

Dave & Linda Johnson

PO Box 65
Post Falls, ID 83877

Phone: (208) 661-5136
Fax: (208) 765-5083

Transmittal

DATE: November 27, 2006

TO: Idaho Dept. Water Resources
322 E. Front St
Boise, ID 83720

RE: Claim # 78-12211

ATTN: Carter Fritschle

RECEIVED

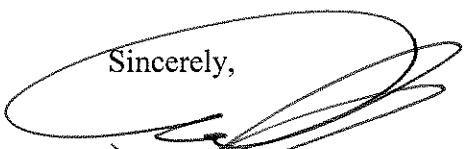
NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

MEMO: I am forwarding the attached information on behalf of myself Dave Johnson (claim 78-12211) and Steve Ferguson (claim 78-12212). We are using the diversion from Martin Creek that was installed by my Grandfather, Kenneth Johnson, back in 1960. This is used for irrigation of our pasture and hay fields. This property has been continuously farmed over the years and is currently leased to Stan Branstetter. Although my Grandfather used the water for both sprinkler and flood irrigation, we are currently using flood irrigation by piping (5") the water to two holding areas (upper property & barn area) and diverting via ditch and service pipe (3") to the different fields as needed. I have repaired and maintained the diversion throughout the years in order to continue proper irrigation. As I mentioned in our phone conversation, we have built a home on the property and will move there full time within a year. We would then continue farming this property indefinitely.

If you should have further questions, please call.

Sincerely,

FROM: 
David K. Johnson
208-661-5136

Olson

Ferguson



Lazy JK Ranch

Johnson

Marble Creek
River

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	A78-4129	✓			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s) David K. &/or Linda S Johnson
&/or Jeff &/or Kristine Bell
4. New Owner/Claimant(s) David K &/or Linda Johnson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Box 65
- City, State and ZIP Code Post Falls ID 83877
- New Telephone Number (208) 676-1061
5. Date you acquired the property August 4 2000

6

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A 78-4129</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.23 cfs</u>	<u>20 in NESE</u>
Stock	<u>.01 cfs</u>	
Domestic		
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	Date _____	WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Keith D &/or Glenna &/or Kenneth LeRoy &/or Ruth Johnson
320 E. 6th, N. Brigham City, Utah (Name of Claimant)
Star Rt., New Meadows, ID 83654 (Mailing Address) Telephone No. 347-2119 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July, 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Martin Creek tributary to Little Salmon River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity	<u>1.3 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>4/1</u>	To	<u>10/15</u>
Quantity	<u>.03 cfs</u>	Use	<u>Stockwater</u>	Period of Use From	<u>1/1</u>	To	<u>12/31</u>
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
(4)	<u>1.33</u>	TOTAL QUANTITY USED.					

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ Sec. 32 Twp. 20N Rge. 2E B.M., County of Adams
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Headgates & pipelines, gravity flow to ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	2E	31													20	32	40	18	110
																			110

No. of acres

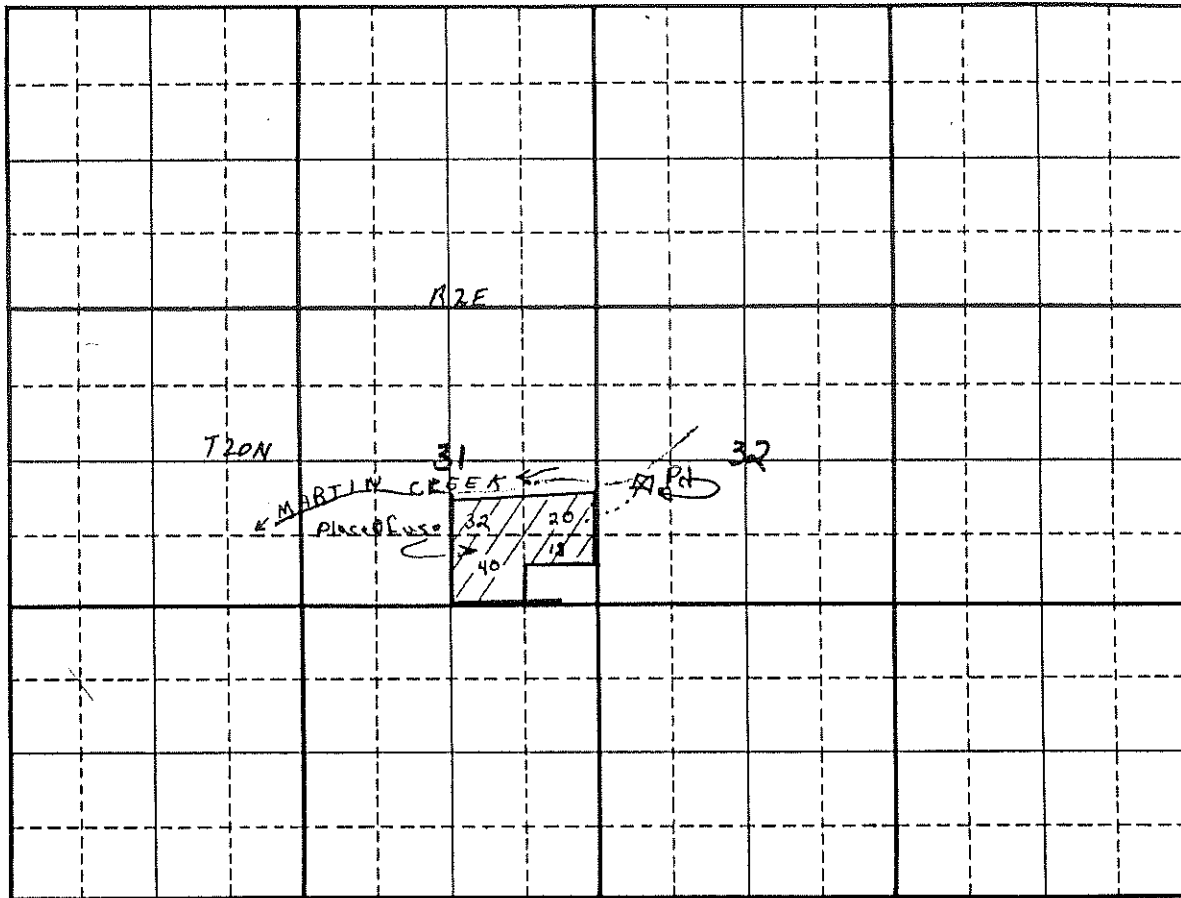
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater - 80 head Herefords

NOTE: Include here the type and number of stock watered: 80

- (7) If you are claiming water as a member of an organization, list name of organization:

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(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 Ada) 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 21 day of January, 1980.

Kirsh D. Johnson
(Claimant)

Karla Knecht
Notary Public
Residing at Boise, Id

My commission expires life

FOR DEPARTMENT USE ONLY

Received by CEB Date 21 July 80 Exception filed by: #15308
Prelim. check by 912 Date 1/31/80
\$20.00 fee received by Adams City Leader
Published in 1/31 & 2/1/80
Dates _____

Forwarded to _____ Date _____
claimant by: KIK 2/21/80

I Started using Sprinkler Pipe out of Martin Creek
July 1960 - 5" main line & 3" laterals on new seeding
that was put in by Charles Farrell

Signed
Kenneth Johnson

Witness Cecil C. Johnson

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	A78-7129 ✓				

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3. Name and Address of Former
Owner/Claimant(s)

David R. / or Linda S Johnson
/ or Jeff / or Kristine Bell

4. New Owner/Claimant(s)

Steven & Lynell Ferguson

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

447 Spring Wood Lane

City, State and ZIP Code

Idaho Falls ID 83404

New Telephone Number

(208) 529-4364

5. Date you acquired the property

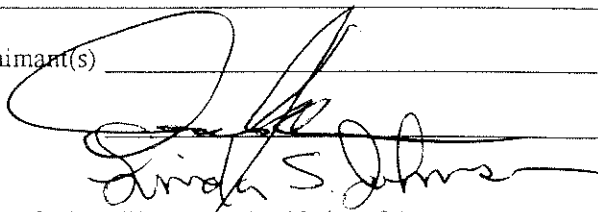
August 04 2000

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Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.69 cfs</u>	<u>58 acres in S 1/2 SE</u>
Stock	<u>.01 cfs</u>	
Domestic		
Other		
Total	<u>.70 cfs</u>	

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 Processed by _____ AJ Date _____ WR _____ Date _____