

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-04227
Date Received: 9/07/1989
Receipt No: E010177
Received By: _____NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW1. Name: E. BUD JOHNSON
Address: P.O. BOX 386
RIRIE, ID

208-538-610

83443

2. Date of Priority: OCT 01, 1956

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	19	SE	NE			BONNEVILLE

5. Description of diverting works:

WELL, 6" X 546' DEEP, 7.5 HP ELECTRIC PUMP, DISTRIBUTION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		
DOMESTIC	01/01	12/31	0.080		

7. Total Quantity Appropriated is:

0.110 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/3 HOMES, SINGLE OWNERSHIP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	19	SW	NE		IRR	0.7
			SW	NE		DOMEST	

A25-04227

Page 1

Date: 09/26/89

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A2504227

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	40E	19	SE	NE		IRR	0.5
			SE	NE		DOMEST	
						Section Acres	1.2
						Total Acres	1.2

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A25-04227Date Received 9-7-89 / goReceipt Number E010177

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) E. Bud Johnson Phone (208) 538-6101Mailing Address P.O. Box 386 - Ririe, Idaho Zip 834432. Date of Priority (Only one (1) per claim) October 1, 19563. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3 N. Range 40 Section 19,
SE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bonneville

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., 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.6" Diameter Well 546 ft Deepwith 2 1/2 Hp. phase Electric pumpAnd distribution System

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Culinary purposes from JAN 1 to Dec 31 amount 0.08 or _____

For Irrigation purposes from APR 1 to NOV 1 amount 0.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 3 single Family Dwellings (owns all three)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	RNG	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	
3	40E	19			7	5													1.2
					D	D													

Total number of acres irrigated 1.2

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:

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NOV 10 1992

Last Name JOHNSON Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Last Name Johnson Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 25-4227
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) E. Bud Johnson Date 9-7-1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 7th day of Sept 19 89

SEAL

Notary Public Betty J. Thompson

Residing at _____

My Commission Expires _____

Please Print Name

BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

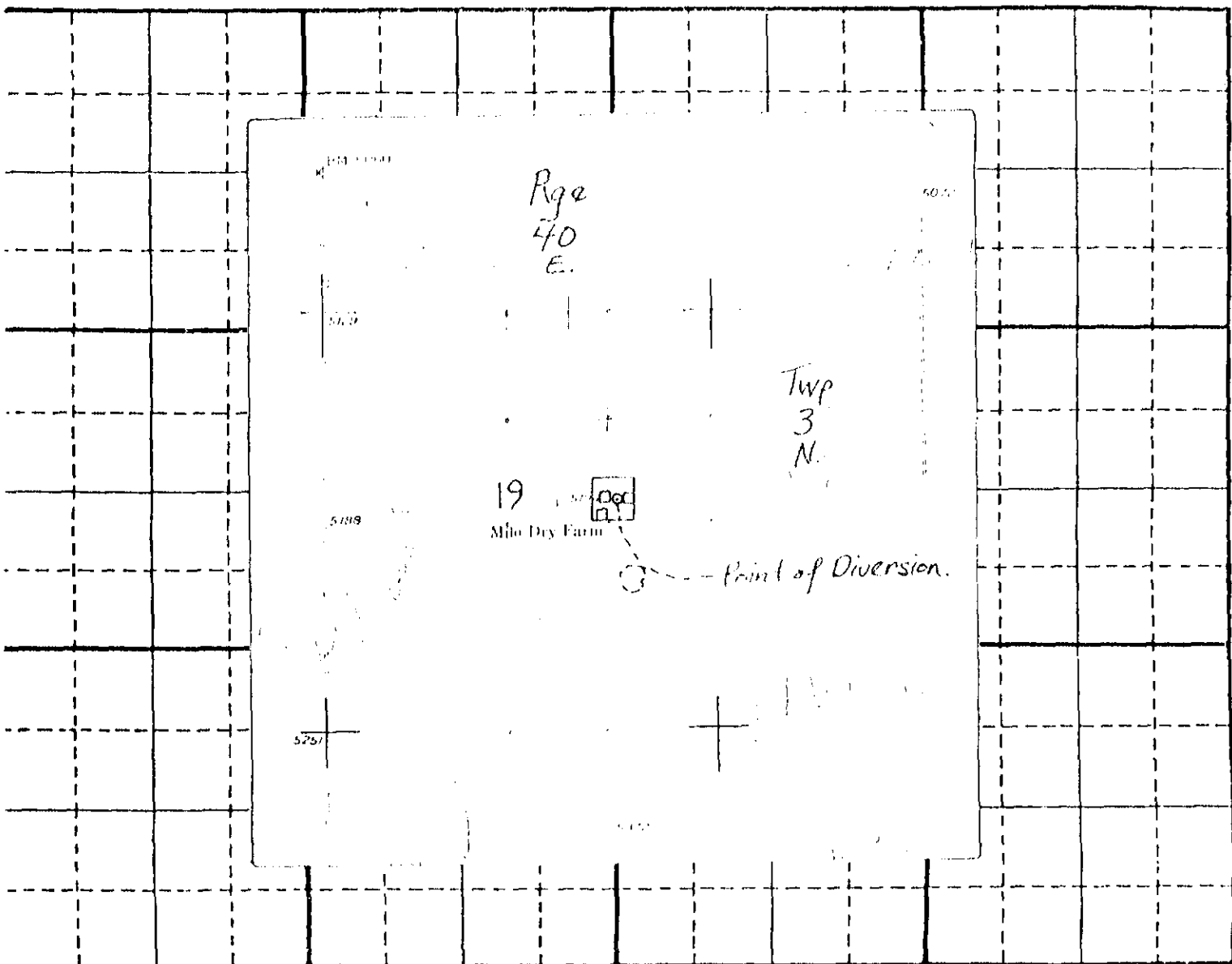
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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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

Bonneville

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 affiant's knowledge.

Sworn to before me this

17th

day of

June

E. Bud Johnson
(Claimant)

1983

Charles May
Notary Public

Residing at

Idaho Falls

My commission expires

6-15-85

FOR DEPARTMENT USE ONLY

Received by

EMC

Date

6-15-83

Exception filed by:

Forwarded to

Date

Prelim. check by

KEC

Date

6-15-83

claimant by:

\$30.00 fee received by

CW

Date

6-17-83

Published in

Idaho Register

Dates

7/28/83 - 8/4/83

Log for claim 25-04227

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n40e	19	SWNE	0.7	1.1	
03n40e	19	SENE	0.5	0.4	
03n40e	19	NESE	0	0.1	GCDB and photo are slightly offset
03n40e	19	NWSE	0	0.5	GCDB and photo are slightly offset
Totals:			1.2	2.1	

AJ5809NP
No. A25-04227

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 105

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E BUD JOHNSON PO BOX 386 RIRIE ID 83443 (208) 538-6101	10/01/1956	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.030 CFS 0.080 CFS	
TOTAL DIVERSION:					0.110 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R40E S19 SENE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM
03N 40E 19 :			.7	.5	:	:	:	:	:	:	:	:	:	:	:	1.2
TOTAL ACRES															1.2	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	
03N 40E 19 :			D	D	:	:	:	:	:	:	:	:	:	:	:	

POU County: BONNEVILLE

Non-Irrigation Uses: D/3 HOMES, SINGLE OWNERSHIP

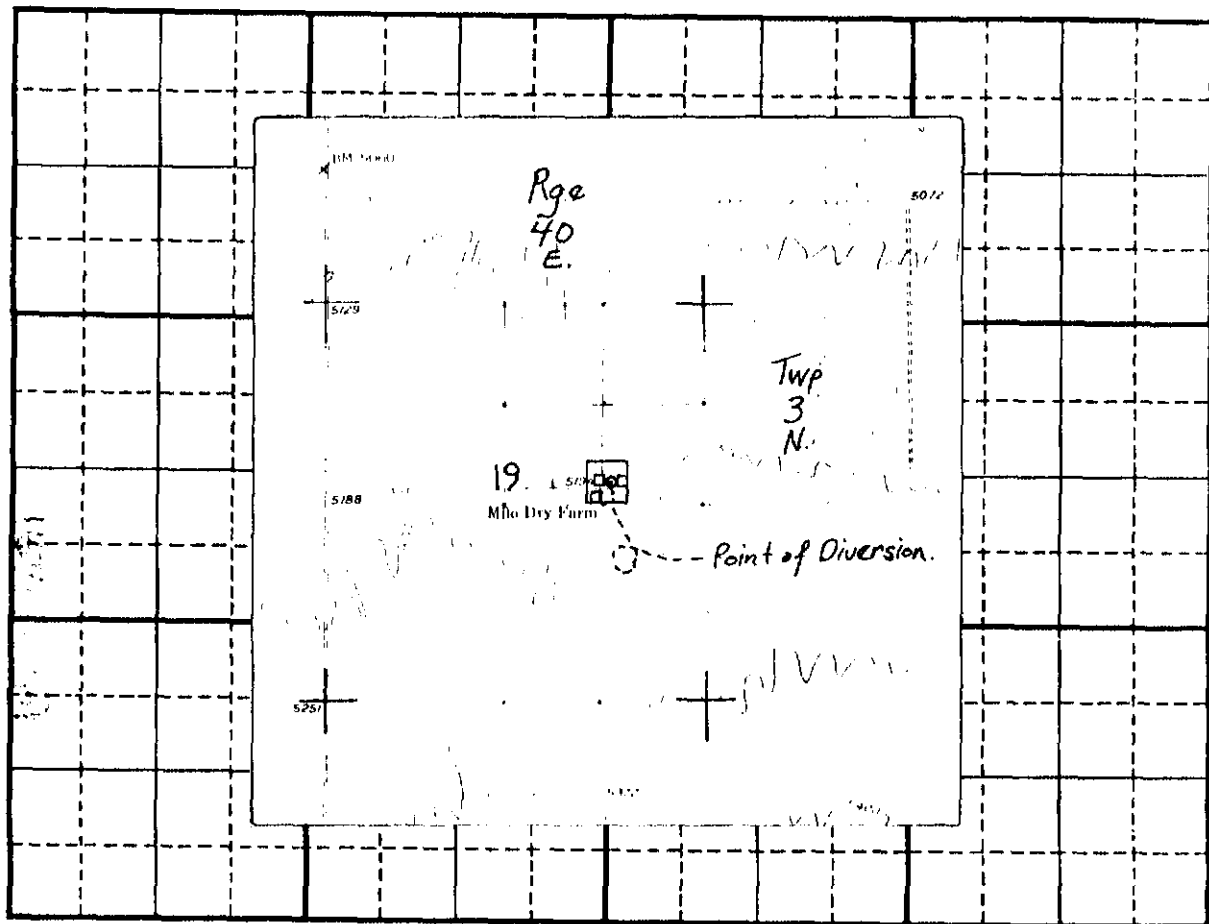
Other Rights: NONE

Dates: Exam Made Date: Verified Date: 02/13/1991 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 09/26/89 ESRBA 02/13/91 THOMPSON 03/29/95 POST-STD

(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 Bonneville) 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 affiant's knowledge.

Sworn to before me this 17th day of June

E. Bud Johnson
(Claimant)
1983

Callan Alkey
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by EMC Date 6-17-83 Exception filed by: _____ Date _____
Prelim. check by Raw Date 6-20-83
\$30.00 fee received by RW Date 6-17-83
Published in Post Register # 30924
Dates 7/88 to 8/4/83

RECEIVED

JUN 7 1991

E. Bud Johnson
P.O. Box 386
Ririe, ID. 83443

Department of Water Resources
Eastern District Office

June 6, 1990

Ernest Carlsen
State of Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID. 83402

Dear Sir:

As directed by the letter dated May 6, 1991, and for "Evidence of Priority", the well in question, located at T03N R40E S19, was established in the year 1956.

I purchased this ground in the year 1954 and moved to the headquarters for a farming operation that already existed. I established a yard and garden which is approximately 1.2 acres in size. The existing well was drilled in 1956 and services my personal residence, yard and garden.

The size of the yard and garden require a quantity of water exceeding that of a residential well. Therefore, my well must provide a larger CFS than a normal residence would demand.

My above stated testimony is the only available "Evidence of Priority" to establish a historical water right. Thank you for your cooperation.

Sincerely Yours



E. Bud Johnson

MICROFILMED
NOV 10 1992

4227
May 6, 1991

E BUD JOHNSON
PO BOX 386
RIRIE ID 83443

RE: **Evidence of Priority**

Dear Mr. Johnson:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by **June 6, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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NOV 10 1992

E Bud Johnson

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04227
E. BUD JOHNSON
P.O. BOX 386

RIRIE

ID 83443

MICROFILMED
NOV 10 1992

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

JOHNSON

CLAIM NO.

A25-04227

DATE RECEIVED

9/7/89

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code?

X

—

*

2. Is a priority date entered?

X

—

*

Is the priority date acceptable in view of mandatory filing dates?

X

—

*

See Adjudication Memos #1 and #4 to determine if a Permit is required.

X

—

*

3. (a) Is a source entered?

X

—

*

X (b) Is a tributary to entered? (if required)

N/A

X

—

—

*

4. Is the legal description of the p.d. sufficient?

X

—

*

5. Is there a description of the diverting works?

X

—

*

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

X

—

*

Is the period of use included?

X

—

*

Is a quantity claimed for each use?

X

—

*

7. Is a total quantity claimed entered?

X

—

*

X 8. If required is a consumptive use entered?

N/A

—

X

*

X Is the consumptive use correct?

N/A

—

—

*

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

X

—

*

10. Is (are) the place(s) of use and purpose(s) indicated?

X

—

*

11. Is (are) the county(ies) entered?

X

—

*

12. Is the ownership of p.u. checked?

X

—

*

X 13. Are other water rights listed or "none" indicated?

X

—

*

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

X

—

*

15. Is the basis of the claim indicated?

X

—

*

X 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

X

—

*

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

X

—

*

18. Has the claim been signed, sealed, and dated by a notary?

X

—

*

19. Was this claim filed on time, or was an extension granted?

X

—

*

20. Is the fee enclosed correct?

Exempt

X

—

*

X 21. If this claim is based on an existing water right, has the identification number been entered?

N/A

X

—

*

22. Should this claim be data entered?

X

—

*

Claim checked by:

TU

Date:

9/11/89

Claim must be returned to claimant:

(Yes) X (No)

Claimant must be notified of modifications:

X (Yes) X (No) CA

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

Modification letter CA NOT NEEDED - EAV

MICROFILMED
NOV 10 1992