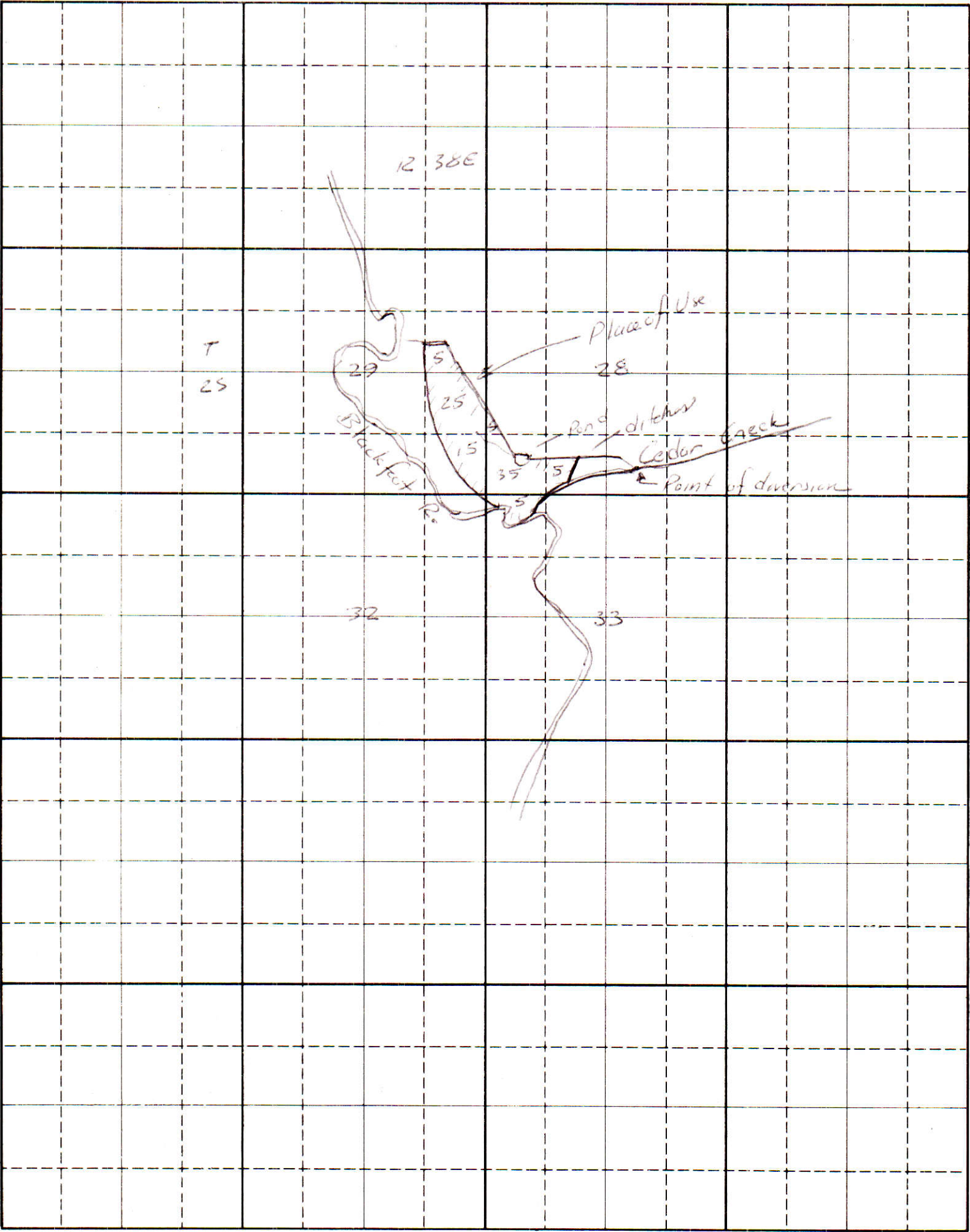


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

RECEIVED

MAY 30 1980

Department of Water Resources
Eastern District Office

**NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
No. 27-0054**

Notice is hereby given that Ronald Jensen, Firth, Idaho, has applied to

the Department of Water Resources to clarify his rights on Cedar Creek tributary to the Blackfoot River. The rights sought to be clarified is evidenced by decree to George Monroe and John Lyon is case of Fred S. Stevens, et al. vs. Eastern Idaho Water Co., et al. dated 8-1-1891 in the 5th Judicial District Court, County of Bingham, and is evidenced as follows:

AMOUNT: 2.0 cfs.

PRIORITY: 4-1-1884.

DECREED POINT OF DIVERSION:

Not specified in decree.

The water is used for irrigation purposes from April 1 to November 1 with the place of use not specified in the decree.

TO BE
CHANGED AS
FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 2S, Rge. 38E, B.M., Bingham County to be used for the irrigation of 95 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; Twp. 2S, Rge. 38E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before June 9, 1980.

C. STEPHEN ALLRED
Director

(6535)

Pub.: 5-22 & 5-29-1980.

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho)
I, David Mark Brown) ss.
do solemnly

swear that I am the Publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except 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: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of

of publication was published in said issue or said newspaper 2 consecutive weeks

the first publication having been made on the 22nd day of May, 19 80

and the last publication having been made on the 29th day of May, 19 80

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.

Subscribed and sworn to before me this 29th

day of May, 19 80

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1980

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

IN THE MATTER OF APPLICATION FOR TRANSFER	)	MEMORANDUM DECISION
	)	
NO. 27-0054 IN THE NAME OF RONALD JENSEN	)	AND ORDER
	)	
	)	

On May 12, 1980, Ronald Jensen filed with the Department of Water Resources an application for transfer of water right No. 27-0054 originally decreed to George Monroe and John Lyon in the case of Fred S. Stevens, et al vs. Eastern Idaho Water Company, et al, dated August 1, 1891. This right provided for the diversion of two (2.00) cubic feet per second of water from Cedar Creek tributary to the Blackfoot River with a priority of April 1, 1884. The legal description for the point of diversion and place of use was not given in the decree. The applicant proposed to more clearly define the right by describing the point of diversion as being within the SW1/4SE1/4, Sec. 28, Twp. 2S, Rge. 38E B.M., Bingham County, and to be used for the irrigation of 95 acres in the W1/2SW1/4, SE1/4SW1/4, Sec. 28; SE1/4NE1/4, E1/2SE1/4, Sec. 29; NW1/4NW1/4 Sec. 23, all in Twp. 2S, Rge. 38E.

Notice of this application was advertised on May 22 and 29, 1980 in the Blackfoot News published in Blackfoot, Idaho. No protests against approval were received. Watermaster recommendations were requested on May 20, 1980 and were received on June 4 from Ed Hall, Watermaster of Blackfoot River, Water District No. 27. The watermaster comments indicate that his records do not confirm the applicant's ownership of right No. 27-0054.

Pursuant to Section 42-222, Idaho Code, the Director of the Department of Water Resources has examined all available information to determine if the proposed change would constitute an enlargement of the right or would result in injury to existing water rights and based upon his understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. In the case of Fred S. Stevens, et al vs Eastern Idaho Water Company, et al dated August 1, 1891, two rights were decreed for the diversion of water from Cedar Creek. These rights are summarized as follows:

Decree No.	Decreed Owner	Quantity	Priority
27-0054	George Monroe & John Lyon	2.00 cfs	April 1, 1884
27-0055	Samuel Borup	1.00 cfs	April 1, 1887

The legal description for the point of diversion and place of use was not listed for either decreed right.

2. The records for Water District No. 27, Blackfoot River indicate assessments for water right No. 27-0054 have been paid by a Mr. Lloyd Stolworthy and assessments for right No. 27-0055 have been paid by the applicant, Ronald Jensen.

3. A signed real estate mortgage provided by the applicant states he is purchasing the proposed place of use together with all ditches and ditch rights-of-way and water and water rights appurtenant and all tenements and improvements appertaining thereto. The real estate mortgage does not, however, specifically identify any water right.

4. Section 42-222, Idaho Code requires the Director to determine that a transfer of a water right first, will not result in an enlargement in the use of the original right, and second, will not injure other water rights.

CONCLUSIONS OF LAW

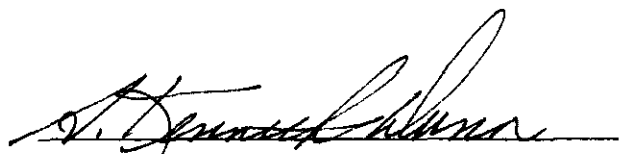
1. The applicant has not demonstrated that he is the holder of the right in question or that he is entitled to the use of water under the right.

2. Without adequate proof that the person applying for a transfer is entitled to the use of water represented by that right, the Director cannot assure that the transfer will not result in an enlargement in use and will not injure the water rights of others.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that application for transfer of water right No. 27-0054 be and is DENIED.

Dated this 17 day of May, 1982.



A. KENNETH DUNN

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DENIED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Ronald Jensen Phone 346-6823
Post office address Rt. 1, Box 375, Firth, ID 83236

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to George Monroe, John Lyon
(Name)
in case of Fred S. Stevens, et al. VS Eastern Idaho Water Co., et al.
dated 8/1/1891 in 5th Judicial Dist. county of Bingham
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant acquired right through purchase of land.
3. Source of water Cedar Creek tributary to Blackfoot River
4. Date of priority 4/1/1884
5. Water is used for the following purposes:

amount 2.0 cfs for irrigation purposes from April 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 2.0 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is * _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in Bingham County
Additional points of diversion, if any _____
8. Lands irrigated or place of use: * Unsurveyed

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purposes as described above _____

*Not specified in decree...

applicant, omit part B).

2. Point of diversion _____
 1/4 _____
 1/4, Section _____
 Township _____

County

Additional points

- | TWP. | RANGE | SEC. | NE 1/4 | | | | NW 1/4 | | | | SE 1/4 | | | | SW 1/4 | | | | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | |
| | | | | | | | | | | | | | | | | | | | |

[illegible]

1. Change in point of diversion

- acre feet

County

Additional points

- | | | |
|----|--------------------------------|--|
| c. | Description of diverting works | Diversion in creek to ditch to pond to sprinkler |
|----|--------------------------------|--|

- d. Describe the reasons for applying for a change in the point(s) of diversion

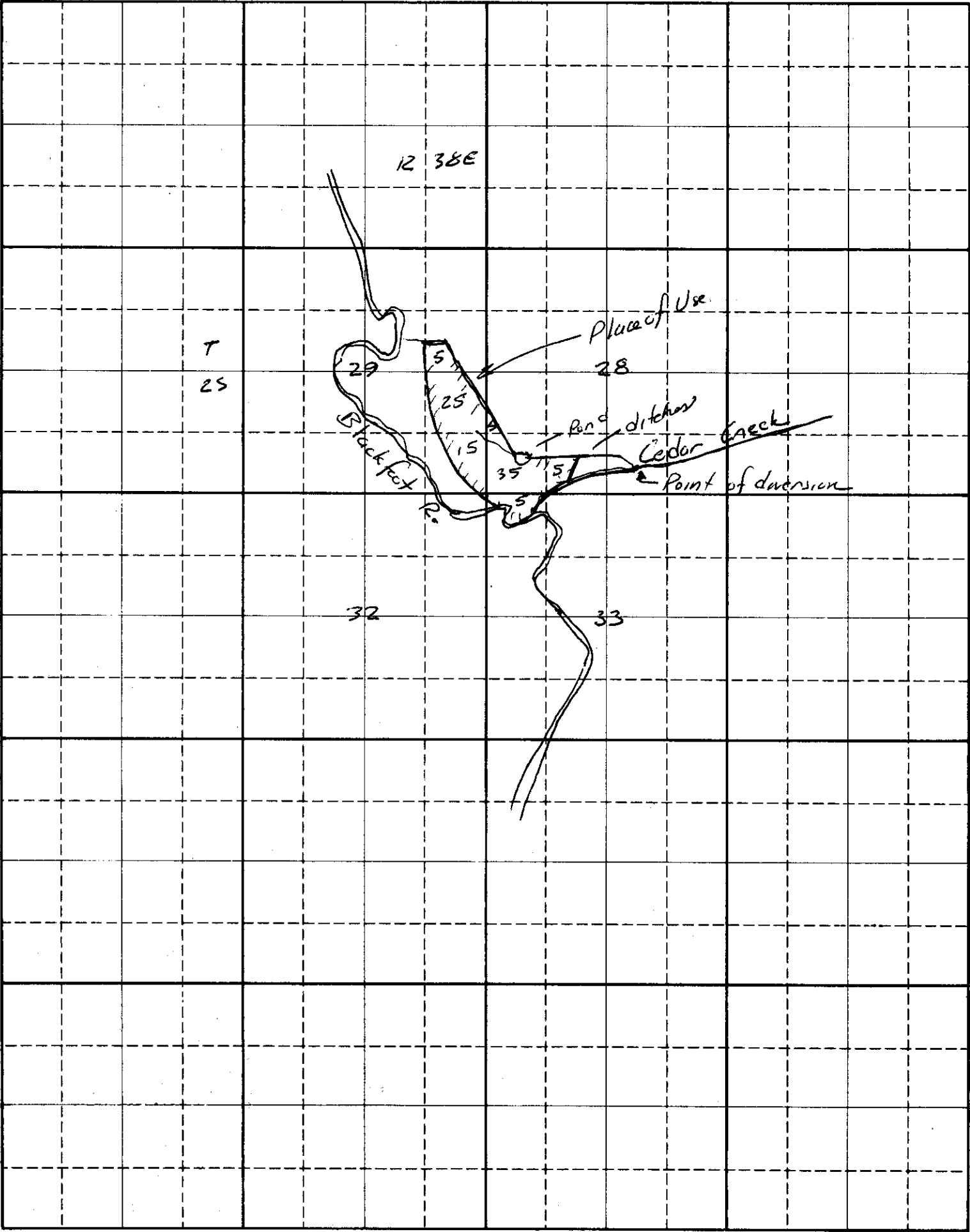
The applicant wishes to more clearly define his decreed water right.

- a. Describe the lands or place of use to which the right will be transferred:

[illegible]

56

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Ronald Jensen
(Signature of applicant)

Subscribed and sworn to before me this 12 day of May, 1980.

Kathlyn A. Walker
(Notary public)

My commission expires 2/15/83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 27-0054 and said application is hereby DENIED, subject to the following limitations and conditions:

PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 17th day of May, 19 82.

A. Kenneth Dunn
A. KENNETH DUNN, Director

FOR DEPARTMENT USE ONLY

Received by <u>SM</u>	Date <u>5/12/80</u>	Protest filed by _____
Prelim. check by <u>g.c.</u>	Fee <u>35.</u>	_____
Receipted by <u>KW</u>	Date <u>5/12/80</u> # <u>13985</u>	_____
Published in <u>The Blackfoot News</u>	Copies of protest forwarded by _____	
Pub. dates <u>5/22 & 5/29/80</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on <u>5/20/80</u>	Recommended for <u>approval</u>	<u>denial</u>
<u>6/4/80</u> rec'd.	by <u>EMC</u>	_____

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

Fred S. Stevens, et al.

Plaintiffs,

-vs-

Eastern Idaho Water Co. et al.,

Defendants.

Robert Millen

This cause having been heretofore tried
by the Court, without a jury, and the Court having made its
findings of fact and conclusions of Law:

It is now ordered, Adjudged and Decreed, that the
following parties are entitled to divert from the Blackfoot
River, the amount of water herein indicated, and the right
of each party dates from the time hereinafter stated and

set opposite each name, to-wit:-

27	0012	Fred S. Stevens	July 6, A. D. 1869	138 Inches
27	0013	Henry Dunn	July 1, A. D. 1870	300 Inches
27	0014	N. A. Just and) Emma Just)	August 1, A. D. 1871	200 Inches
27	0015	Leon Misslen	July 1st, A. D. 1873	200 Inches
27	0017	John Misslen	July 1st, A. D. 1874	120 Inches
27	0018	H. B. Lewis	March 1st, A. D. 1875	100 Inches
27	0019	Presto Burrell	March 1st, A. D. 1876	100 Inches
27	0020	William Kirkpatrick	May 1st, A. D. 1878	100 Inches
27	0021	E. M. Shoemaker	April 1st, A. D. 1879	90 Inches
27	0022	Eastern Idaho Water Co.	March 25, A. D. 1880	1800 Inches
		P. B. Fox Jr.) William Howard) A. Whitten)		

270
Transfers
Noted

1702

year thereafter, for irrigating or any other than domestic purposes.

It is further ordered, Adjudged and Decreed that the following parties are entitled to divert from the Wolverine Creek a tributary of said Blackfoot River, the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:

27 0050	Peter Morris	March 1st, A. D. 1882	60 Inches
27 0051	Sample Orr	July 1st, A. D. 1882	80 Inches
27 0052	Peter Morris	April 1st, A. D. 1887	60 Inches
27 0053	Daniel M. Taylor	April 1st, A. D. 1888	10 Inches

It is further ordered adjudged and decreed that the following parties are entitled to divert from Cedar Creek, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the times hereinafter stated and set opposite each name to-wit:

27 0054	George Monroe) & : John Lyon)	April 1st, A. D. 1884	100 Inches
27 0055	Samuel Borup	April 1st, A. D. 1887	50 Inches

27 0056 It is ordered, adjudged and decreed that George Heaton is entitled to divert from the east fork of Brush Creek, a tributary of Blackfoot River, one hundred and twenty-five (125) inches of water, said rights dating from the 1st day of May A. D. 1888, but the said right shall only extend to the 1st day of July in each year, for irrigating purposes, and the said Heaton is hereby enjoined from diverting or using in any manner any part of the said water right after the 1st day of July in each and every year hereafter for irrigating or any other than domestic purposes.

REAL ESTATE MORTGAGE

THIS MORTGAGE made this 10th day of May, 1974, between RONALD JENSEN AND NAIDA JENSEN, husband and wife, Route #1, Firth, Bingham County, Idaho, referred to as the Mortgagors and ANDREW JOHNSON AND BERTHA JOHNSON, husband and wife, of Route #2, Shelley, Idaho, hereinafter referred to as the Mortgagees:

W I T N E S S E T H :

That the said Mortgagors, for and in consideration of the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00), lawful money of the United States of America, together with interest thereon at the rate of Six (6) per cent per annum, do hereby grant, bargain, sell and convey unto the said Mortgagees and to their heirs and assigns forever, all of the following real property situated in the County of Bingham, State of Idaho, and bounded and particularly described as follows, to-wit:

All of the Grantors' undivided interest in that property located and situated in Bingham County, Idaho, more particularly described as follows:

The Southwest Quarter; Southwest Quarter of the Southeast Quarter; the West half of the Northwest Quarter and the North Half of the Southeast Quarter of the Southeast Quarter Section 28; lots 3 and 4 and the Northeast Quarter of the Southeast Quarter of Section 29; Lot one of Section 32; Lots 1, 2 and 3 and Northwest Quarter of the Northeast Quarter of Section 33, all in Township 2 South, Range 38 EBM. Containing 562.27 acres more or less.

Together with all ditches and ditch rights of way and water and water rights appurtenant and all tenements and improvements thereto appertaining.

Also, 25 shares of Stock in the Eastern Idaho Grazing Association.

Subject to the John Hancock Mortgage recorded in the records of Bingham County, Idaho, as Instrument No. 116979, and dated the 26th day of July, 1965. Which mortgage the mortgagors hereby assume in its entirety from this day forward as though they were the only obligors thereon and agree to save the mortgagees herein harmless from any claims or demands whatsoever growing out of said John Hancock mortgage.

TO HAVE AND TO HOLD THE above described premises by way of Mortgage to secure the payment of a certain promissory Note of even date herewith, executed and delivered by the said Mortgagors to the Mortgagees, payable as follows, to-wit:

FIFTEEN THOUSAND DOLLARS (\$15,000.00) plus interest accrued at 6% from the 10th day of May, 1974, payable in 10 annual

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MAY 15 1980

Department of Water Resources
Eastern District Office

installments of \$1,500.00 to apply on the principal plus interest.

THE MORTGAGORS FURTHER COVENANT that while any part of the said note remains unpaid, they will pay, before the same becomes delinquent, all taxes, assessments, liens and encumbrances upon said premises or any part thereof that are or hereafter may become superior to the lien of this mortgage, and keep the building now on or which may hereafter be erected on said premises in a good state of repair.

THESE PRESENTS shall be void if such payments be made, but in case default shall be made in the payment of the said principal sum of money or any part thereof as provided in said note, or if the interest be not paid as herein specified, or if the taxes, or payments of principal or interest or any prior lien or encumbrance be not paid, the mortgagees shall have the right to pay the same, and then it shall be optional with the said mortgagees, their successors or assigns, to consider the whole of said principal sum, expressed in said note as immediately due and payable; and immediately to enter into and upon all and singular the above described premises and to sell and dispose of the same according to law, and out of the monies arising out of such sale retain the principal and interest which shall then be due on the said promissory note, together with the costs and charges of foreclosure suit, including reasonable counsel fees and also the amounts of all such payments of taxes, assessments, encumbrances or any payments as may have been made by the said mortgagees, their successors or assigns, with interest on the same at the rate of Ten (10) per cent per annum, rendering the overplus of the purchase money (if any there shall be) unto the said mortgagors, their heirs, executors or assigns.

IN WITNESS WHEREOF, the Mortgagors have hereunto set their hands and seals the day and year first above written.

Ronald Jensen
RONALD JENSEN

Naida Jensen
NAIDA JENSEN

STATE OF IDAHO)
 :SS
County of Bingham)

On this ____ day of May, 1974, before me, the undersigned,
a Notary Public in and for the State of Idaho personally appeared
RONALD JENSEN AND NAIDA JENSEN, husband and wife, known to me
to be the persons whose names are subscribed to the within instru-
ment and acknowledged to me that they executed the 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.

NOTARY PUBLIC FOR IDAHO
Residing at Blackfoot, Idaho

Commission Expires:

RECEIVED

MAY 30 1980

Department of Water Resources
Eastern District Office

NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT

tributary to the Snake River. The
rights sought to be clarified is
evidenced by decree to George
Monroe and John Lyon is case of
Fred S. Stevens, et al. vs. Eastern
Idaho Water Co., et al. dated 8-1-
1891 in the 5th Judicial District
Court, County of Bingham, and is
evidenced as follows:

AMOUNT: 2.0 cfs.

PRIORITY: 4-1-1884.

DECREED POINT OF DIVERSION:
Not specified in decree.

The water is used for irrigation
purposes from April 1 to November 1
with the place of use not specified in
the decree.

TO BE
CHANGED AS
FOLLOWS

The water will be diverted within
the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 2S,
Rge. 38E, B.M., Bingham County to
be used for the irrigation of 95 acres
within the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 28; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
29; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; Twp. 2S,
Rge. 38E, B.M.

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Depart-
ment of Water Resources, 1515
Lincoln Road, Idaho Falls, Idaho
83401 on or before June 9, 1980.

C. STEPHEN ALLRED
Director

(6535)

Pub.: 5-22 & 5-29-1980.

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____
solemnly

Publisher

swear that I am the _____ of
The Blackfoot News which is a daily newspaper of
general circulation published each day except 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
134 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 with the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
22nd day of May, 19 80

and the last publication having been made on the
29th day of May, 19 80

that said notice was published in the regular and en-
tire 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.

Subscribed and sworn to before me this 29th

day of May, 19 80

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 26, 1980

WATER RIGHTS WORK SHEET

IDENTIFICATION NUMBER 27 0054

RECORD 01 LAST NAME(40 char.) FIRST NAME(20 char.) ORIG. OWNER

ACTION CODE

<u>N</u>	<u>MONROE</u>	<u>George</u>	<u>Q</u>
	<u>LYON</u>	<u>JOHN</u>	<u>Q</u>
	<u>~~THOMAS~~</u>	<u>~~THOMAS~~</u>	

RECORD 02 ADDRESS LINE 1(30 char.) LINE 2(30 char.)

<u>RT. 1 BOX 111</u>	
----------------------	--

RECORD 03 ADDRESS LINE 3(30 char.) CITY(23) STATE(2) ZIP(5)

	<u>NEED</u>	<u>IA</u>	<u>82336</u>
--	-------------	-----------	--------------

RECORD 04 SOURCE OF WATER(30 char.) TRIBUTARY OF(30 char.)

<u>Cedar Creek</u>	<u>BLACKFOOT RIVER</u>
--------------------	------------------------

RECORD 05

ACTION CODE

A. STAGE(1 char.) (A,P,L,D,S,J OR BLANK)	<u>N</u>	<u>D</u>
B. STATUS(1 char.) (D,L,R,C,A,I,F OR BLANK)		
C. PRIORITY DATE(8 char.)		<u>4-1-1884</u>
D. COUNTY OF P/D(2 char.)		
E. TOTAL DIVERSION RATE(10 char.)		<u>2.0</u>
F. TOTAL DIVERSION VOLUME(10 char.)		
G. TRANSFER/AMENDMENT(1 char.) (P, T, A OR BLANK)		
H. WATER DISTRICT NUMBER(3 char.)		
I. DLE/CARFY ACT(1 char.) (D, C OR BLANK)		
J. RIGHT BASIS(1 char.) (for adjudications only A, B, C, D, E, F OR BLANK)		

RECORD 06

ACTION CODE	POINT OF DIVERSION(16 char.)			RGE.	GOV'T. LOT	REDIV.
	TRACT	SEC.	TWP.			

RECORD 07 PERIOD OF USE(8 char.)

ACTION CODE	FROM	TO	USE CODE	CFS	AFA
<u>N</u>			<u>A</u>	<u>2.0</u>	

RECORD 08 PLACE OF USE

ACTION CODE	USE CODE	TWP.	RGE.	SEC.	TRACT	LOT	ACRES

RECORD 09 NAME(60 char.)

DECREE DATE(8 char)

Fred S. STEVENS, ET AL. VS EASTERN Idaho WATER Co., ET AL.
8-1-1891

RECORD 10 REMARKS(65 char.)

X (This deletes all remarks.)
N A. P/D & P/U NOT specified in decree.
 B. _____
 C. _____
 D. _____
 E. _____

RECORD 11, 12 or 14 11 OTHER USES(65 char.)
 12 OTHER RIGHTS(65 char.)
 14 DIVERSION MEANS(65 char.)

RECORD	ACTION CODE

RECORD 13

ACTION CODE

A. PROOF DUE DATE(8 char.) _____
 B. PERMIT/DENIED DATE(8 char.) _____
 C. PROTESTED DATE(8 char.) _____
 C. HEARING DATE(8 char.) _____
 E. OLD NUMBER(5 char.) _____
 F. PROOF MADE(1 char.) _____
 G. FIELD EXAM MADE(1 char.)
 (P, R, F OR BLANK) _____
 H. CONDITIONS OF APPROVAL(3 char.)
 (8 CONDITIONS) _____

~~RE: Cedar Creek Dam 043-276~~

~~Am. H.~~

Conversation Memorandum.

- Ronald Jensen -

- Lloyd Stabworth has not used ^{of from Cedar Creek} right for ~~the year~~ at least 16 years. and has no place to use the water.
- The water master has not been regulating rights ^{on Cedar Creek} for it.
- Mr. Jensen has traditional been diverting all the water ~~of~~ in Cedar Creek after spring run off.
- Mr. Jensen needs to conduct some more extensive research concerning right. With potato harvest starting has requested that we hold this file until Nov. 2, 1980.

May 25 kw
~~May 25~~, 1982

RE: Water Right No. 27-0054

Ronald Jensen
Route #1, Box 375
Firth, ID 83236

Dear Mr. Jensen:

Enclosed is a copy of your Application for Transfer of the above referenced water right (Transfer No. 2435) which has been denied by the Director of this Department. Also enclosed is a copy of the Memorandum Decision and Order.

You should be aware that any person who does not agree with the decision may request a re-hearing before the Director of the Department of Water Resources within 20 days or may appeal directly to the District Court within 30 days of the date of the decision.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosures

September 4, 1981

RE: Application for Transfer No. 27-0054

Ronald Jensen
Rt. #1, Box 375
Firth, ID 83236

Dear Mr. Jensen:

The Department has delayed action on the above captioned application for over a year to provide you with an opportunity for submitting verification that you are the holder of this right. We will continue this delay only until October 5, 1981, at which time processing of the application will be resumed. If documentation that you are the holder of the right can not be provided by then, you may want to withdraw the application. This would eliminate the likelihood of the Department issuing a denial of the transfer. Once proof is available you could then file another application for transfer seeking a favorable recommendation from the Department.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

CONVERSATION MEMORANDUM

DATE 11/03/1980

FILE 27-0054

NAME OF PARTY Ronald Jensen

EMPLOYEE Ernest Carlsen *EMC*

RE: Application for Transfer of Water Right No. 27-0054

Mr. Jensen and his attorney, Kent Foster, were in the office today to discuss the problem with this application for transfer. After reviewing the decree and the file Mr. Foster suggested his client initiate a title search on the property. It is hoped this will result in locating the original place of use for the decree and possibly confirm Mr. Jensen's ownership of the right.

Mr. Jensen indicated he would advise the Department of his findings and requested we hold the file until the search was completed.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

September 8, 1980

RE: Application for Transfer of Water Right No. 27-0054

Ronald Jensen
Route #1, Box 375
Firth, ID 83236

Dear Mr. Jensen:

In the Department's letter of July 23, 1980, I indicated we would delay further action on your Application for Transfer of decreed Right No. 27-0054 allowing you the opportunity to provide varification of ownership for this right. We will continue this delay until September 22, 1980, at which time a recommendation for final action will be forwarded to our State Office. You should be aware that a favorable recommendation can not be made if you fail to provide proof of ownership for the water right.

If you have any questions concerning this matter, feel free to call or contact me at our Eastern Regional Office.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

cc: Mr. Ed Hall, Watermaster

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

copy
sent to
Bobbie

INITIAL REVIEW BY: JC

1. Right number 27-0054 Applicant Ronald Jensen
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other clarify actual right
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☐ Period of use *Not stated in decree*
 - b. ☐ Description of original point of diversion. *Not stated in decree*
 - c. ☐ Description of original place of use. *Not stated in decree*
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use. 6/9
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. *No change suggested*
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 27

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 5/20 Received on 6-4-1980
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☒ Deny
3. Conditions* See Proposed Memorandum Decision & Order.

4. By Ernest Carlson Date Jan 17, 1982

RECEIVED
JAN 26 1982



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 23, 1980

Ronald Jensen
Route #1, Box 375
Firth, ID 83236

Dear Mr. Jensen:

The Department has completed the initial processing of your Application for Transfer of decreed Right No. 27-0054 from Cedar Creek. However, prior to recommending final action it will be necessary for you demonstrate ownership of the right. This is usually accomplished by providing a copy of the warranty deed for the land the water right is appurtenant to, in this case the decree gave no land description for the right and your deed does not specifically mention it. Other evidence of ownership could consist of previous warranty deeds for your property which specifically mention the right or affidavits from previous owners testifying their use of the water. Water master records can also be valuable in establishing ownership of a right, unfortunately in this instance, Mr. Ed Hall, Watermaster, has advised the Department his records do not show you paying the assessment on this water.

To avert extensive delay in the processing of your application it is hoped you can give this matter prompt consideration.

Respectfully submitted,

ERNEST M. CARLSEN
Sr. Resource Analyst

EMC:kw

cc: Mr. Ed Hall, Watermaster

CONVERSATION MEMORANDUM

DATE May 26, 1980

FILE 27-0054

NAME OF PARTY Ed Hall

EMPLOYEE Ernest Carlsen

RE: Ed Hall, Watermaster #27, visited our office today concerning the above
Application for Transfer. He stated that according to his records, Ronald
Jensen has been paying the assessments on Right No. 27-0047 (Blackfoot River)
along with 27-0055 for water from Cedar Creek. The assessments on No. 27-0054
have been billed to Mr. Lloyd Stalworthy. Since there is no legal description
for the place of use on either 27-0055 and 27-0054 (both from Cedar Creek) there
is a question of why the assessments have been changed in the above manner. There-
fore, Ed has requested that both Ronald Jensen and Lloyd Stalworthy research
their warranty deeds in an effort to varify ownership of these rights.

Identification No. 27-054

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Ed Hall, watermaster of Blackfoot River,
of Water District No. 27, County of Bingham, State of Idaho,
whose address is Box 6 Firth, Idaho 83236,
have read the attached copy of the application for transfer of water right for
Ronald Jensen, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: My records show that the water of this

decree number is for a different land. I show that the #27-055

decree belongs to Ronald Jensen.

Dated at Firth, Idaho, this 3 day of June, 1980.

Edward Hall
(Signature)

RECEIVED

JUN 4 1980

Department of Water Resources
Eastern District Office



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

May 20, 1980

RE: Applications for Transfer of Water Right Nos. 01-0028 - Gaylen Christensen
27-0047 - Ronald Jensen
27-0054 - Ronald Jensen

Ed Hall
Box 6
Firth, ID 83236

Dear Mr. Hall:

Please find enclosed a copy of the above referenced applications and water master recommendation forms. Please review the applications and complete the forms, returning them to this office on or before June 9, 1980.

Thank you for your cooperation in this matter.

Very truly yours,

KAY WALKER
Secretary

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 27-0054

Notice is hereby given that Ronald Jensen, Firth, Idaho, has applied to the Department of Water Resources to clarify his rights on Cedar Creek tributary to the Blackfoot River. The rights sought to be clarified is evidenced by decree to George Monroe and John Lyon in case of Fred S. Stevens, et al. vs Eastern Idaho Water Co., et al. dated 8/1/1891 in 5th Judicial District Court, County of Bingham, and is evidenced as follows:

AMOUNT: 2.0 cfs

PRIORITY: 4/1/1884

DECREED POINT OF DIVERSION: Not specified in decree.

The water is used for irrigation purposes from April 1 to November 1 with the place of use not specified in the decree.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 2S, Rge. 38E, B.M., Bingham County to be used for the irrigation of 95 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; Twp. 2S, Rge. 38E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before June 9, 1980.

C. STEPHEN ALLRED

Director

Published in the Blackfoot News 5/22 & 5/29/1980.