

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: A75-02066
Date Received: 4/19/1990
Receipt No: 100667
Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ZACH A. JOHNSON 208-756-2442
Address: P.O. BOX 769
SALMON, ID 83467
AND/OR
Name: ESTHER J. JOHNSON 208-756-2442
Address: P.O. BOX 769
SALMON, ID 83467

2. Date of Priority: MAR 08, 1920

3. Source: WARM SPRINGS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	28	SE	NW			LEMHI
		33	SE	NE			LEMHI

5. Description of diverting works:
HDGATE WITH DITCHES AND FLOOD IRR. STORAGE RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER STORAGE	01/01	12/31			150.00
STOCKWATER FROM STORAGE	01/01	12/31			150.00
IRRIGATION STORAGE	01/01	12/31			150.00
IRRIGATION FROM STORAGE	04/01	11/01			150.00

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

8. Total consumptive use is 225.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 150 HD BEEF CATTLE
A75-02066

Page 1

Date: 04/19/90

A7502066



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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	20	SE	SE		IRR	10.0
						Section Acres	10.0
		28	NW	NW		IRR	7.0
			SW	NW		IRR	8.0
						Section Acres	15.0
		29	NE	NE		IRR	25.0
			SE	NE		IRR	40.0
						Section Acres	65.0
						Total Acres	90.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
R-201/75-2163.

14. Remarks:
COMBINED A75-02066 AND A75-02163.

15. Basis of Claim: LICENSE
Water Right Number: 14592

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): Jack S. Johnson Date: 4-19-90

Date: _____

State of Idaho)
County of Lemhi) SS.

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

of April 19 90

John Del. Larson
Notary Public

Seal

Residing at Point IL

My Commission Expires 4/2/91

NOTICE

This Packet Contains Four (4) Separate Forms
Remove This Stub And Fill Out Each Form Separately

Form No. 42-1409 (2) a 1/88

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

Date Received

Receipt Number

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Zach J. Johnson Phone (808) 756-2442
Mailing Address Box 769 Hobbs Fork Zip 83407
2. Date of Priority (Only one (1) per claim) March 8-1990
3. Source of water supply (a) Hot Springs Creek
which is tributary to (b) Salmon River
4. a. Location of existing point of diversion is: Township 21 N Range 22 E Section 33,
NE 1/4 of NE 1/4 of 1/4, Govt. Lot, B.M., County of Lemhi
Additional points of diversion if any: Section 28 SW 1/4 NE 1/4
- 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.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Dec 1 to Nov 1 amount _____ or _____

For Stockwater purposes from Jan 1 to Dec 31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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.) Rented for grazing in the fall - may be as many as 150 head of cattle

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
		27	65																65
		28						15											15
		30															10		10

Total number of acres irrigated 90

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

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Permit No. 75-2163 with Amount of 150 AF for a Reservoir or None ()

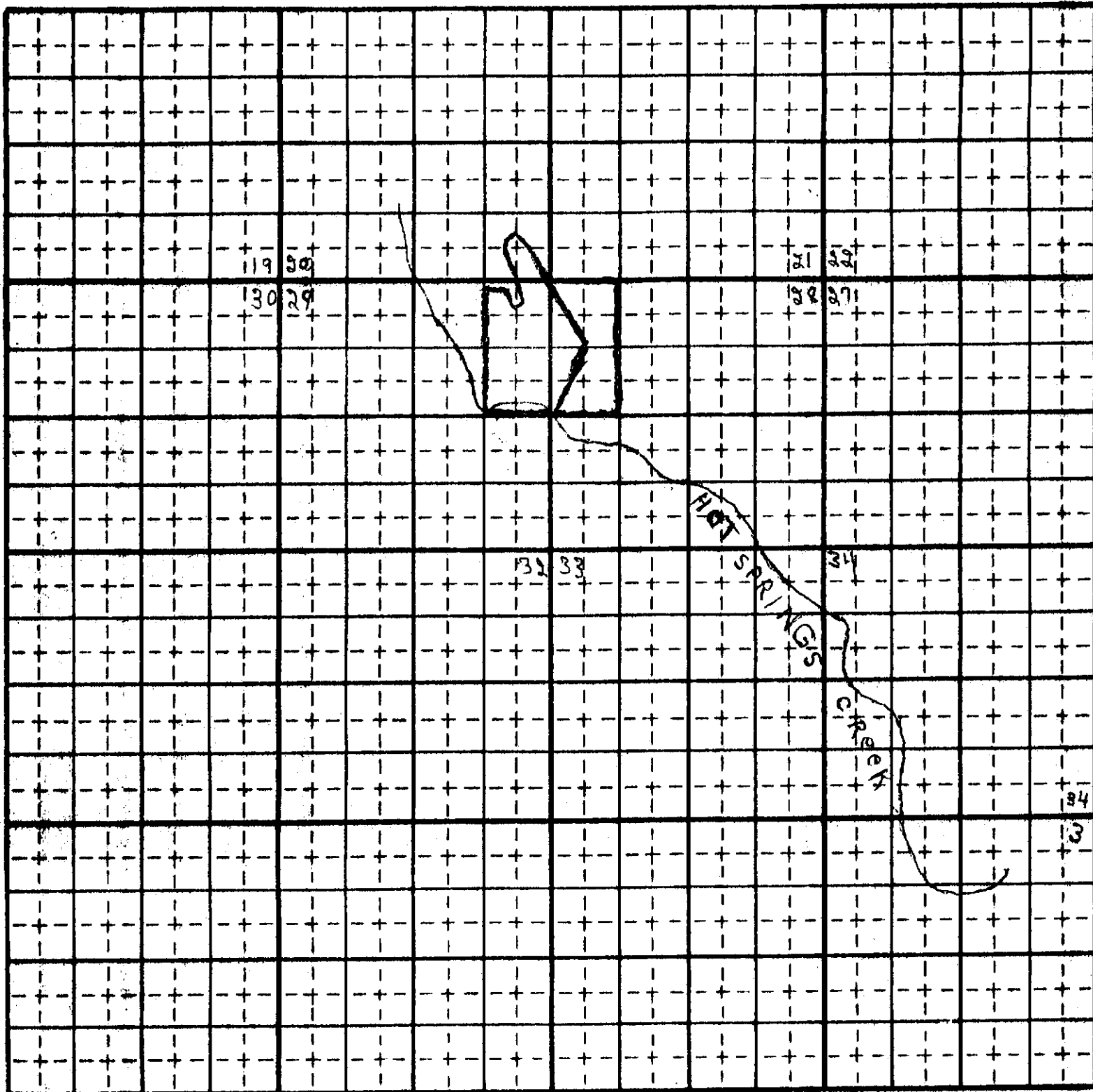
14. Remarks: Located in the SW 1/4 Sec. 21 T21N R. 22E - This is in conjunction with License No. 75-2066

Last Name _____ Ident No. _____

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License 75-8066 Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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)

Bach Johnson
Ether J. Johnson

Date 4-12-90

Date 4-12-90

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 Lemhi)

SS.

Subscribed and sworn (or affirmed) before me this 12th day of April 19 90

SEAL

Notary Public Kenneth Bittick

Residing at Salmon, ID 83467

My Commission Expires 4-26-94

Please Print Name

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 _____

Last Name _____ Ident. Number _____

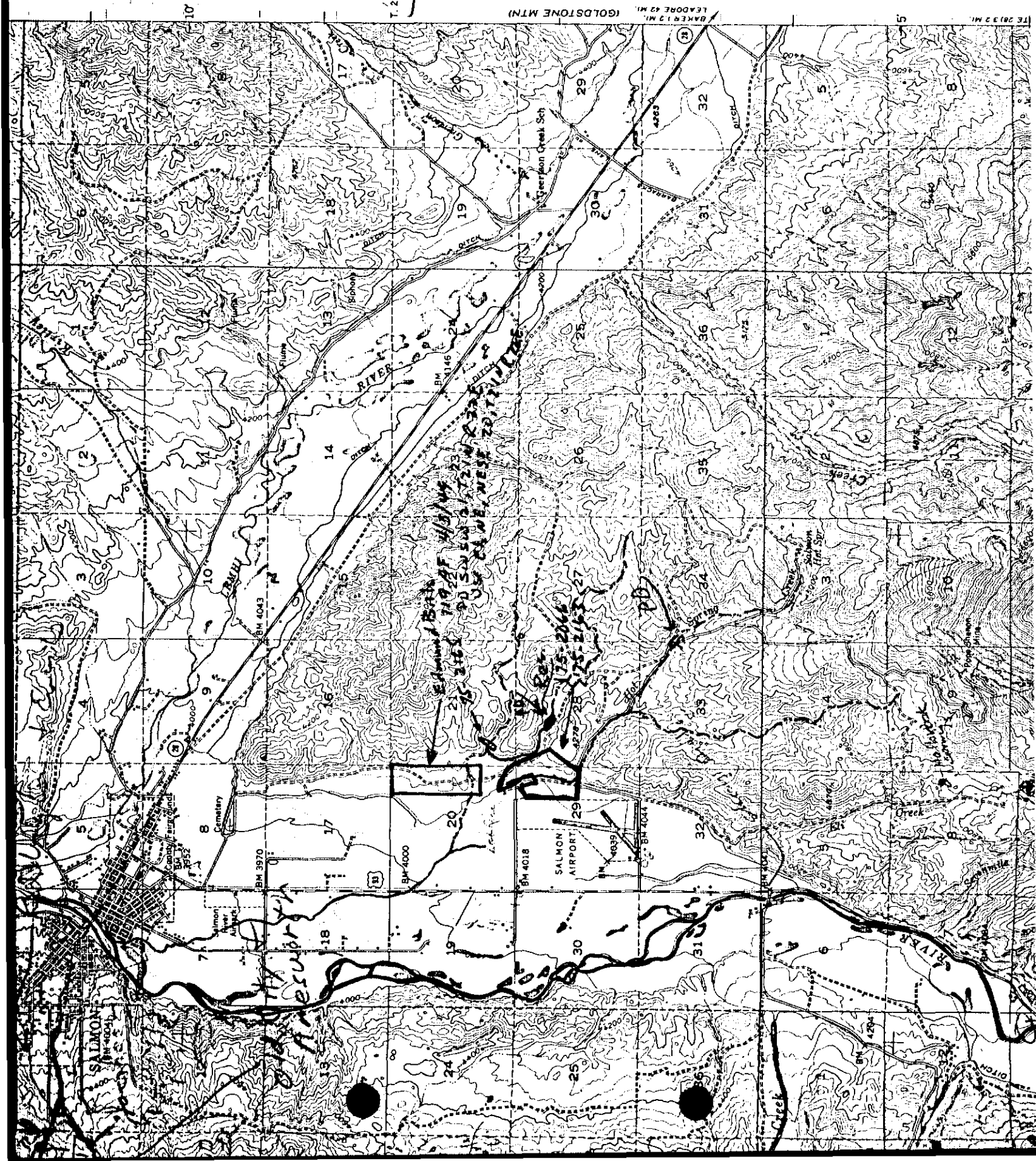
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Copies White-State, Yellow-Claimant

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T. 21 N. - R. 22 E.



THIS INDENTURE, Made this 4th day of June

in the year of our Lord one thousand nine hundred and eighty six

between LEE J. RICE and DOROTHY L. RICE, husband and wife

of Salmon County of Lemhi

State of Idaho the parties of the first part, and

ZACH A. JOHNSON and ESTHER A. JOHNSON, husband and wife

of Box 769, Salmon, County of Lemhi

State of Idaho the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

DOLLARS,

of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in Lemhi County State of Idaho, to wit:

A parcel of land located in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 28, Township 21 North, Range 22 East, Boise Meridian, Lemhi County, Idaho, more specifically described as follows:

Commencing at the Northwest Section Corner of said Section 28, a distance of 46.38 feet on a bearing of North 89°50'43" East along the North boundary of Section 28 to the REAL POINT OF BEGINNING.

Thence the following courses and distances along an existing fence:

South 49°12'50" East,	51.69 feet;
South 9°02'34" East,	270.50 feet;
South 15°19'58" East,	306.54 feet;
South 20°16'23" East,	179.70 feet;
South 31°52'08" East,	261.61 feet;
South 28°15'54" East,	180.70 feet;
South 26°40'27" West,	544.91 feet;
South 22°22'13" West,	1,099.53 feet;
North 89°35'28" East,	180.43 feet to the West

Quarter Corner of Section 28;

Thence North 89°32'60" East, 1,313.46 feet to the Southeast Corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 0°16'14" West, 2,641.96 feet to the Northeast Corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence South 89°50'43" West, 1,266.95 feet to the REAL POINT OF BEGINNING.

Said parcel contains 68.84 acres.

The above conveyance is made free and clear of all other encumbrances except: Rights-of-Way and easements, reservations in Federal patents and State deeds, or other restrictions imposed by law, building and use restrictions of record, building and zoning regulations and ordinances of any governmental unit.

This is a correction Deed to correct the description in that Deed dated June 22, 1983 filed for record as Instrument #167557 in the office of the Lemhi County Recorder at Salmon, Idaho.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Lee J. Rice
LEE J. RICE

[Seal]

Dorothy L. Rice
DOROTHY L. RICE

[Seal]

[Seal]

[Seal]

STATE OF IDAHO,

County of Lemhi

ss.

On this 4th

day of June

in the year 1986, before me

the undersigned,

a Notary Public

in and for said State, personally appeared

LEE J. RICE and DOROTHY L. RICE, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Fredrick Hughes Snook
Notary Public

Residing at Salmon Idaho.

180709

STATE OF IDAHO,

ss.

County of Lemhi

I hereby certify that this instrument was filed for record at request of Snook Law Office

at 2:20 minutes past o'clock P.M., this 6th day of June, A.D. 1986

in my office, and duly recorded in Book of at page

Alberta Wiederrick, Recorder

Ex-Officio Recorder.

By *William C. Adams*

Deputy

Fees, \$ 4.00 paid

Return to: Snook Law Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

October 18, 1976

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

R. Keith Higginson
Director

Zach A. Johnson, M. D.
P.O. Box 769
Salmon, Idaho 83467

525-7161

Dear Doctor Johnson:

I have been able to find the following water rights:

License No. 75-2066 issued to Chester G. Mathewson in the amount of 0.80 c.f.s. Priority of March 8, 1920. Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 21N, R. 22E. Place of use: NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres, Sec. 29, T. 21N, R. 22E.

Permit No. 75-2163 issued to Chester G. Mathewson in the amount of 150 AF for a reservoir located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 21N, R. 22E. This was proved up on in conjunction with License No. 75-2066. Priority March 8, 1920.

License No. 75-2165 issued to Edmund Bills in the amount of 119 AF. Priority April 3, 1949. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 21N, R. 22E. Place of use: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 120 acres, Sec. 20, T. 21N, R. 22E.

I have enclosed a map with the land description shown for the Bill's water right. The red bordered area is the land as described in the warranty deed. The water right for this is described in License No. 75-2066.

I do not know of any reason why you cannot exercise your right to the use of the water under the above licenses. I have also returned your copy of the warranty deed.

If I can be of further assistance, please feel free to contact me.

Very truly yours,



LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Enclosures

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WARRANTY DEED

DREW M. SAYER and LEONA SAYER, husband and wife GRANTORS
State of Idaho
of SALMON County of LEMHI
HEREBY CONVEYS, GRANTS and WARRANTS TO ZACH A JOHNSON and
ESTHER J. JOHNSON, husband and wife

of SALMON County of LEMHI
FOR THE SUM OF SIXTY FIVE THOUSAND DOLLARS, (\$65,000.00)

the following described tract(s) of land in Lemhi County, Idaho.

All of that certain real property located in Lemhi County, Idaho, more particularly described as follows, to wit:

A parcel of land located in the SE1/4SE1/4, Section 20; E1/2 NE1/4, Section 29; and the W1/2NW1/4, Section 28; all in T. 21 N., R. 22E., B.M., Lemhi County, Idaho, being more specifically described as follows:

Commencing at the Northeast Section corner of said Section 29 which is the REAL POINT OF BEGINNING a distance of 55.74 feet on a bearing of N. 89° 38' 25" E.;

Thence S. 47° 38' 30" E.; 30.53 feet;

Thence S. 9° 29' 56" E.; 270.56 feet;

Thence S. 15° 36' 26" E.; 313.15 feet;

Thence S. 20° 45' 13" E.; 172.74 feet;

Thence S. 31° 01' 21" E.; 442.85 feet;

Thence S. 23° 05' 34" W.; 1,671.31 feet to a point on the South Boundary of the NE1/4 of Section 29;

Thence N. 89° 25' 39" W.; 1,132.12 feet along said South Boundary to the Southwest corner of the E1/2NE1/4 of Section 29;

Thence N. 0° 36' 05" W.; 2,247.18 feet along the West Boundary of the E1/2NE1/4 of Section 29;

Thence N. 70° 45' 18" E.; 485.90 feet;

Thence S. 15° 04' 01" E.; 504.08 feet;

Thence N. 80° 21' 41" E.; 310.30 feet;

Thence N. 20° 36' 06" W.; 1,102.34 feet;

Thence N.; 13° 25' 07" W.; 220.03 feet;

Thence S. 72° 53' 53" E.; 469.27 feet;

Thence S. 47° 37' 47" E.; 552.92 Feet; to a point on the East Boundary of Section 20;

Thence South, 5120 feet along said East Boundary to the REAL POINT OF BEGINNING: said parcel contains 90.04 acres.

AND, ALSO: An easement for the purposes of ingress and egress over and to the above described property:

A strip of land 50.00 feet wide being 25.00 feet on both sides of the following described center line:

Commencing at the Northwest corner of the E1/2NE1/4 of Section 29, T. 21 N., R. 22E., B.M., a distance of 547.00 feet on a bearing of N. 89° 24' 52" E.;

Thence S. 19° 53' 31" E.; 317.52 feet;

Thence S. 33° 34' 12" E.; 125.38 feet;

Thence N. 31° 12' 28" E.; 87.07 feet;

Together with all improvements located thereon or appurtenant thereto.

ALSO: Together with all ditch and ditch rights appurtenant thereto, and also the following water and water rights: A use right to 50 acres of the above described property, which said use right is out of the Salmon River via a ditch to the above described property

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: 3956
Ident. No.

**ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly:

Name of claimant(s) Zach A. Johnson

Esther J. Johnson

Mailing Address
(including zip code)

Box 769

Salmon, Idaho 83467

Phone Number (208) 756 - 2442

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