

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: A29-02371
Date Received: 4/09/1990
Receipt No: ED12980
Received By: EV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MOUNTAIN VIEW FARMS, INC. 208-237-1885
Address: C/O GERALD JOHNSON
9112 W. TWO & ONE-HALF MILE RD
POCATELLO, ID 83202

2. Date of Priority: OCT 21, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	35E	30	NE	SW	NE		BANNOCK

5. Description of diverting works:
925'X18" WELL WITH 250HP MOTOR. HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.600		

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

8. Total consumptive use is 650.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	35E	30	NE	NE		IRR	30.0
			NW	NE		IRR	40.0

A29-02371

Page 1

Date: 04/09/90

A2902371



MICROFILMED

NOV 13 1992

10: Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	35E	30	SW		NE		IRR	40.0
			SE		NE		IRR	10.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	30.0
			SW		NW	2	IRR	30.0
			SE		NW		IRR	40.0

Section Acres 260.0

Total Acres 260.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-02049

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 26037

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of United States of America
Title

MT View Farming Organization that I have signed the foregoing

Organization _____
document in the space below as President of _____
3-1-6 _____
Title _____

Organization	Title
<u>MT View Farms Inc</u>	and that the statements contained in the

foregoing document are true and correct.

Signature of Authorized Agent

President - W. A. New Farm in
Title and Organization

April 9, 1990
Date

State of Idaho

County of Bonneville SS.

Subscribed and sworn (or affirmed) before me this 9 day

of April 19 90

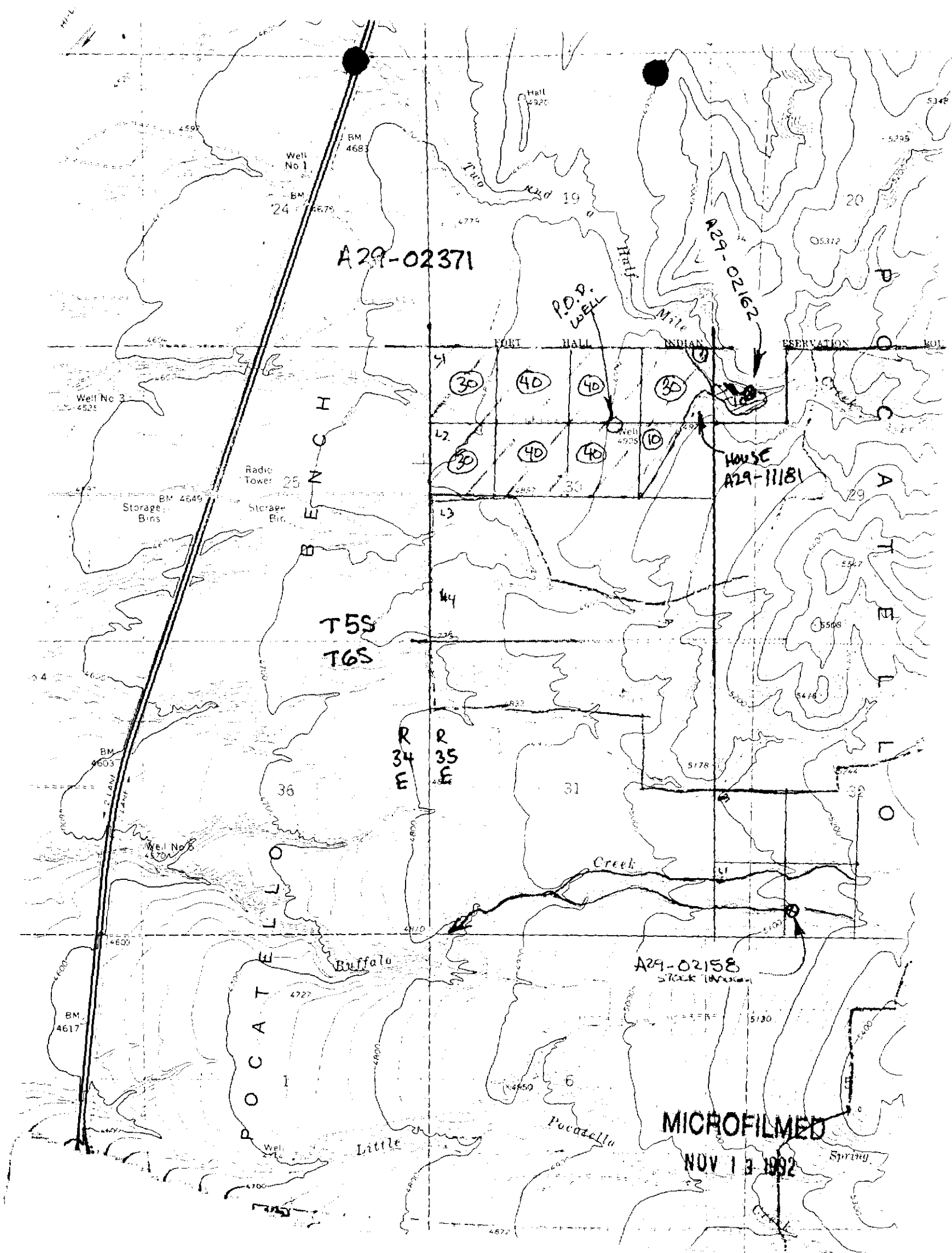
 this day
Notary Public

Seal

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Residing at MY COMMISSION EXPIRES 8-22-1974

My Commission Expires _____



Log for claim A29-02371

Spatial Dynamics LTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s35e	30	NENE	30	26	
05s35e	30	NWNE	40	40	
05s35e	30	SWNE	40	38	
05s35e	30	SENE	10	12	
05s35e	30	NENW	40	40	
05s35e	30	NWNW	30	36	
05s35e	30	SWNW	30	35	
05s35e	30	SENW	40	39	
Totals:			260	266	

AJ5809NP
No. A29-02371

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 52

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOUNTAIN VIEW FARMS INC C/O GERALD JOHNSON 9112 W TWO & A HALF MILE RD POCATELLO ID 83202 (208) 237-1885	10/21/1955	IRRIGATION	04-01 11-01	3.600 CFS	
					TOTAL DIVERSION:	3.600 CFS
					CONSUMPTIVE USE:	650.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R35E S30 NESWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM			
05S	35E	30	30		40		40		10		40	01-30	02-30	40							260.0			
																				TOTAL ACRES	260.0			

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-02049

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02049 A29-07431

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/11/90 VERNER 06/23/94 COX 03/29/95 POST-STD 04/13/00 CVANDERM

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

Permit No. G-26037This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant S. A. Johnson2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30T. 5'S., R. 35 E.B.M. County of Bannock

4. Describe works as they exist, giving dimensions and capacities of same: 800' x 24" 6" 238'
lift = 260' to 300' 8 to 9' high lateral 1/4" nozzle 60' pressure pump
main line is 12" 8" 6" 4" 250' deep from top of field
250' pipe U.S. 1054512 740' demand 2.3
Logan B. Furber (no number) Cutter Hammer Control panel 3' east
concrete floor 16' x 16' black sheet metal house open all sides

5. Water is used for: Irrigation6. 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):

NE $\frac{1}{4}$; NW $\frac{1}{4}$; Section 30, Township 5 South, Range 35 East, B. M. 320 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: _____

Ken Johnson along States water level has dropped considerably
was down 300' sunk air part time added 20'

This examination was made on the 8 day of Sept, 1959(Signed) E. H. Humphrey Examiner.

G-26037

S. A. Johnson
Rt. # 2 North
Pocatello, Idaho
Permit No. G-26037

Examination for Completion of Works &
Beneficial Use Proof

County Bannock

20-58-35E

Gr 6.4 a. 2.5

S. We!

P.L. = 50.15, 10.30, 7.50, 1.15

2.0 = 1.00 a. 1.0

File 65 2, 1255

100 21 1.0

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.

RECEIVED
SEP 2 1933
Department of Reclamation

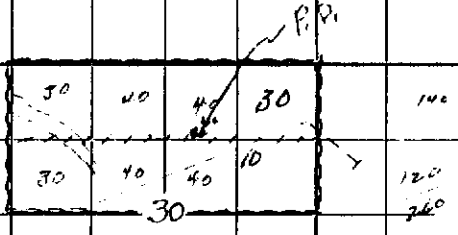
42 acres for 1st & 2nd

812

R-34E.

R-35E.

T.
5
S.



to location 25

Subdivisions - 8

Area = 260 acres.

allow 7 lines at 20' each = 130'

allow 40' pres. at angles 3.60 c/s.

130'

270 x 100 = 27000
450 x 60 = 27000

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26037

REPORT ON PROOF OF Completion of Works & Beneficial Use

Mr. S. A. Johnson
Rt. # 2 North,
Pocatello, Idaho

State of Idaho License and Certificate of Water Right

Water License No. G-26037

Amount 3.6 c.f.s.

Water District No.

Priority Oct. 21, 1955

THIS IS TO CERTIFY that S. A. JOHNSON of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 21, 1955; that Permit No. G-26037 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.6 second feet, was issued thereunder on October 2, 1959, showing that said works were completed on the 23 day of December, 1958; and that on the 23rd day of December, 1958,

S. A. JOHNSON

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-26037 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6768, on the 2nd day of October, 1959; The right hereby confirmed dates from October 21, 1955;

The Point of Diversion is located

In the NW 1/4 NE 1/4, Sec. 30, Tp. 5 S., R. 35 E., B. MBannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	35 E.	30	NE 1/4 NE 1/4	40	30
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	10
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	30
			SW 1/4 NW 1/4	40	30
			SE 1/4 NW 1/4	40	40
Total number of acres to be irrigated:					260

The right to the use of the water aforesaid 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, 1959.

GEO. H. CARTER

State Reclamation Engineer.

(SEAL)

29 2371

29-2371

INTS: JOHN HANSEN

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33912
Permit No. G- 26037
District No.

1. Name of Applicant: S. A. JOHNSON *Pl 2.71*
Postoffice address: North Pocatello [^] County: Bannock State: Idaho
2. Quantity of water claimed: 320 Miner's inches
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches 320 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, to be raised through a drilled well.
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30
Twp. 5 S , Rge. 35 E , B.M., County of Bannock
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: Drilled well to be cased and equipped with turbine pump & sprinkler system.
8. Estimated cost of works: \$ 16,000.00
9. (a) Is reservoir to be used? No
(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 five 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 on hand: \$
 - (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: None
 - (a) (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.

The water applied for in this application is to cover lands patented and for which there has not been water allocated in the past. Upon allowance of this application there is expected to develop the land for agriculture and thus make beneficial use of the water in accordance with the terms of this application.

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.

S. A. JOHNSON

Applicant.

By E. W. MIHELISH
Agricultural Services, Inc.
P.O. Box 627
Blackfoot, Idaho

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Oct. 21, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26037

Recorded in Book 92 Page 26037 Approved Oct. 21, 1955

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before December 21, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 21, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 21, 1960

Witness my hand this 21st day of October, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th day of October, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS, Secretary of State.
By PAULA L. FLEENOR, Deputy Secretary of State.

By ROBERT E. SMYLLIE, Governor

12.

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	
5 S	35 E	30	40	40	40	40	40	40	40	40									320
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-26037.																			
Comes now S. A. JOHNSON and represents to the State Reclamation Engineer of the State of Idaho:																			
That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26037.																			
That the point of diversion is described in said permit as being located SW 1/4 NE 1/4, Sec. 30, T 5 S., R 35 E., B.M.																			
That he now requests that the point of diversion be changed to a point located NW 1/4 NE 1/4, Sec. 30, T 5 N., R 35 E., B.M.																			
That the reason for desiring to make such change is as follows: More feasible well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Pocatello, Idaho, this 28th day of September, 1959 /s/ S. Albert Johnson																			
Date of receipt at Department of Reclamation: September 30, 1959																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26037. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			
/s/ GEO. N. CARTER State Reclamation Engineer																			

Recorded: October 2, 1959

Permit No. G-26037
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that S. A. JOHNSON, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. G-26037, issued upon Application No. G-33912 bearing date of priority of October 21, 1955, authorizing the diversion of 6.4 second feet of the waters of a well, County of Bannock, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.6 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW 1/4, Sec. 30, T. 5 S., R. 35 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

260 acres in N 1/2, Sec. 30, T. 5 S., R. 35 E., B. M.

Witness my hand this 2nd day of October, A. D. 1959

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: December 23, 1958

PERMIT ISSUED FOR 3.6 SEC. FEET
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