

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

Ident. Number: **A63-15212**  
Date Received: 4/17/1989  
Receipt No: C006357  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: MERYLE JOHNSTON 208-375-5347  
Address: 6316 COLONIAL CIRCLE  
BOISE ID 83709  
AND/OR  
Name: CLARA L JOHNSTON 208-375-5347  
Address: 6316 COLONIAL CIRCLE  
BOISE ID 83709  
AND/OR  
Name: BERNICE FISCHER 208-<sup>365-3439</sup>~~343-0816~~  
Address: ~~4903 BARBER LANE~~ *3888 No. Plaza Road*  
~~BOISE ID~~ *Emmett, Idaho* ~~83712-83617~~
2. Date of Priority: JAN 1, 1943
3. Source: SPRING Trib. to: MORES CREEK
4. Point of Diversion:  

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 06N      | 06E   | 10      | SW     | NW     | NW  |     | BOISE  |
5. Description of diverting works:  
PIPE
6. Water is used for the following purposes:  

|          |       |       |        |      |        |
|----------|-------|-------|--------|------|--------|
| Purpose  | From  | To    | C.F.S. | (or) | A.F.A. |
| DOMESTIC | 01/01 | 12/31 | 0.040  |      |        |
7. Total Quantity Appropriated is:  
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:  
D/1 CABIN WITH LAWN

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 06N      | 06E   | 10      | NW     | NW  |     | DOMEST |       |

11. Place of use in counties: BOISE

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: BENEFICIAL USE

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: A63-15212  
Date Received: 4/17/1989  
Receipt No: COO 6357  
Received By: KAT

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MERYLE JOHNSTON 208-375-5347  
Address: 6316 COLONIAL CIRCLE  
BOISE, ID 83709  
AND/OR  
Name: CLARA L. JOHNSTON 208-375-5347  
Address: 6316 COLONIAL CIRCLE  
BOISE, ID 83709  
AND/OR  
Name: BERNICE FISCHER 208-343-0816  
Address: 4903 BARBER LANE  
BOISE, ID 83712

2. Date of Priority: JAN 01, 1943

3. Source: SPRING Trib. to: MORES CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 06E   | 10      | SW     | NW     | NW  |     | BOISE  |

5. Description of diverting works:  
PIPE

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 CABIN WITH LAWN

A63-15212

Page 1

Date: 04/17/89

MICROFILMED

AUG 24 1992

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 06N      | 06E   | 10      | NW NW      |     | DOMEST |       |

11. Place of use in counties: BOISE

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: 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: 0

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): ☒ Margie Johnston Date: ☒ 4-17-89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 17th day  
of April 19 89

Helen Harrington  
Notary Public

Seal

Helen Harrington, Notary Public  
Residing at Boise, Idaho  
Residing at \_\_\_\_\_  
My Commission Expires December 1, 1994  
My Commission Expires \_\_\_\_\_

-----  
RIGHTS FROM: SOURCE: SPRING TRIBUTARY: MORES CREEK  
-----

RIGHT NUMBER: 63-15212

NAME & ADDRESS: BERNICE FISCHER  
3888 N PLAZA RD  
EMMETT ID 83617  
  
MERYLE JOHNSTON  
CLARA L JOHNSTON  
5277 KOOTENAI ST  
APT 223  
BOISE ID 83705-2679

SOURCE: SPRING TRIBUTARY: MORES CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 01/01/1943

POINT OF DIVERSION: T06N R06E S10 SWNNW Within BOISE County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|-------------------------------|-----------------|---------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BOISE County  
T06N R06E S10 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. 06N06E103050

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                            |
|----------------|---|----------------------------|
| In Re SRBA     | ) | NOTICE OF COMPLETED        |
|                | ) | ADMINISTRATIVE PROCEEDINGS |
| Case No. 39576 | ) |                            |
|                | ) | Water Right 63-15212       |

---

IDWR has completed the following Administrative Proceeding:

|                                     |                       |
|-------------------------------------|-----------------------|
| <input checked="" type="checkbox"/> | Change of Address     |
| <input type="checkbox"/>            | Substitution of Party |
| <input type="checkbox"/>            | I.C. 42-222 Transfer  |

---

CHANGE OF ADDRESS

Name of Claimant: MERYLE JOHNSTON  
New Address: 5277 KOOTENAI ST  
APT 223  
BOISE ID 83705-2679  
Phone: (208) 433-0135

Claimant's Water Rights: 63-15212

The Claimant has filed Objections or Responses to the following water rights:

---

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING  
12/21/1998

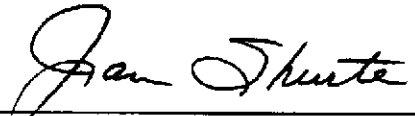
63-15212

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: December 21, 1998

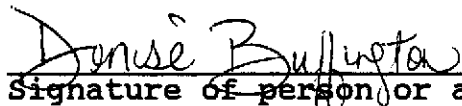
A handwritten signature in cursive script, appearing to read "Jan Shute", is written over a horizontal line.

Signature of IDWR Representative

**CERTIFICATE OF MAILING**

I certify that on December 21, 1998 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707
2. One Copy to:  
Each party in the subcase, or attorney of record:  
  
BERNICE FISCHER  
3888 N PLAZA RD  
EMMETT ID 83617  
  
CLARA L JOHNSTON  
MERYLE JOHNSTON  
5277 KOOTENAI ST  
APT 223  
BOISE ID 83705-2679
3. One Copy to:  
Chief, Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, Idaho 83711-4449
4. One Copy to:  
United States Dept. of Justice  
Environment & Natural Resource Div.  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[ ] Water Right Number (s): 62-15212

RECEIVED

DEC 07 1998

WATER RESOURCES  
WESTERN REGION

[ ] Old Mailing Address: 6316 Colonial Circle  
Meryle Johnston  
Clara L. Johnston Boise, Idaho 83709

[ ] New Mailing Address: 5277 KOOTENAI ST., APT. 223  
For both Meryle  
and Clara L. Johnston BOISE, IDAHO 83705-2679  
(Bernice Fischer is O.K.)

New Telephone Number: (208) 432-0135

[ ] Signature of Claimant: Meryle Johnston  
Date: December 3, 1998

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0008  
 Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

APR 08 1999

DIRK KEMPTHORNE  
 GOVERNOR

April 5, 1999

KARL J. DREHER  
 DIRECTOR

MERYLE AND CLARA L JOHNSTON  
 5277 KOOTENAI ST APT 223  
 BOISE ID 83705-2679

*revised previously changed by W.O.  
 on 12-18-98.*

Re: Snake River Basin Adjudication (SRBA)  
 Water Right #63-15212  
Change of Address

*Record changed, not provided.  
 4-8-99*

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by April 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

*Sally*  
 Sally Sherman  
 Technical Records Specialist  
 Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

*Clara L. Johnston*  
 Claimant Signature

*433-0135*  
 Telephone No.

*Meryle Johnston*

RECEIVED  
 APR 15 1999

WATER RESOURCES

return  
to sender

fee due 50¢

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

ADDRESS SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



0.295  
U.S. POSTAGE

~~RETURN SERVICE REQUESTED~~

### IMPORTANT WATER RIGHT INFORMATION

*only W/R*

63-15212  
MERYLE JOHNSTON  
CLARA L JOHNSTON  
6316 COLONIAL CR  
BOISE ID 83709

JOHN316\* 637092003 1998 05 11/09/98  
FORM 3547

JOHNSTON, CLARA L  
5277 KOOTENAI ST APT 223  
BOISE ID 83705-2679

63709-1073 41



U.S. POSTAL SERVICE  
PS FORM 3547

DATE: 12/18/98  
PAGE: 1

C BERNICE FISCHER  
3888 N PLAZA RD  
EMMETT ID 83617

**Field Inspection Flag:**  
**Presumption Flag:**

AJ0749NP  
No. 63-15212

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 12/18/98  
PAGE: 2

Comments: Date: 12/18/1998 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE  
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN  
ADDRESS CHANGE.

Audit: 12/18/98 DBUFFING



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

December 21, 1998

RE: Water Right No. 63-15212

Meryle Johnston  
Clara L Johnston  
5277 Kootenai St  
Apt 223  
Boise ID 83705-2679

Dear Claimants:

Enclosed is a copy of the above referenced water right which reflects the change in address of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington  
Records Clerk  
Adjudication Section  
Western Region

DB:db

Enclosures

cc: Bernice Fischer

DATE: 04/08/98  
PAGE: 40

DIVERSION  
VOLUME

|       |       |          |
|-------|-------|----------|
| 01-01 | 12-31 | 0.04 CFS |
|-------|-------|----------|

**DIVERSION:** 0.04 RES

**Stage: BENEFICIAL USE**

BOISE County

35

**ES3S** **ESMS**

**Lt Ac Lt Ac**

1  
 2  
 3  
 4  
 5  
 6  
 7  
 8  
 9  
 10

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

DATE: 03/27/98  
PAGE: 86

**Audit: 01/30/98 SEGBERT**

DATE: 04/09/98  
PAGE: 1

**Audit:** 04/09/98 L HARRIS

Water Right Number - R63-15212 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - -

\*\*\* C - CURRENT OWNER \*\*\*  
JOHNSTON

MERYLE

1 - 6316 COLONIAL CIRCLE  
2 -  
3 -

State- ID Zip- 83709

City- BOISE

Phone - 208-375-5347

CLARA L

1 - 6316 COLONIAL CIRCLE  
2 -  
3 -

State- ID Zip- 83709

City- BOISE

Phone - 208-375-5347

BERNICE

1 - 3888 NORTH PLAZA RD  
2 -  
3 -

State- ID Zip- 83617

City- EMMETT

Phone - 208-000-0000

+ - - - Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
01/01/1943 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - -  
SPRING MORES CREEK+ - - - - - - - - - - - - - - - Point of Diversion - - - - -  
Twn Rng Sec Tract Lot Rflg County

06N 06E 10 SW NW NW (15) BOISE

+ - - - - - - - - - - - - - - - Water Use - - - - -  
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +  
0.040 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - -  
Twn Rng Sec Tract Lot Acres Code Description County

06N 06E 10 NW NW 43 DOMESTIC (15) BOISE

Total Acres:

+ - - - Diversion Means - PIPE

+ - - - Non-Irrigation Use - 1 CABIN home

+ - - - Other Rights for Same Use - NONE

Water right number - R63-15212

Remarks

## Later Right Numbers

### - - - Conditions of Approval

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

+ - - - Decree Defendant - - - +

- - -Comments- -  
No Comments Found

+ - - Audit Fields - - +

### Adjudication Rights Dates and Flags Area

|                      |              |                       |              |                         |     |
|----------------------|--------------|-----------------------|--------------|-------------------------|-----|
| Count Report Filing  | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | -   |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -   |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 01/30/1998 | Old Judicial District   | -   |
| Claim Received Date  | - 04/17/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P |
|                      |              | Receipt Number        | - C006357    | Water District          | -   |
|                      |              | PDU Ownership Flag    | - Y          | Federal/State Indicator | - S |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -   |
|                      |              |                       |              | Notice of Error Flag    | -   |



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 27, 1997

PHILIP E. BATT  
GOVERNOR

BERNICE FISCHER

KARL J. DREHER  
DIRECTOR

~~6316 COLONIAL CIRCLE~~ 3888 NORTH PLAZA ROAD  
~~BOISE ID 83709~~ EMMETT, IDAHO 83617

RECEIVED  
NOV 10 1997

Re: Snake River Basin Adjudication (SRBA)  
Water Right No. A63-15212  
Change of Address

Department of Water Resources

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by November 11, 1997. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change of ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

*Sandy Egbert*

Sandy Egbert  
Clerical Specialist

\*\*\*\*\*

The address is correct as shown above or as otherwise changed.

*Bernice Fischer*

Signature of water right claimant

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-5-1997  
PAGE: A-27

RIGHT NUMBER: 63-15212

NAME & ADDRESS: BERNICE FISCHER  
~~4903 BARBER LANE~~ 6316 Colonial Circle  
BOISE ID ~~83712~~ 83709

MERYLE JOHNSTON  
CLARA L JOHNSTON  
6316 COLONIAL CIRCLE  
BOISE ID 83709

SOURCE: SPRING TRIBUTARY: MORES CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1943

POINT OF DIVERSION: T06N R06E S10 ✓ SWNNW ✓ Within BOISE County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE               | PERIOD OF USE | QUANTITY |
|----------------------------|------------------------------|---------------|----------|
|                            | DOMESTIC D/1 CABIN WITH LAWN | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BOISE County  
T06N R06E S10 ✓ NWNW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

06N06E10305.0

May 17

Verified by Sandy Date: 10-6-97  
Verification Source: Computer map