

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 RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

63-33406
10/25/2010 SR7
C092014 \$924-

RECEIVED
OCT 25 2010
DEPARTMENT OF
WATER RESOURCES

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho JUL 27 2010 By _____ Clerk _____ Deputy Clerk
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Please type or print clearly

- Name of Claimant(s) EG Johnson Farms, Inc. Phone (208) 722-5013
Mailing Address 24007 - Hwy 20-26, Parma, ID Zip 83660
- Date of Priority (only one (1) per claim) June 1, 1865
- Source of water supply (a) Boise River
which is tributary to (b) Snake River
- a. Location of existing point of diversion is: Township 5N Range 5W Section 25,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, 9 B.M., County of Canyon
Additional points of diversion if any: Portion of right currently left in Boise River for mitigation
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 _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. The mitigation portion of right is currently left in the
river for mitigation of rights 63-4036A, 63-4036B, 63-28751 and 63-32394. The irrigation portion of this
right is an overlap with junior right 63-3585.

6. Water is claimed for the following purposes

		(both dates are inclusive)		(cfs)	(acre feet)
For	Mitigation	purposes from <u>3/1</u> to <u>11/15</u>	amount	3.24	or
For	Irrigation	purposes from <u>3/1</u> to <u>11/15</u>	amount	0.56	or
For		purposes from _____ to _____	amount		or
For		purposes from _____ to _____	amount		or

7. Total quantity claimed (a) **3.80 cfs** (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is **(not applicable)** acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number Of livestock Etc.) **Mitigation**

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
			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	
05N	05W	25	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	27.9 ✓	✓	✓	✓	✓	✓	27.9
		36		✓															

Total number of acres irrigated **27.9**

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

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 describe above.

63-3585, 63-4036A, 63-4036B, 63-28751 and 63-32394 or None ()

14. Remarks:

1. This right includes a change in the purpose of use pursuant to I.C. § 42-1425 from irrigation to mitigation. This right mitigates the irrigation authorized under 63-4036A, 63-4036B, 63-28751 and 63-32394.

2. This right includes a change in the point of diversion and place of use pursuant to I.C. § 42-1425 and and is an overlap with right 63-3585 that should include a combined use limit to reflect this.

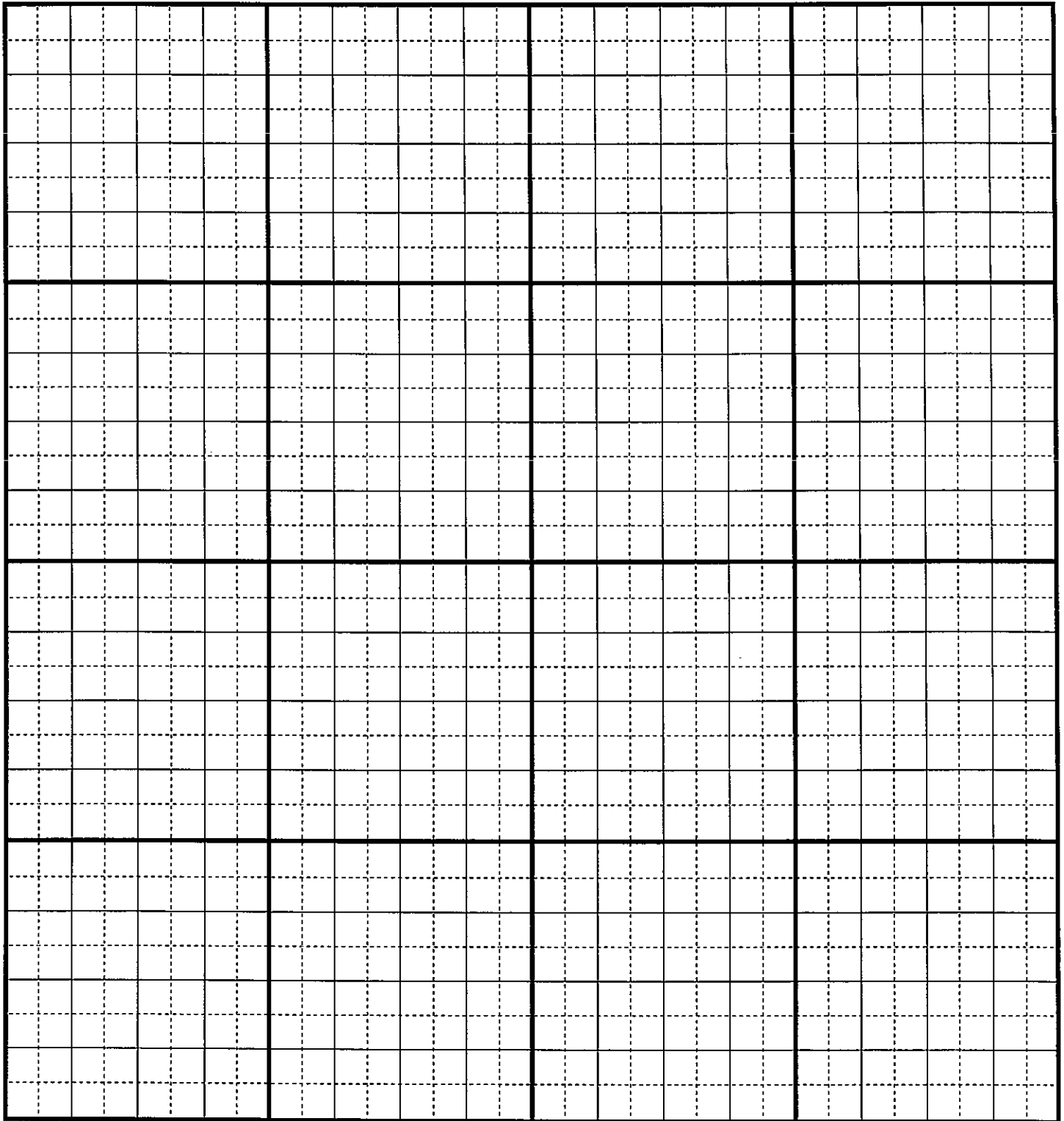
3. Another portion of right 63-160 is claimed by the Obendorfs for use in Section 24.

Last Name **EG Johnson Farms, Inc.**

Ident. Number **63-160**

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

Scale: 2 inches equals 1 mile **Please see attached.**



Last Name EG Johnson Farms, Inc. Ident. Number 63-160

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒

If applicable provide IDWR Water Right Number 63-160

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 1

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

Signature of Claimant(s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Jeff Johnson

_____ Title _____

of EG Johnson Farms, Inc., that I have signed the foregoing

Organization

document in the space below as Director of EG Johnson Farms, Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization Director, EG Johnson Farms, Inc. Date 6/29/10

State of Idaho/or _____)

) SS.

County of CANVON)

Subscribed and sworn (or affirmed) before me this 29 day of JUNE 2010

Notary Public

Residing at

My Commission Expires

31-JAN-12

17. Notice of Appearance: Please Print Name

Notice is hereby given that John M. Marshall will be acting as attorneys 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 us at the address listed below.

Signature

John M. Marshall, John Marshall Law PLLC

Address 575 W Bannock St, Boise, ID 83702

Telephone 208-991-2701

Date _____

Last Name EG Johnson Farms, Inc. Ident. Number 63-160

T5N R5W

2009 Photo

