

No Color
Documents
In File

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

RECEIVED

AUG 13 1992

Ident. Number: A57-10867
Date Received: 10/ 2/1991
Receipt No: W013734
Received By: _____

Department of Water Resources

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RAY K JOHNSON 208-337-3738
Address: RT 1 BOX 1099A
HOMEDALE ID 83628

AND/OR

Name: JOSEPHINE JOHNSON 208-337-3738
Address: RT 1 BOX 1099A
HOMEDALE ID 83628

2. Date of Priority: SEP 3, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	16	NE	NE			OWYHEE

5. Description of diverting works:
4" CASED WELL, 180' DEEP, REGULAR PUMP, PIPE TO HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES; STOCKWATER, 13 BEEF CATTLE.

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	16	NE	NE		DOMEST	
			NE	NE		STOCK	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
GEM IRRIGATION DISTRICT.

14. Remarks:
PARCEL NO. RP03N05W160449.

15. Basis of Claim: BENEFICIAL USE

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: _____

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): Ray K. Johnson Date: 8-10-92
Josephine Johnson Date: 8-10-92

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of August 19 92

Stephen R. Farny
Notary Public

Seal

Residing at Homedale

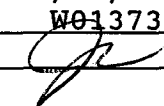
My Commission Expires 4-14-98

Copy 2.000. 300
New Document
1991

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: **A57-10867**
Date Received: 10/ 8/1991
Receipt No: W013734
Received By: 

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

1. Name: RAY K. JOHNSON 208-337-3738
Address: RT 1 BOX 1099A
HOMEDALE ID 83628

AND/OR

Name: JOSEPHINE JOHNSON 208-337-3738
Address: RT 1 BOX 1099A
HOMEDALE ID 83628

2. Date of Priority: SEP 3, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	16	NE	NE			OWYHEE

5. Description of diverting works:

4" CASED WELL, 180' DEEP, REGULAR PUMP, PIPE TO HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	03/01	10/31	0.020		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, TWO HOMES; STOCKWATER, 13 HEAD BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	16	NE	NE		DOMEST	
			NE	NE		STOCK	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
GEM IRRIGATION DISTRICT.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____

RECEIVED

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 SYSTEMCIVIL CASE NUMBER: 395
Identification No. A57-10867
Date Received 10-2-91
Receipt Number WD 13734NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) ^{OR} Ray K. and Josephine Johnson Phone (208) 337-3738
Mailing Address Rt. 1 Box 1099a Homedale, Idaho Zip 83628
- Date of Priority (Only one per claim) 9-3-1946 Month/Day/Year
- Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source
- Location of point of diversion is: Township 3 North Range 5 West B. M.
Section 16 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of Owyhee
Additional points of diversion if any: Beginning at the SW corner
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Well, 4" casing, 180' deep Regular pump, Pipe to house.
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from 1-1- Month/Day to 12-31- Month/Day amount .08 (cfs)
For Stockwater purposes from 3-1 (Both dates are inclusive) to 10-31 amount .02
- Total quantity claimed .1 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership and Number of livestock) Domestic - 2 Houses - Single ownership, stockwater, 13 Beef cattle

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department 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 Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will 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 claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department'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 other 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. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 3 North Range 5 West B.M.,
Section 16, NE 1/4 of NE 1/4, Govt. Lot _____, B.M., Beginning at
the SW corner
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.
(☒) None or None

14. Remarks: Irrigation water from
Gem Irrigation Company

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

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

Signature of Claimant (s) Josephine Johnson Date 9-25-91
_____ Date _____

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

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 _____ Date _____

Title and Organization _____

State of Idaho/or Idaho)

County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 25 day of September 1991

SEAL

Notary Public Barbara Davis

Residing at Homedale Idaho

My Commission Expires 2-17-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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It is very important that you inform the department 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 the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court 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 the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

JUL-20-1992

NOTICE OF ERROR FORM

RECEIVED

JUL 29 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: AUG-20-1992

1. Water right number: *57-10867*

2. Name: *Ray K. Johnson*
Josephine Johnson

Address:

Rt 1 Box 1099a Homedale, Idaho 83628

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Weekday Telephone Number:

Work - 337-3760

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TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Period of use - Stockwater

From	To
<u>03-01</u>	<u>10-31</u>

4. Describe the changes you wish to have made in the proposed recommendation:

Period of use - stockwater

From	To
<u>01-01</u>	<u>12-31</u>

5. Describe why you disagree with the proposed recommendation:

Because we may water cattle
all year round. Anytime they are in a
pen, we have to
water them.

6. Date:

July 26-92

SIGNATURE

Ray K. Johnson

OLD (D) NUMBER -

PHONE - 208-337-3738

OCT 08 1992

WATER RIGHT NUMBER - A57-10867

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 10/08/91 SHURTELL

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	10/02/1991	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	W013734	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	AND/OR	NOTICE OF ERROR FLAG	-	

RP 03N05W 160449

PROOF
OCT 20 1991

DATA ENTRY

ENTERED 11/6/91 cot
CHECKED 12/31/91 HJ

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
DWR Records

VERIFIED
NOV 03 1991

CERTIFIED
NOV 04 1991
WATER EXAMINER

MICROFILMED
OCT 08 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

October 15, 1991

Ray K. &/or Josephine Johnson
Rt 1 Box 1099A
Homedale, ID 83628

Dear Claimant(s):

We have received your Notice of Claim to a Water Right filed for property located in Owyhee County and have sent you the data entered copy of this claim numbered A57-10867 along with Receipt No. W013734 for the \$25 filing fee previously submitted.

This claim was filed as a result of the 2nd Round Commencement sent to you as a property owner in Owyhee County. The 1st Round Commencement Notice was sent to you on October 14, 1988, to file a water right claim for your Owyhee County property by March 1, 1989 for domestic or stockwater uses, or January 19, 1989 for all other uses. The 2nd Round Commencement Notices recently sent were to notify property owners who appear to have some irrigated land in Owyhee County and no claim has been filed in their name, that they **MAY** now need to file. This irrigated land may be covered by an irrigation district filing, however, a notice was still sent to insure that all property owner's who may use another source of water for irrigation have been officially notified to file. This also occurred if property was located within a city boundary. Even though all cities that have their own water system have filed, this notice was to notify those property owners who use their own well for various purposes that they **MAY** need to file also.

Idaho Code Section 42-1409(b) mandates that late fees are to be charged if a claimant was notified in the 1st Round Commencement Notice, did not file, then was again notified in the 2nd Round Commencement Notice and has now filed. The only exceptions to this late fee are claimants who were **NOT** notified in the 1st Round Notice or those filing a claim for instream stockwatering or for fire protection, which are uses for which a claim is not required. Our records show that you **DID** receive a notice in both the 1st Round and 2nd Round Commencement Notice mailings, therefore, a **\$50 late fee is now due, in addition to the filing fee already submitted, in order to file this claim.**

Please note that if you are filing a claim for domestic or stockwater purposes, there are special provisions that allow you to defer this filing as explained in the enclosed brochure. If you do decide to defer filing this claim, please complete the enclosed withdrawal of claim form and return it to this office. A refund of the filing fee paid will be made.

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OCT 08 1992

*Letter Receipt
wrong - Receipt
W013734 did
show a late
fee pd.
Claimant
10-21-91
review of error - well
sent copy to
Ken Sumner
10-21-91
JP*

CECIL D. ANDRUS

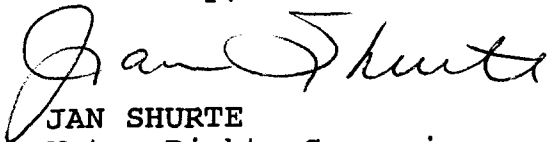
Governor

R. KEITH HIGGINS

DIRECTOR

Please submit either the \$50 late fee or the signed withdrawal of claim within 10 days from the date of this letter. If we do not hear from you within this 10 day period, either in writing or by telephone, we will assume you do not wish to file and this claim will be returned to you and your original filing fee refunded.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jan Shurte".

JAN SHURTE
Water Rights Supervisor
Adjudication Section

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OCT 18 1992