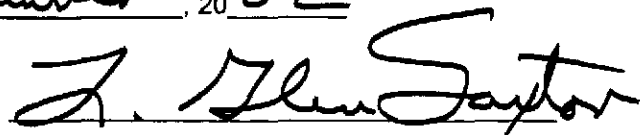
**WATER RIGHT NO. 34-925A**  
**As Modified by Transfer No. 67091**

**CONDITIONS OF APPROVAL**

- 7 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.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/31/1997.
9. This right is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

JUN 20 1999

2002 JUN 25 PM 2:55  
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     | ) | Water Right 34-925A                     |
|                | ) |                                         |
|                | ) | ORDER AMENDING IRRIGATION PERIOD OF USE |
|                | ) | ELEMENT IN PARTIAL DECREE and           |
| Case No. 39576 | ) | INCORPORATING INTO PARTIAL DECREES AN   |
|                | ) | EXPRESS STATEMENT REGARDING GENERAL     |
| _____          | ) | PROVISIONS, <i>NUNC PRO TUNC</i>        |

A *Partial Decree* was entered for the above-captioned irrigation water right on December 31, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P 2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as

PERIOD OF USE                      05-01 to 10-15

The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree I.C. section 42-1412(6)

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

#### 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

Dated January 24, 2002



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ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

1997 DEC 31 PM 3:34

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

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

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)  
)

ORDER OF PARTIAL DECREE

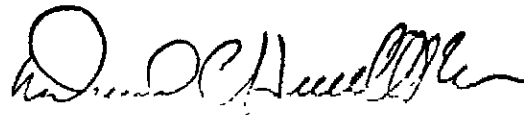
For Water Right 34-00925A

On November 20, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. 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 right 34-00925A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED DEC 31 1997



DANIEL C. HURLBUTT, JR.  
Presiding Judge  
Snake River Basin Adjudication

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 34-00925A

1997 DEC 31 PM 3:34  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

NAME & ADDRESS: DARLENE B JENSEN  
L VAUGHN JENSEN  
RT 1 BOX 35  
MOORE ID 83256

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.3 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 11.90 CFS.  
COMBINED RIGHT NOS.: 34-00028H, 34-00080, 34-00259C, 34-00372B,  
34-00377C, 34-00379, 34-00663A, 34-00738B, 34-02340B, 34-02372,  
34-10552 AND 34-13415.

PRIORITY DATE: 02/01/1893

POINT OF DIVERSION: T05N R26E S04 NWSESE Within BUTTE County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
IRRIGATION Irrigation Season 0.3 CFS

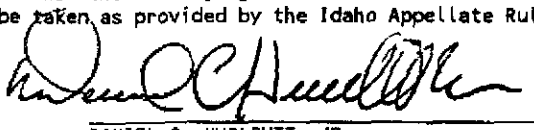
PLACE OF USE: IRRIGATION Within BUTTE County  
T04N R26E S07 SESE 34 SESE 38  
S08 SWNW 39  
S09 NWNE 27 SWNE 29  
T05N R26E S22 NENE 36 SENE 39  
S23 NENW 14 NWNW 38 SWNW 39 SENW 16  
434 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 434 ACRES IN A SINGLE  
IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 34-00028H, 34-00080, 34-00259C, 34-00372B,  
34-00377C, 34-00379, 34-00663A, 34-00738B, 34-02340B, 34-02372,  
34-10552 AND 34-13415.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

  
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

1997 DEC 31 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  
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)  
CERTIFICATE OF MAILING

Water Right(s): 34-00925A

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 34-00925A was mailed  
on December 31, 1997, with sufficient first-class postage prepaid  
to the following:

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

STATE OF IDAHO  
Represented by:  
CLIVE STRONG  
OFFICE OF ATTORNEY GENERAL  
STATE OF IDAHO  
PO BOX 44449  
BOISE, ID 83711-4449  
Phone: 208-334-2400

L VAUGHN JENSEN  
Represented by:  
KENT W FOSTER  
PO BOX 50130  
IDAHO FALLS, ID 83405  
Phone: 208-523-0620

CERTIFICATE OF MAILING

PAGE 1  
12/31/97

USDI BLM

Represented by:

U.S. DEPT. OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

Phone: 208-387-0835

DIANA DELANEY

Chief Deputy Clerk

**MEMORANDUM**

**TO:** FILE 34-00925A  
**FROM:** VAULT  
**RE:** TRANSFER # 5671 67091  
**DATE:** 3/23/00

=====

**Original Transfer Application, Form and correspondence regarding the above  
referenced Transfer is located within:**

**FILE #** 34-00259C

MICROFILMED

OCT 6 1999