

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 79576

Claim ID: 11-4045
Date Received: 3/1/23
Receipt No: P000043
Claim Fee: 25.00 By: MB

RECEIVED

MAR 01 2023

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Bruce W. Jensen Phone (385) 315-7833
Mailing address 429 S. Mars Way Salt Lake City, Utah Zip 8424
Street or Box City State
Email address (optional) bwjensen1982@msn.com
2. Date of priority: (Only one per claim) 06/01/1907 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) Snyder Creek
4. Location of point of diversion is: Township 12 S., Range 43 E, Section 30,
NW 1/4 of NW 1/4, or Govt. Lot _____ BM, County of Bear Lake;
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
SPRING BOX and pipeline To Point of use
at 571 Sawmill Road, Sharon, Idaho
6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic Use purposes from Jan 1 to Dec 31 amount 0.04 CFS
Month/Day Month/Day cfs () or AFY ()
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed 0.04 cfs () or AFY ()
8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Domestic use for one home

9. Location of place of use is: Township 12 S., Range 43 E, Section 30,
NW 1/4 of NW 1/4, Govt. Lot 1 BM, Parcel no. _____
If different than shown in Item 4
for (check one) **Domestic** (☒) **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Bear Lake County

11. Do you own the property listed above as place of use? Yes (☒) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

13. Remarks (include an explanation of the priority date selected):

Water from this spring has been used since 1907, see "claim to water right" signed by Reed Hymas 10 February 1976, water right number 11-09045. I acquired rights to 50% of spring 18 Sept 1991

14. Basis of claim (check one) Beneficial Use () Posted Notice () License (☒) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-07816

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4 attachments, 11 sheets

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Bruce W Jensen Date: Feb 27, 2023

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____,
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

Feb. 27, 2023

Idaho Department of Water Resources
325 East 600 South Suite 300
Preston, Idaho 83263-4921

RECEIVED

MAR 01 2023

IDWR/Preston

Enclosed are Two "Notice of Claim To A Water Right" forms for IDWR Number 11-07816. One is for a Priority date of 1907 and one for a priority date of June 25, 2015. INCLUDED with each form are copies of:

- (a) water Right License 11-07816
- (b) water Right #11-04045 (IDWR Print)
- (c) Bill of Sale for 50% of Water Right (011-04045)
- (d) Claim To Water Right dated 10 February 1976
Showing Beneficial use To 1907.

Also enclosed is a check for \$50.00
for the Two claims

Thanks

Bruce W. Jensen

4239 Mars Way

Salt Lake City, Utah 84124

Cell 385 315 7833

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 11-07816

Priority: June 25, 2015

Maximum Diversion Rate: 0.04 CFS

It is hereby certified that BRUCE JENSEN
4239 MARS WAY
SALT LAKE CITY UT 84124 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 25, 2015; and has submitted Proof of
Beneficial Use on October 23, 2015. An examination confirms water is diverted from:

SOURCE

SPRING

Tributary: SNYDER CREEK

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING L1 (SW1/4NW1/4NW1/4) Sec. 30, Twp 12S, Rge 43E, B.M. BEAR LAKE County

PLACE OF USE: DOMESTIC

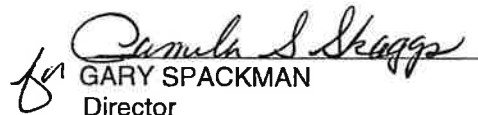
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	43E	30																	
								X											
								L1											

CONDITIONS OF APPROVAL

- Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- The domestic use authorized under this right shall not exceed 13,000 gallons per day.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 6th day of November, 2015.


GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment to Water Right License
11-7816

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

43E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.04 0.08 0.16 Miles



Idaho Department of Water Resources Receipt

Receipt ID: C101127

Payment Amount \$50.00 Date Received 10/23/2015 11:15 AM Region STATE
Payment Type Check Check Number 13610
Payer JENSEN, BRUCE W
Comments PROOF OF BENEFICIAL USE FOR 11-7816 IN THE NAME OF BRUCE W JENSEN

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	BENEFICIAL USE	56104	0229	21		1155



Signature Line (Department Representative)

Water Right Number - 11-04045

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
HYMAS

1 -
2 -
3 -

City- OVID

State- ID Zip- 83260

Phone -

Address -

Priority Date - 06/01/1907

Region - 15 EASTERN

Stage - S - STATUTORY CLAIM

Status -

Source - SNYDER CREEK SPRINGS

Tributary - EMMIGRATION CREEK

TwN Rng Sec Tract Lot RFLg County

12S 43E 30 NW NW 1 (7) BEAR LAKE

Code Description

01 - IRRIGATION

43 - DOMESTIC

Period From Period To

04/15 10/15

01/01 12/31

Water Use

Diversion Rate

Diversion Volume

0.540

0.500

0.040

Total Div. Rate -

Total Div. Volume -

Total Div. Capacity -

TwN Rng Sec Tract Lot Acres Code

Place of Use

Description

County

Total Acres: 25.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

SOURCES ARE SNYDER CK. & SPRINGS, TRIB. EMMIGRATION CK.

Conditions of Approval -

No Conditions of Approval found.

Decree Plaintiff -

Decree Defendant -

Decree Date - 00/00/0000

"THIS IS A LEGALLY BINDING CONTRACT.
IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE."

**EASEMENT AND CONVEYANCE OF 50% INTEREST IN WATER RIGHT
(WITH WARRANTIES)
AND BILL OF SALE**

KATHERINE HYMAS, a Widow, of 6584 U.S. Highway 36, Ovid, Idaho, the Seller, hereby conveys, transfers, warrants and sells to BRUCE W. JENSEN of 4239 Mars Way, Salt Lake City, Utah 84124, the Buyer, in exchange for TEN AND NO/100 DOLLARS . . . (\$10.00) and other valuable consideration, receipt and sufficiency of which is hereby acknowledged, the following described WATER RIGHT, EASEMENT RIGHTS, AND PIPELINE INTERESTS in Bear Lake County, Idaho:

1. An undivided one-half interest in the water rights connected with that certain spring located on Seller's Real Property, adjacent to home located at 571 Sawmill Road, Ovid, Idaho. Said spring being located in Lot 1, Section 30, Township 12 South, Range 43 East of the Boise Meridian, in Idaho. Said water right is referred to by the State of Idaho Department of Water Resources as "WATER RIGHT NUMBER 11-04045."
2. A Fifty Percent (50%) interest in the existing pipeline from the spring described in No. 1 above to the property at 571 Sawmill Road, Ovid, Idaho.
3. A perpetual easement to accomodate a water pipeline for use of the water from the spring described in No. 1 above and for the maintenance of said spring and pipeline.
4. A perpetual right of ingress and egress to the spring and pipeline described in No. 1 and No. 2 above. Ingress and egress to be by foot for inspection and minor maintenance purposes.

Seller, upon the consideration recited above, warrants ownership of and good title to the water right, easement and pipeline interest granted herein to buyer, and seller warrants that she has the right to sell and convey the same and that there are no liens, encumbrances, or charges thereon or against the

same and to defend the title and possession herein transferred to
buyer against all lawfull claims.

IN WITNESS WHEREOF, I have hereunto set my hand this 18
day of September 1991.

Katherine M Hyman
KATHERINE HYMAS

STATE OF IDAHO)
) ss.
COUNTY OF BEAR LAKE)

On this 18th day of September, 1991 before me, the
undersigned, a notary public in and for said state, personally
appeared KATHERINE HYMAS, known to me to be the person whose name
is subscribed to the within instrument, and acknowledged to me
that she 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.

Wayne Beck
Notary Public
Residing at: Ovid, Idaho
Commission Expires: 12/1/94



153132

BEAR LAKE COUNTY RECORDER
JOAN P. EBORN

'91 SEP 20 AM 9 25
Joan P. Eborn #6.00
DEPUTY FEE

IDAHO

Department of
Water Resources
Transfer Application Internet Mapping



[illegible]

Notice is hereby given that Robert A. Hyman et al (name of claimant)
of Orvid Idaho, (mailing address) claims a right to the diversion and beneficial use of

The extent and nature of said claim is as follows:

- Amount 1/2 of 1000 Use Frigate Period of Use: From May 13 To Oct 1
Amount 1/2 in pipe Use Katharina Period of Use: From Jan 1 To Dec 31
Amount _____ Use _____ Period of Use: From _____ To _____
(cfs, gpm (dom., irri., or a/f) stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 1.00 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 49 years since 1907

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 30 Twp. 12 North Rge. 43 East B. M. County of Dear Lake
 Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. _____

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

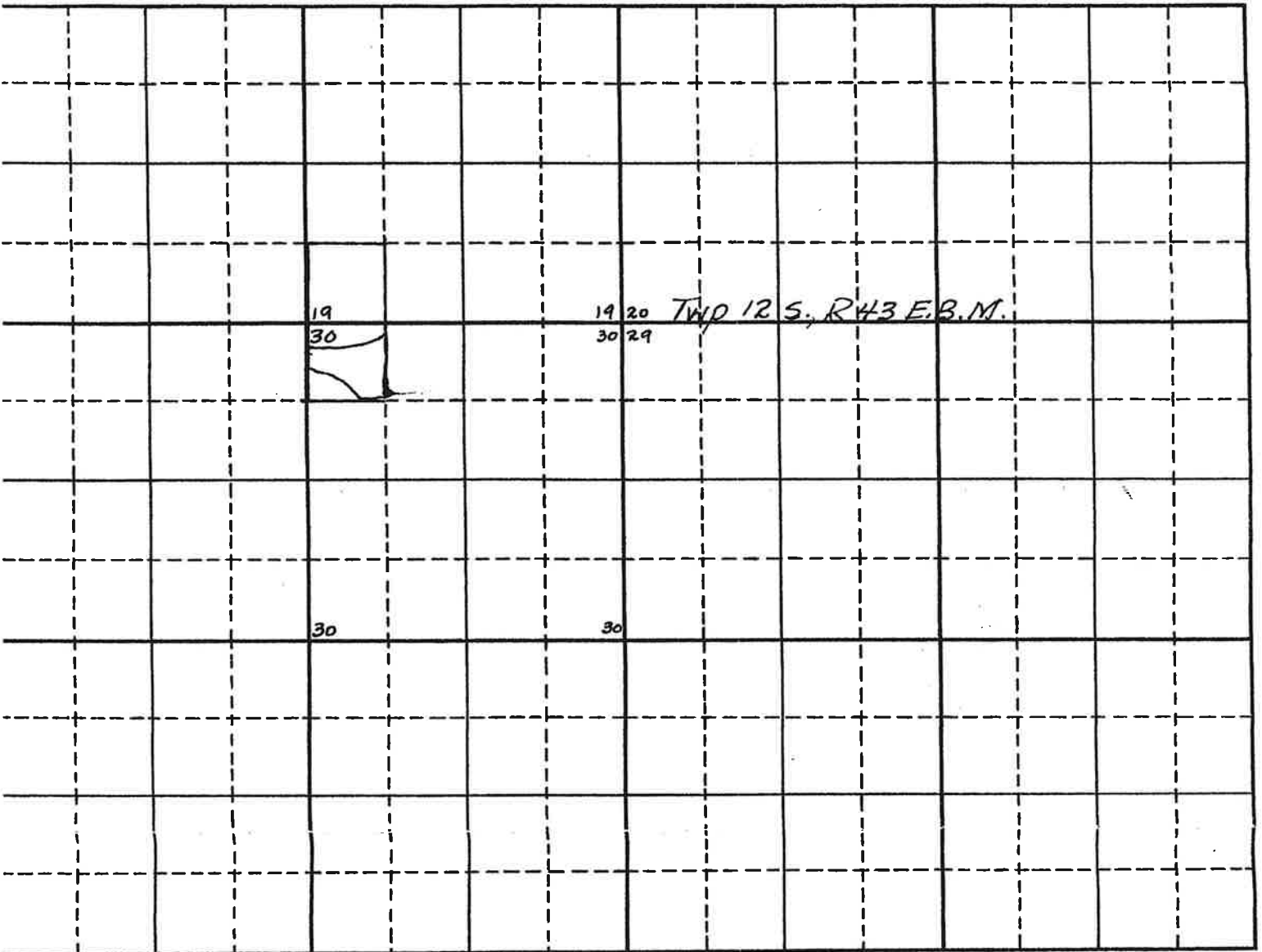
[illegible]

Total No. of acres 25

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: $\frac{1}{2}$ in
pipe at lower end of one small spring for house
Garden + Lawn. use

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



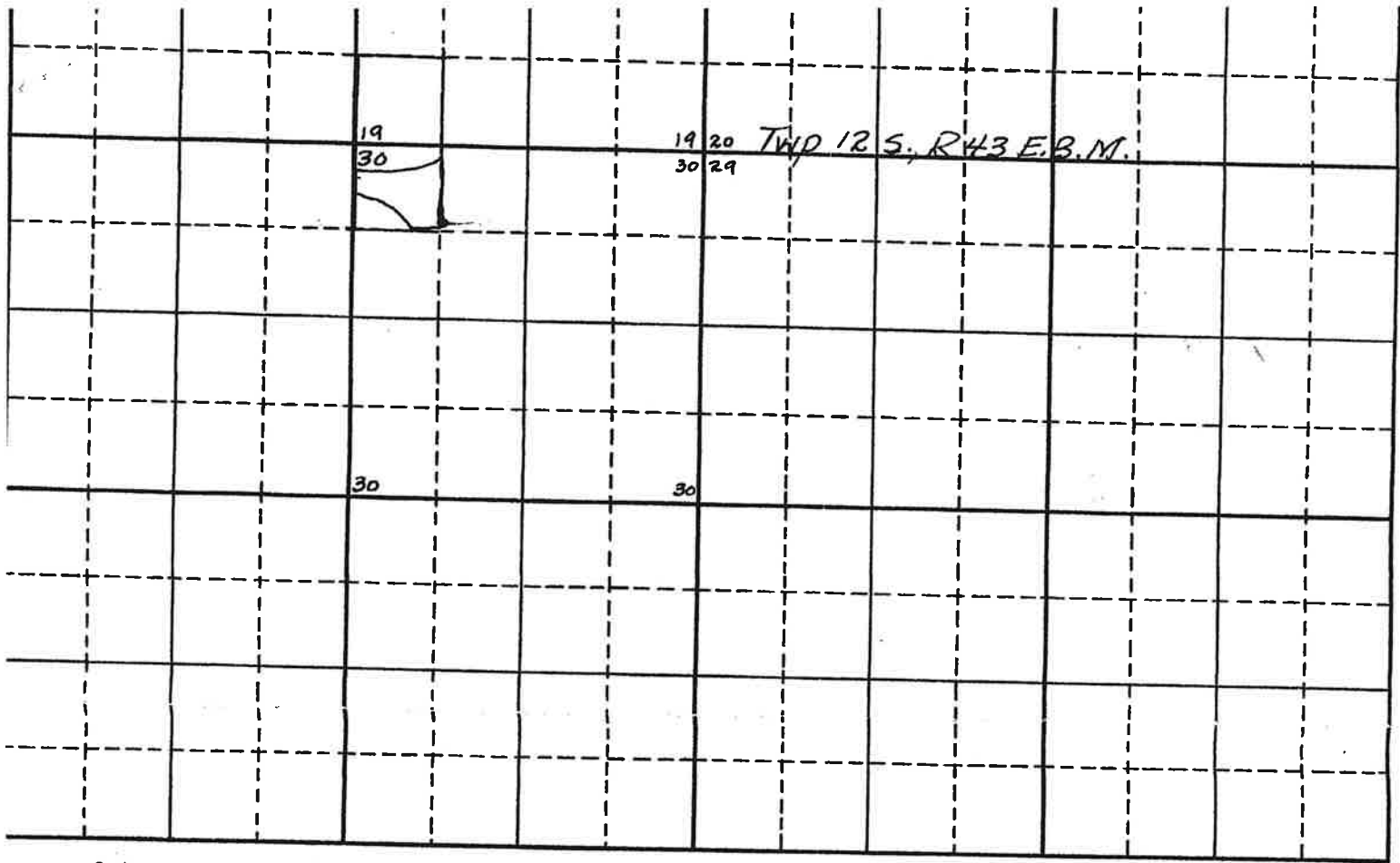
Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bear Lake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 10 day of February, 1976.
Rudolph J. Hyman
(Claimant)



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bear Lake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 10 day of February 1976.
Rud S. Hyman (Claimant)
Donald O. Peterson
Notary Public
Residing at Montpelier

My commission expires 8-23-77

For Department Use Only

Received by <u>me</u>	Date <u>2-11-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$10.00 fee received by	Date <u>2-11-76</u>			
Approved for publication by				
Published in				
Dates				