

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-02139
Date Received: 10/18/1988
Receipt No: E003274
Received By: SB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTIN A. JOHNSON 208-754-4290
Address: 231 N. 3600 E.
RIGBY, ID 83442
OR
Name: VIOLA L. JOHNSON 208-754-4290
Address: 231 N. 3600 E.
RIGBY, ID 83442

A2502139



2. Date of Priority: OCT 30, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	21	SE	NE	SE		JEFFERSON

5. Description of diverting works:
100' W/ 20 HP PUMP TO OPEN DISCHARGE INTO DITCH FOR FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.540		

7. Total Quantity Appropriated is:
1.540 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 192.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	21	NE	SE		IRR	40.0
Section Acres							40.0
Total Acres							40.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SHARES IN BURGESS CANAL

14. Remarks:
LAND IN NW SE HAS BEEN SOLD AND IS NO LONGER IRRIGATED FROM THE
WELL.

15. Basis of Claim: LICENSE
Water Right Number: 30277

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Martin A. Johnson Date: 10-18-88
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18 day
of October 19 88

[Signature]
Notary Public

Seal

NOTARY
PUBLIC

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

AJ0749NP
No. A25-02139

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/23/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VIOLA L JOHNSON 231 N 3600 E RIGBY ID 83442 (208) 754-4290	10/30/1961	IRRIGATION	04-01 11-01	1.540 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.540 CFS	192.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T04N R38E S21

SENESE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	:	NE	NW	SE	:	NE	NW	SE	:	NE	NW	SE	:	SUM
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04N	38E	21	:				:				:				:	40.0
TOTAL ACRES																40.0

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: SHARES IN BURGESS CANAL

Remarks: GEN LAND IN NW SE HAS BEEN SOLD AND IS NO LONGER IRRIGATED FROM THE
WELL.
OWNERSHIP CHANGED PER REQUEST/JC/5-23-00

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

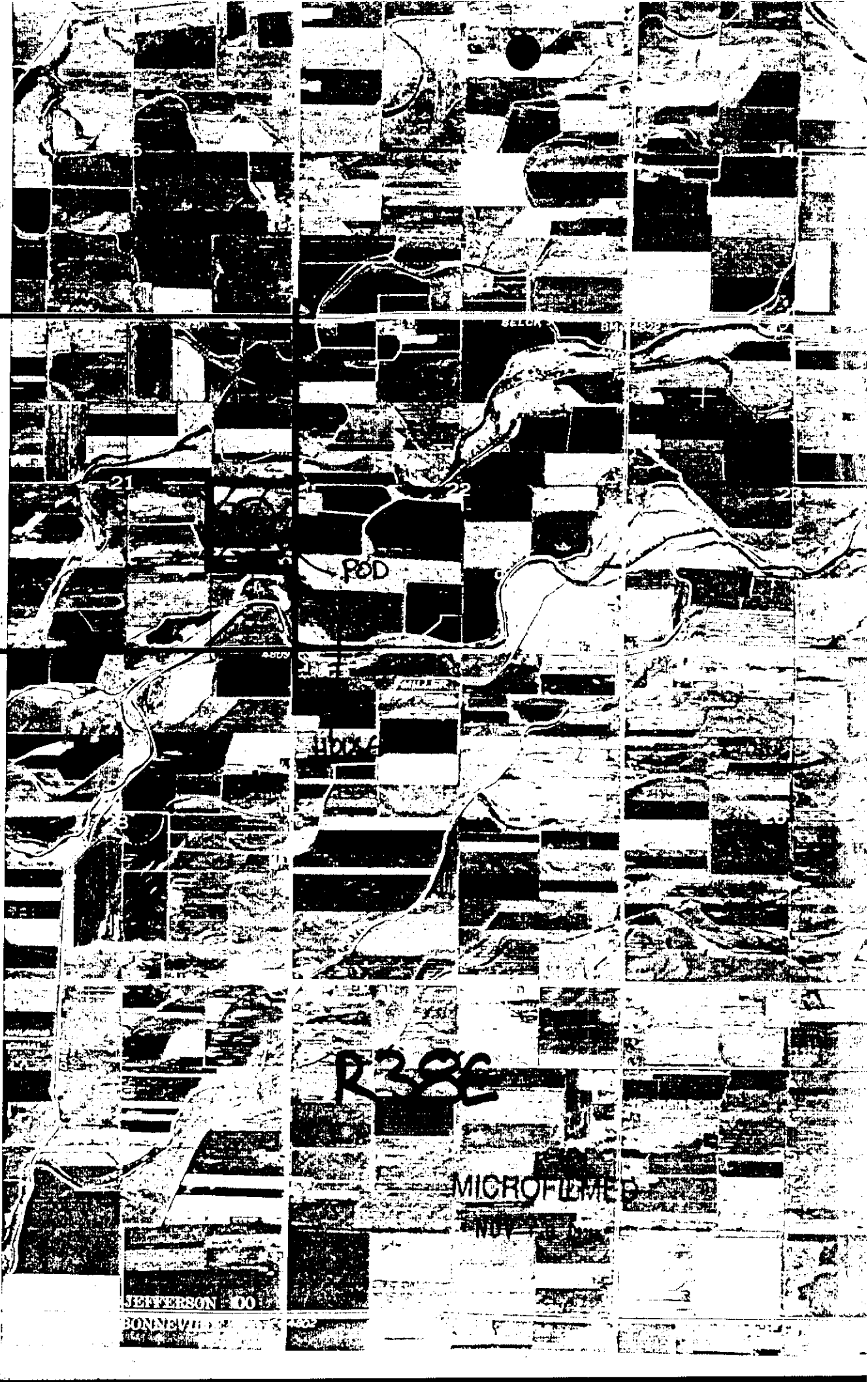
Field Inspection Flag:
Presumption Flag:

T
4
N

A25-02139

- 4N

- 3N



Log for claim 25-02139

Spatial Dynamics CAT

12/20/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
04n38e	21	NESE	40	40	
Totals:			40	40	

DATE: 10/26/00
PAGE: 59

Audit: 10/18/88 VERNER 03/29/95 POST-STD 05/23/00 JCRABTRE



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 2000

VIOLA L JOHNSON
231 N 3600 E
RIGBY ID 83442

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A25-02139

Dear Viola L. Johnson:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG
5/15/00

RECEIVED

MAY 15 2000

Department of Water Resources
Eastern Region

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A25 - 02139

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant

Martin A. Johnson
Viola L. Johnson

4. New Owner/Claimant(s)

Viola L. Johnson

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
231 3600 E

City, State and ZIP Code

Rigby, Ida. 83442

New Telephone Number

() _____

5. Date you acquired the property

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s)
or Claimant(s)

Viola L. Johnson

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: JANUARY 08, 1999

STATE FILE NUMBER: 98-08817

DECEDENT: MARTIN ALFRED JOHNSON

DATE OF DEATH: DEC. 29, 1998 PLACE OF DEATH: RIGBY, IDAHO
TIME OF DEATH: 4:45 A.M.

DATE OF BIRTH: MAR. 13, 1915 PLACE OF BIRTH: IDAHO

AGE: 83 YEARS SEX: MALE VETERAN? NO

MARITAL STATUS: MARRIED SPOUSE (MAIDEN): VIOLA SANDERS

SOCIAL SECURITY NUMBER: 518-09-3194 RESIDENCE: RIGBY, IDAHO

FATHER: MARTIN JOHNSON, JR.
FATHERS BIRTHPLACE: IDAHO
MOTHER (MAIDEN): ADELINE KERSHAW
MOTHERS BIRTHPLACE: UTAH

MORTUARY: ECKERSELL MEMORIAL CHAPEL
MORTICIAN: GLEN W. BENNETT

RIGBY, IDAHO
DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: LELAND K. (CHIP) KRANTZ II, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

PROSTATE CARCINOMA

4 YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: JANUARY 11, 1999

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 8, 2000

VIOLA JOHNSON
231 N 3600 E
RIGBY ID 83442

RE: CHANGE OF OWNERSHIP FOR A25-02139

Dear Ms. Johnson:

In order to remove Martin Johnson from the water right, we need a copy of the divorce decree or death certificate. These documents will be sufficient for the removal of his name.

If however you want a new spouses name added on the water right, we will need a copy of all the highlighted items on the enclosed NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP in addition to the divorce decree or death certificate.

So the two options are:

1) To remove Martin's name: Fill out the enclosed Change of Ownership form and provide a copy of the divorce decree or death certificate and return to our office.

2) To remove Martin's name and add a new spouse: Fill out the enclosed form, provide a copy of the divorce decree or death certificate, a copy of **all** highlighted items and return to our office.

*Note the deed must list the new spouse as an owner.

If you have any questions feel free to contact this office at (208) 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk
Adjudication Bureau

WATER LICENSE

Water License No. G-30277 Priority October 30, 1961 Amount 1.54 c. f. s.

THIS IS TO CERTIFY, that Martin Alfred Johnson
 of Rigby, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated October 30, 1961; that Permit G-30277 was issued pursuant
 to said application; that the proposed works were completed on or about 1962
 with a storage or carrying capacity of 1.54 c. f. s., said works consisting of well, pump,
motor, concrete diversion works and earth ditches; and that on October 18, 1966
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 269.5
 acre feet per season, with a maximum rate of diversion of 1.54 c. f. s. cubic feet per second of the waters
 of a well, tributary of subterranean flow
 for the purpose of irrigation from April 1 to October 31
 and for from to and for
from to and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in NE 1/4 SE 1/4, Sec. 21, T. 4 N, R. 38 E, B.M., and
other additional points, in the County of
Jefferson; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 269.5 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N	38 E	21													38	39			77

Total number of acres irrigated. 77

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

2nd day of October, 19 68.

R. Keith Higgins
 State Reclamation Engineer

25-2137

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38312
Permit No. G- 30277
District No.

1. Name of Applicant: Martin Alfred Johnson
Postoffice address: Rigby #1, Box 65 County: Jefferson State: Idaho
2. Quantity of water claimed: 80 inches or 1.6 c.f.s.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21
Twp. 4 N , Rge. 38 E , B.M., County of Jefferson
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Lin shaft turbine
8. Estimated cost of works: \$6,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
 - (b) Treasury stock: (c) Bonds to be issued:
 - (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 77 inches Burgess canal .
 - (a) 720 GPM (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

By _____ Agent.

Corrected application received:

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	
4 N	38 E	21				40 40	80
LICENSE ISSUED FOR 154 SEC. FI. LICENSE PAG: NO. 3227							

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30277

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Martin Alfred Johnson

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the N¹SE¹ of Section 21

T. 4 N R. 38 E County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same:

15 HP US ELEC MOTOR # 32 11 82 4

PEARLESS PUMP # 195576

8" DISCHARGE 10' INTO CONCRETE DIVERSION
WORKS - THROUGH EARTH DITCHES.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N¹SE¹, Sec. 21, T. 4 N, R. 38 E, B.M.

(77 ACRES)
(60 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: NO ONE HOME - A.F.S. HOBOR CONTACTED

SPARKING WATER USED

2 RE 195 Sec. 21 110" Q = 1.54 c.f.s.

This examination was made on the 27th day of Sept, 1957

(Signed) DR

Examiner.

30277

DW
Plat ✓

Martin Alfred Johnson *well, pump,*
Route #1 *gravity, ditches*
Rigby, Idaho *16" 100' H-26'*
Permit No. G-30277 *Q- 720gpm*

Examination for Completion of Works & Beneficial Use

County Jefferson

Sec. 21 T. 4N R. 38E

Quantity: 1.6 c.f.s.

Source: Subterranean

P.D.: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 4 N, R. 38 E, E.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: 77" Burgess canal

Filed: October 30, 1961

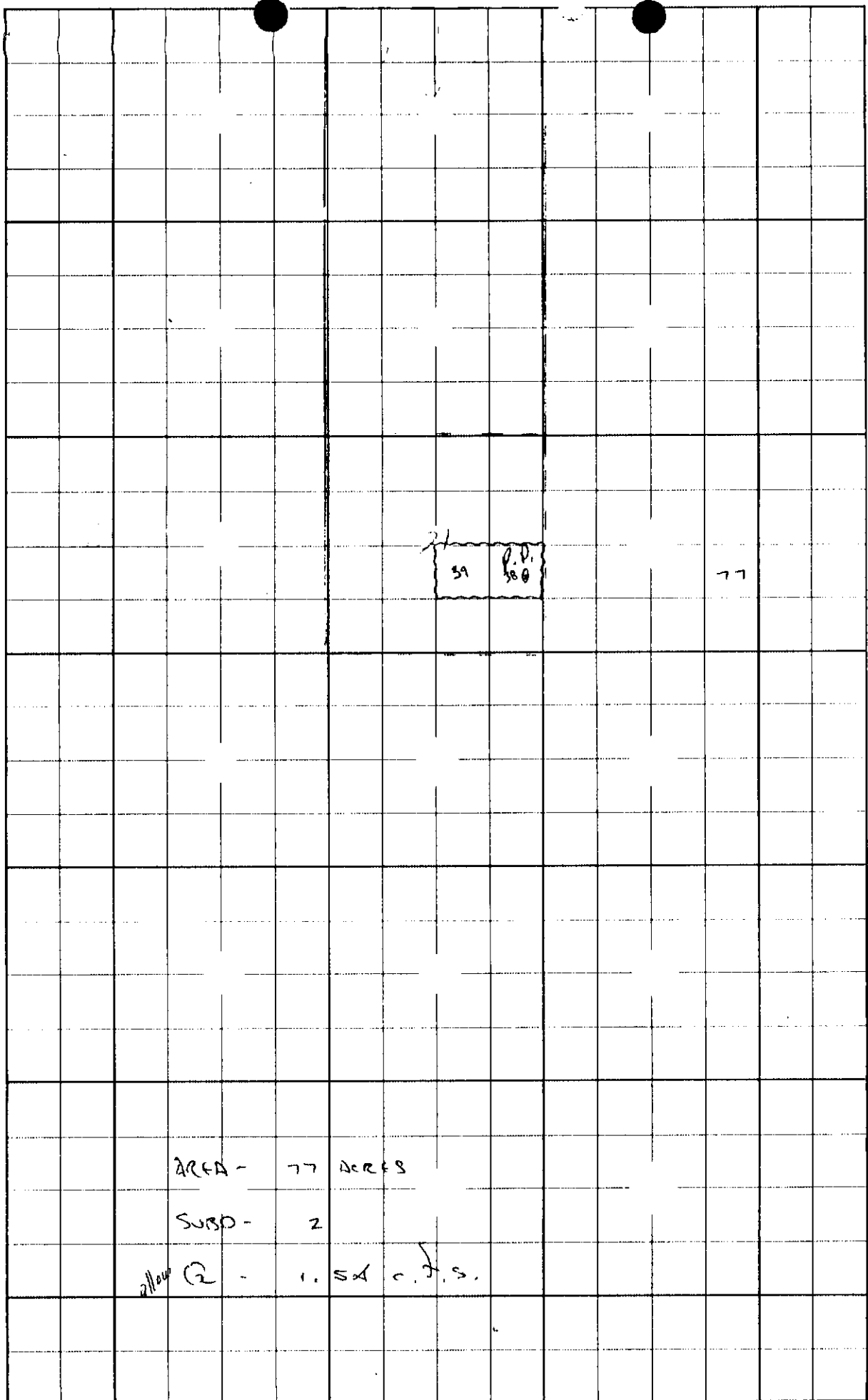
Due: November 3, 1966

Made: October 18, 1966

Priority: October 30, 1961

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

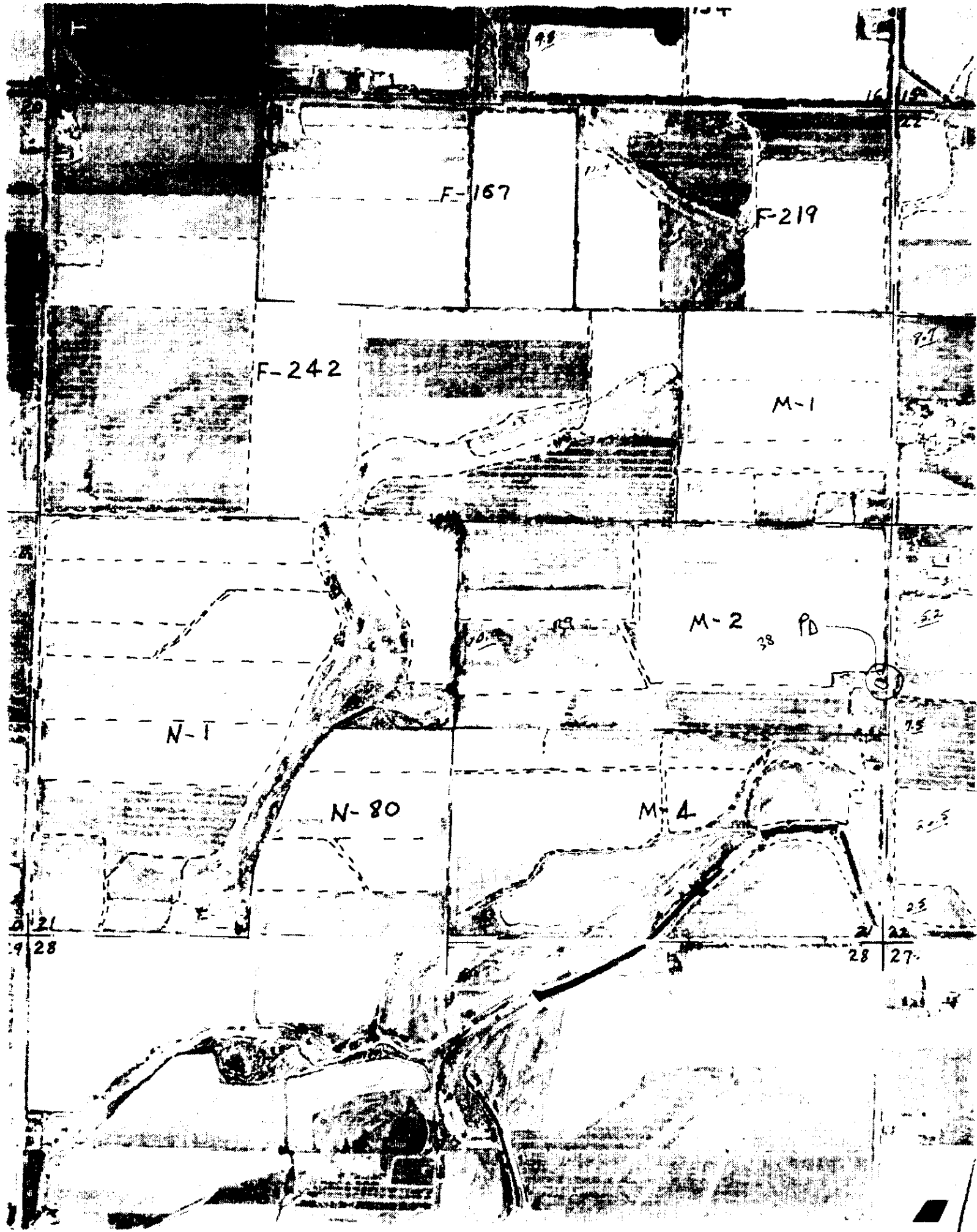
30277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30277

REPORT ON PROOF OF Completion of Works & Beneficial Use



30277