

**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
RECEIVED**

FEB 07 2025

CIVIL CASE NUMBER: 79576

Claim ID: 13-7816
Date Received: 2/10/25
Receipt No: P001859
Claim Fee: 25.00 By: MB

**IDWR/Preston NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of claimant(s) Jorgensen Cattle Limited Partnership Phone (208) 681-8122
Mailing address 1699 Lloyd Road, Bancroft, Idaho Zip 83217
Street or Box City State
Email address (optional) jorgensenkeith@gmail.com
2. Date of priority: (Only one per claim) August 14, 1957 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (☒) or Other (☐) (a) _____
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 10S, Range 40E, Section 5,
SE 1/4 of NW 1/4, Govt. Lot _____, BM, County of Caribou
Parcel no. 10S40E050001, 10S40E057201, and 10S40E058500
Additional points of diversion, if any: SWSE of Section 5, T10S, R40E
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.
Groundwater wells with electric pumps. See attached well driller reports.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Stockwater purposes from 11/01 to 04/30 amount 0.04 or 6.7

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 6.7 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Stockwater: 5,000 cows

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	40E	5														S	S		

Parcel no(s) 10S40E057201 Total number of acres irrigated N/A

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

11. Do you own the property listed above as place of use? Yes (☒) No (☐)
If your 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.
13-7010 or None (☐)

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

Priority date is based on decreed water right 13-7816 by Decree dated July 28, 1992, in the Matter of General Determination of the Rights to the Use of Surface and Groundwater in the Bancroft-Lund Area Civil No. 2919.

Attachments:

- IDWR Water Right Report for 13-7816.
- IDWR Map for 13-7816
- Map of current place of use and point of diversion.
- Well Driller Reports

Name of claimant(s) Jorgensen Cattle Limited Partnership Claim ID _____

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

Court Caribou District Decree Date July 28, 1992 Plaintiff v. Defendant In the Matter of General Determination of the Rights to the Use of Surface and Groundwater in the Bancroft-Lund Area

If applicable provide IDWR Water Right Number 13-7816 Civil No. 2919

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

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) _____ Date: _____

_____ 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 Jorgensen Cattle Limited Partnership
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) Thomas J. Budge, Attorney, will be acting as attorney at law on behalf of 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 PO Box 1391, Pocatello, Idaho 83204-1391, tj@racineolson.com

Name of claimant(s) Jorgensen Cattle Limited Partnership Claim ID _____

HOW YOU WILL RECEIVE NOTICES IN THE BEAR RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Bear River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Bear River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Bear River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Bear River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

<http://www.srba.idaho.gov/BRBA20.HTM>

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Bear River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Bear River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site <http://www.idwr.idaho.gov/> for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

[illegible]

 13-7816 Stockwater POD

 13-7816 Stockwater POU

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, BLI, EDL, IDWR

Close

Water Right Report : 13-7816(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	JORGENSEN CATTLE LTD PARTNERSHIP	1931 OLD HWY 30 PO BOX 547	SODA SPRINGS	ID	83276
Original Owner	SMITH, MARVIN	PO BOX 305	GRACE	ID	83241
Previous Owner	JORGENSEN, KEITH AND TERRY	1928 OLD HIGHWAY 30	BANCROFT	ID	83217
Previous Owner	JORGENSEN, TERRY C	1928 OLD HWY 30	BANCROFT	ID	83217
Security Interest	AXA EQUITABLE LIFE INSURANCE CO	C/O RABO AGRIFINANCE INC PO BOX 411995	ST LOUIS	MO	63141

Water Right Status

Priority Date : 8/14/1957
 Basis : Decreed
 Status : Active

Water Source

Source Source Qualifier Tributary Tributary Qualifier

GROUND WATER

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	10S	40E	5	0	NE	SW	SE	CARIBOU	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	11/01	04/30	0.04 CFS	6.70 AFA
TOTAL			0.04 CFS	6.70 CFS

Places of Use

Printable View Paged View

Place of Use Legal Description : STOCKWATER (CARIBOU county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
10S	40E	5		NW		SE	
10S	40E	5		SW		SE	

Conditions

Code Conditions

- R05 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. 13T.
- 01R When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
- 01P Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
- 205 The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates

Other Information

Licensed Date :	State or Federal :
Decreed Date : 7/28/1992	Water District Number : 13T
Permit Proof Due Date :	Generic Max Rate Per Acre : 0
Permit Proof Made Date :	Generic Max Volume Per Acre : 0
Permit Approved Date :	Civil Case Number :
Permit Moratorium Expiration Date :	Decree Plaintiff :
Enlargement Use Priority Date :	Decree Defendant :
Enlargement Statute Priority Date :	Swan Falls Trust or Nontrust :
Application Received Date:	Swan Falls Dismissed :
Protest Deadline Date:	DLE Act Number :
	Cary Act Number :
IDAHO DEPARTMENT OF WATER RESOURCES	Mitigation Plan: False

4/19/2023

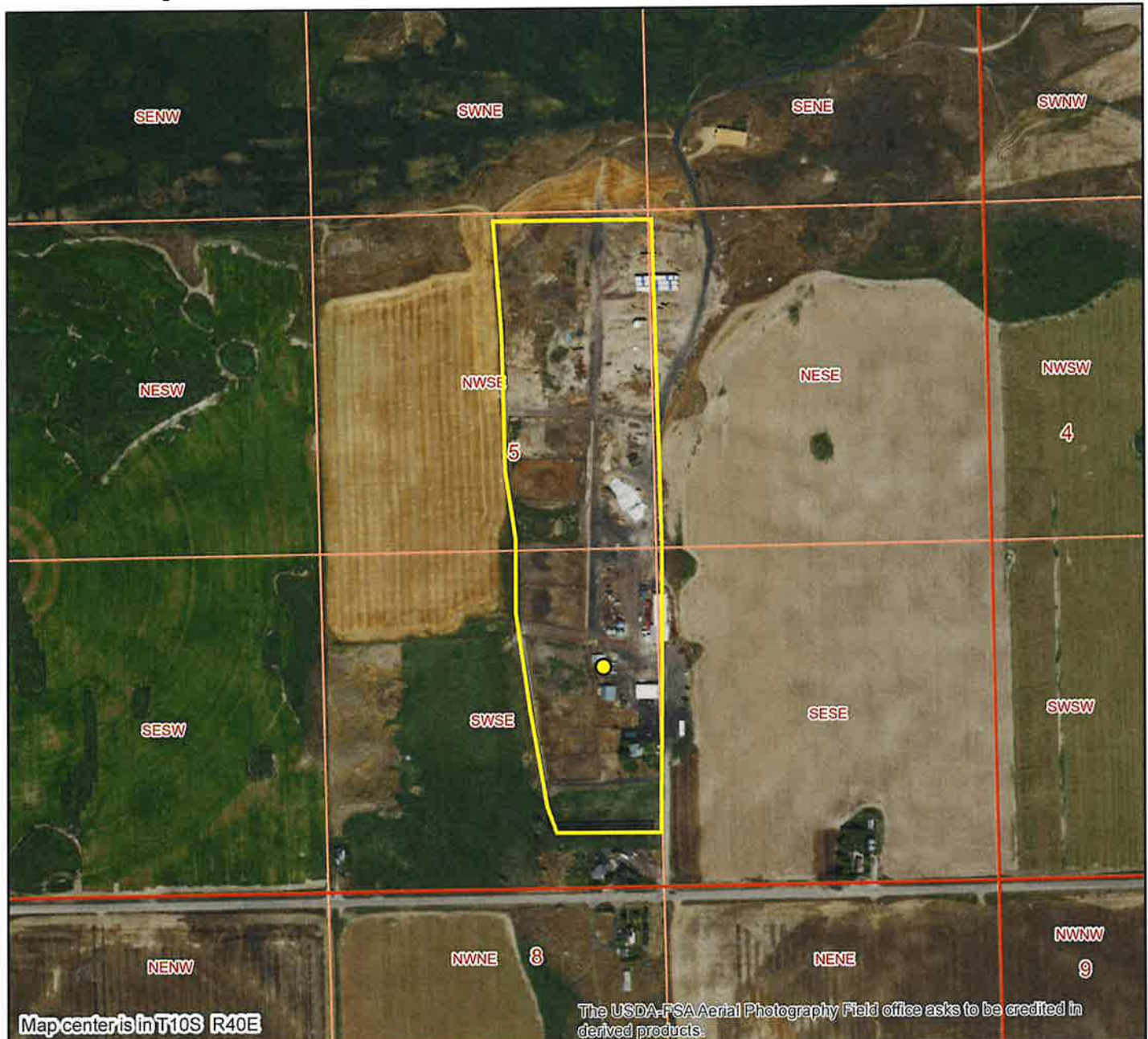
State of Idaho
Department of Water Resources

Water Right

13-7816

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/19/2023



Legend

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



Jorgensen Cattle Limited Partnership

RECEIVED
AUG 29 1969

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Everett Smith

Address Grace, Idaho

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other _____

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒

12 "Diam. from 0 ft. to 105 ft.

8 5/8 "Diam. from 1 ft. to 106 ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

Thickness of casing: 1/2 " Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of

perforator used: Torch cut

Size of perforations: 1/8 " by 5 "

106 perforations from 91 ft. to 105 ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐

Manufacturer's name _____

Type _____ Model No. _____

Diam. Slot size Set from _____ ft. to _____ ft.

Diam. Slot size Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☒

No. ☐ size of gravel 1/2 " Gravel

placed from 86 ft. to 105 ft. Surface seal

provided? Yes ☒ No ☐ To what depth?

20 ft. Material used in seal: Cement grout

Did any strata contain unusable water? Yes ☐

No. ☐ Type of water: _____

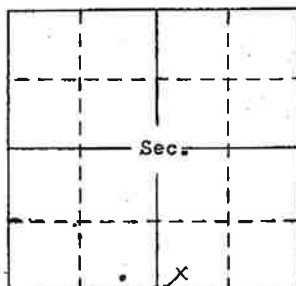
Depth of strata _____ ft. Method of sealing

strata off: _____

Surface casing used? Yes ☐ No ☒

Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Caribou

SE 1/4 SW 1/4 Sec. 5 T. 10 N. S. R. 40 E. M

SW 1/4 SE 1/2

Use other side for additional remarks

Size of drilled hole: 12 " Total
depth of well: 105 ft. Standing water
level below ground: 87 1/2 Temp.
Fahr. _____ ° Test delivery: 50 gpm
or _____ cfs Pump? ☐ Bail ☒
Size of pump and motor used to make test:

Length of time of test: _____ Hrs. _____ Min.

Drawdown: _____ ft. Artesian pressure: _____ ft.

above land surface _____ Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☐

DEPTH MATERIAL 43367 WATER

FROM TO YES OR NO

FEET	FEET		
0	15	Soil & broken lava	
15	31	Lava	
31	51	Lava, few cinders	
51	65	Lava	
65	80	Lava & soft spots (cinders)	
80	92	Lava & cinders	yes
92	97	First water	
97	102	Lava & cinders (water)	yes
102	105	Hard lava (water)	yes
105		Soft cinders	yes

Work started: 8/2/69

Work finished: 8/6/69

Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.

Name: Keith Hammett

Address: Montpelier Ida.

Signed by: Ivan Borst

License No. 57 Date: 8-27-69

069543

Department of Agriculture

WELL LOG AND REPORT OF THE STATE RECLAMATION ENGINEER OF IDAHO

 Permit No. G-37686 Well No. _____ County Caribou

 Owner Everett W. Smith

 Address Grace Idaho

 Driller Ivan Borty

 Address Grace Idaho

 Well location SE 1/4 NW 1/4 Sec. 5, T. 10 N. R. 40 E. 1/4

 Size of drilled hole 20" to 115" Reduced to 16"

Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

 Total depth of well 208 ft.

 Give depth to standing water from the ground 90 ft. Water temp. _____ °Fahr.

 On "Pumping Test" delivery was 1200 g.p.m. or _____ c.f.s. Drawdown was 74 feet.

Size of pump and motor used to make test _____

 Length of time of test 14 hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

 Water will be used for Irrigation

 Weight of casing per lineal foot 42.05

 Thickness of casing 1/4"

 Casing material Black steel pipe

(STEEL, CONCRETE, WOOD, ETC.)

 Diameter, length and location of casing 16" O.D. - Surface to Bottom

 (CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
16"	0	208	208	

 Number and size of perforations 860-1/4 x 3 located 90 feet to 184 feet from ground

 Date of commencement of well 2-21-59 Date of completion of well 4-14-59

105-40E-5 SENW

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	1	soil		
1	4	Hard Pan		
4	6	Loose Lava		
6	42	Crevaced lava (grey)		
42	50	" " (Brown)		
50	75	Hard lava, some cracks (grey)		
75	89	Cinders Red.		
89	95	Black cinders (using cement) first water at 90 ft.		
95	105	Porous black lava, losing cuttings	yes	yes
105	120	sand & some clay	"	"
120	125	yellow clay	no	"
125	134	Blue clay - yellow strips	P	"
134	149	Blue clay - white strips some gravel	yes	"
149	165	Blue clay with a couple of little gravel veins	"	"
165	175	White soft sandstone	P	"
175	185	Pea sized gravel & some sand	yes	yes
185	195	fine heavy sand	yes	no
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Ivan Borty

By _____

Dated 3-11, 1963

License No. 51

Well Location SE 1/4 NW 1/4 S5 T10 R40 E8 N7

WELL LOG

[illegible]

RECEIVED
APR 3 0 1959

Department of Reclamation

069545
IVAN BORTZ
DRILLING CONTRACTOR
DECLO, IDAHO

WELL LOG AND REPORT

Log No. _____
Rec. _____, 19____
Well No. _____
Permit No. _____

(DO NOT FILL IN)

Owner Everett Smith Driller Ivan Bortz
Address Grace Idaho Address Declo Idaho Lic. No. 51
Location of Wells: SE 1/4 22 1/4 Sec. 5, T. 10 N/S, R. 40 E/W Caribou County.
and _____ feet N/S, and _____ feet E/W from _____ corner of _____ 1/4 _____ 1/4 Sec. _____
Filing date _____
Water will be used for Irrigation Total depth of well 208
Size of drilled hole 20" to 115 then reduced to 16"
Thickness of casing _____ Casing material black steel pipe
Diameter, length and location of casing 16 O.D. surface to bottom
Number and size of perforations 860 located 90 feet to 184 feet
from surface of ground.
Other perforations: none
If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
If non-flowing well, give depth of standing water from surface 90 ft
On pumping test delivery was 1200 g.p.m. or _____ c.f.s. Drawdown was to 164 feet
Length of time pumped during check was 14 hr. _____ min. Water temp. _____ * Fahrenheit.
Date of commencement of well 2-20-59 Date of completion of well 4-14-59
Type of well rig cable tool

GENERAL INFORMATION - Pumping Test, Quality of Water, Etc.

Pumped several yard of fine sand for first 10 hr.
then cleared to practically no sand & only very
little clay collaring

13

TIMES-NEWS

103 - 40E - 5 SENW

WELL LOG

FROM Feet	TO Feet	TYPE OF MATERIAL	DRILLING TIME		Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
			Hours	Minutes		
0	1	soil				
1	4	hard pan				
4	6	loose lava				
6	42	crevassed lava (grey)				
42	50	crevassed lava (brown)				
50	75	hard lava some cracks (grey)				
75	89	cinders (red)				
89	95	black cinders (using cement) first water @ 90 ft				
95	105	porous, black lava losing cuttings			yes	yes
105	120	sand & some clay			yes	yes
120	125	yellow clay			no	yes
125	134	blue clay - yellow strips			?	yes
134	149	blue clay some white, some gravel			yes	yes
149	165	blue clay + a couple of little gravel veins			yes	yes
165	175	white soft sandstone			?	yes
175	185	pea sized gravel & some sand			yes	yes
185	195	fine bearing sand			yes	no
195	200	fine sand & enough clay to stop bearing			yes	no
200	203	coarser bearing sand			yes	no
203	206	sand, gravel, clay			yes	no
206	208	gray clay			no	no

The information above is correct and true to the best of my knowledge.

Signed Ivan Bort

By _____

License No. 51



RACINE OLSON

ATTORNEYS

February 6, 2025

RECEIVED

FEB 07 2025

IDWR/Preston

Idaho Department of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

**Re: Jorgensen Cattle Limited Partnership
Bear River Basin Adjudication Notices of Claims to Water Rights**

To whom it may concern:

Enclosed please find for filing the originals of three Notices of Claims to Water Rights filed on behalf of Jorgensen Cattle Limited Partnership, together with a check in the amount of \$176 for the filing fees, broken down as follows:

Claim 1 (13-7010): \$50 flat fee + \$6 for stockwater (\$100 per cfs x 0.06 cfs) + \$6 for domestic (\$100 per cfs x .06 cfs) + \$35 (\$1.00 per acre x 35 acres) = \$97

Claim 2 (13-7816): \$50 flat fee + \$4 for stockwater (\$100 per cfs x 0.04cfs) = \$54

Claim 3 (Domestic): \$25 flat fee

Total: \$176.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,


TESSA SPARROW
Paralegal

Enclosures

c: Jorgensen Cattle Limited Partnership