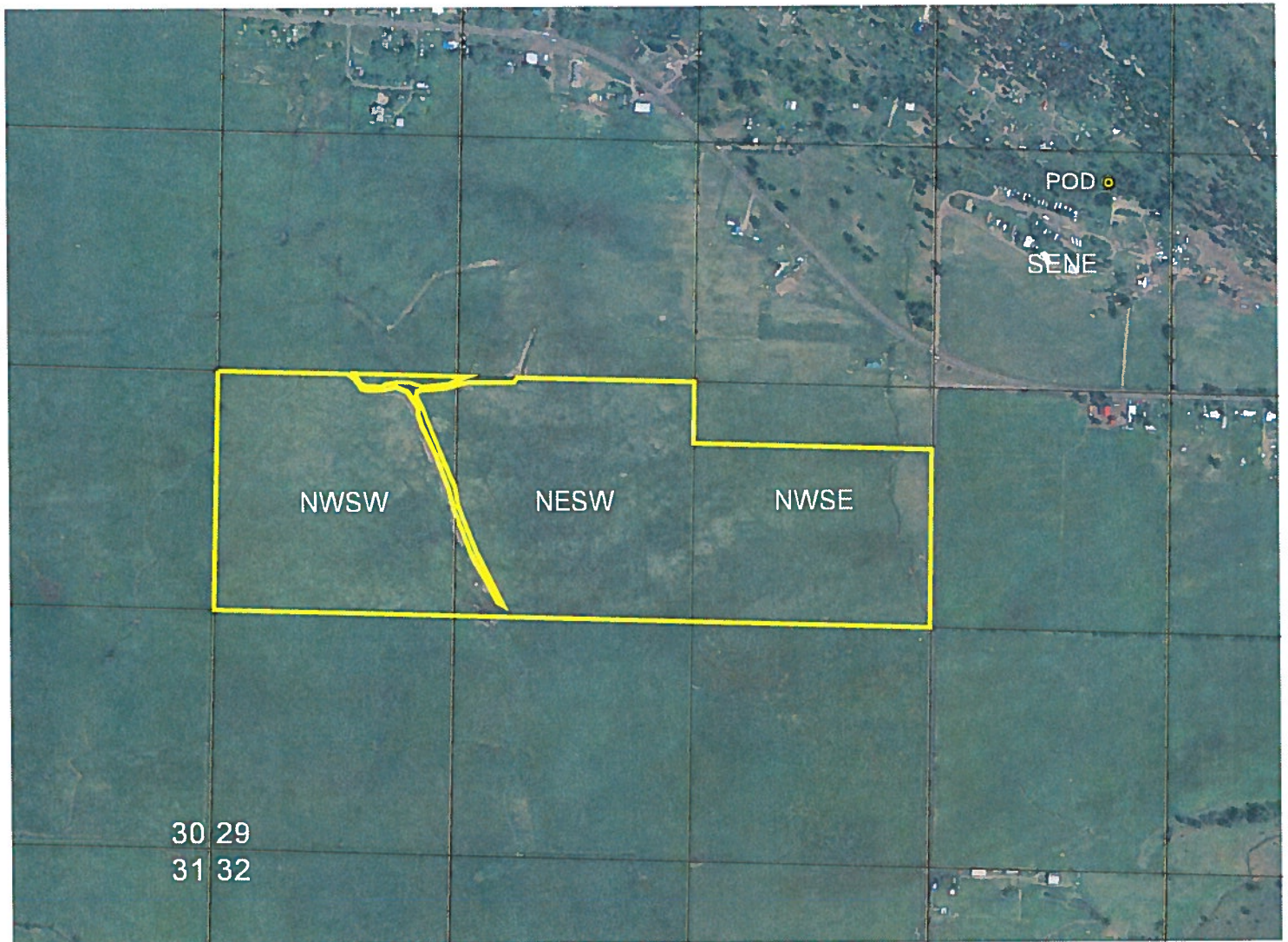


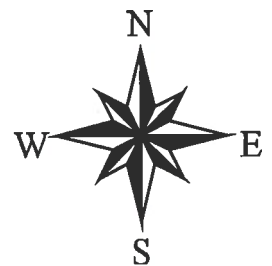
78-12136 78-12141 78-12144 & 78-12147



800 0 800 1600 2400 Feet

T19N R02E S29

Map prepared by: Carter Fritschle
Date prepared: 01/04/06
2004 NAIP Photography
Idaho Department of Water Resources



12/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-12147

NAME AND ADDRESS: RODNEY D JOHNSON
8108 FORT WILSON DR
PAYETTE ID 83661

DARLA H JOHNSON
8108 FORT WILSON DR
PAYETTE ID 83661

SOURCE: GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

Water is delivered from the West Branch of Goose Creek.

QUANTITY: 1.690 CFS

PRIORITY DATE: 09/26/1922

Pursuant to a call in times of scarcity, this right is junior to Water Right Nos. 78-2036, 78-2037, 78-2039, 78-2040A, 78-2040B, 78-2042 and 78-2056.

POINT OF DIVERSION:

T19N R02E S29 SENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.690 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S29	NESW	39.00	T19N R02E S29	NWSW	39.00
T19N R02E S29	NWSE	30.00			
108 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 108 acres in a single irrigation season.
Combined Right Nos.: 78-12131, 78-12136, 78-12141, 78-12144 and 78-12147

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

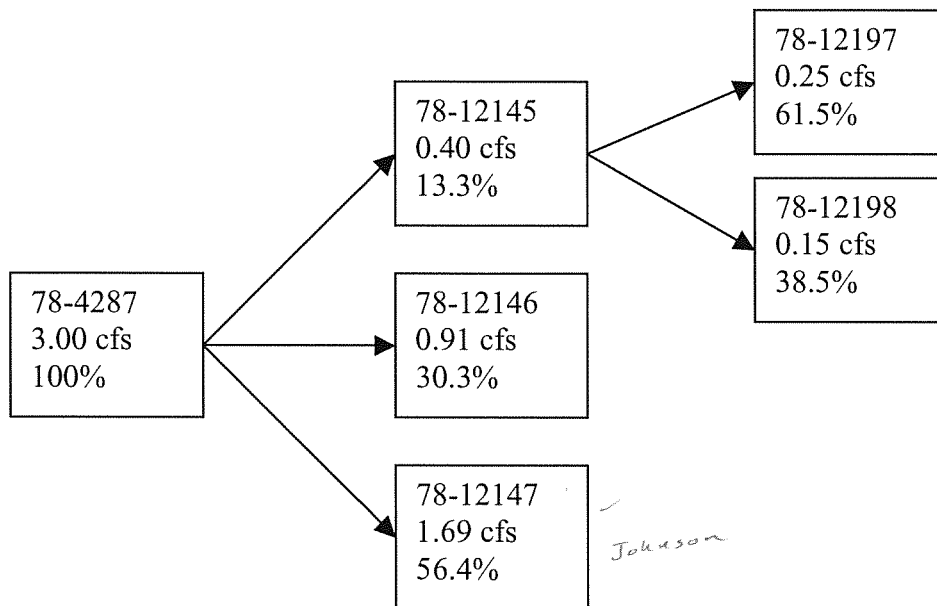
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Water is delivered through Cal White Canal.

Use of this right is combined with water from Goose Lake Reservoir Company.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Splits of 78-4287



78-4287 Claimed on 210 acres in SRBA – only 195 acres owned by claimant in claimed POU

78-12145 = 26 of 195 acres

78-12146 = 59 of 195 acres

78-12147 = 110 of 195 acres

78-12197 = 16 of 26 acres

78-12198 = 10 of 26 acres

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 78-12147
Date Received: 6/3/88
Receipt No:
Received By:

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

1. Name of Claimant(s): RODNEY D JOHNSON Phone: (208) 642-9488
8108 FORT WILSON DR
PAYETTE ID USA 83661

DARLA H JOHNSON Phone: (208) 642-9488
8108 FORT WILSON DR
PAYETTE ID USA 83661

2. Date of Priority: 05/15/1890

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	02E	28	SE SW NE	ADAMS	
19N	02E	29	NE SW NE	ADAMS	
19N	02E	28	NE SW NW	ADAMS	

5. Description of diverting works:

HEADGATES, DITCHES & GRAVITY IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1.1	

7. Total Quantity Appropriated is:
1.1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	02E	29	NE SW		IRRIGATION	37
			NW SW		IRRIGATION	40
					Section Acres	77
					Total Acres	77

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 78-4287. DB 6/12/2001

15. Basis of Claim: Statutory Claim

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

RECEIVED

AUG 14 2000

WATER RESOURCES
WESTERN REGION

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
	<u>A78 00215 X</u>				
	<u>216</u>				
	<u>217</u>				
	<u>04287</u>				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) Neil & Kathy Jassano
4. New Owner/Claimant(s) Rodney D and Darla H Johnson
 Name/Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 8108 Fort Wilson Dr
- City, State and ZIP Code Payette Id 83661
- New Telephone Number (208) 642-9488
5. Date you acquired the property 10-22-99

RECEIVED

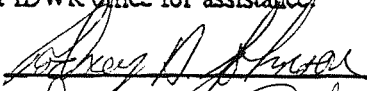
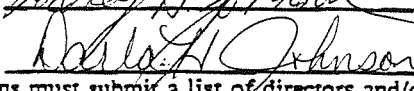
NOV 19 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: See Attached
Adjudication Claim No(s).: See Attached
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Neil L. Tassano & Katherine Tassano
P.O. Box 1658, McCall, ID 83638
4. New Owner/Claimant(s): Rodney D. Johnson and Darla H. Johnson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: 8108 Fort Wilson Dr
City, State and ZIP Code: Payette, ID 83661
New Telephone Number: (208) 642-9488
5. Date you acquired the property: 10/22/99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the space below. If necessary, attach additional pages.
As apurtenant to land
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): 

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

3.0 ÷ 210

78-4287

210 acres
30 cfs

78-12145

78-12146

78-12147

Tassano

Swift

Johnson

NESW 3 ✓

NENW 16 ✓

SENEW 5 ✓

SWNE 10 ✓

NWSE 40 ✓

40 acres

NENW 4

SWNW 20

SENEW 35

59

NWSW 40

NESW 37
77

1.06 cfs

.84 cfs

1.1 cfs

received Parcel 1 + Meadows
Township Lots 5-2.
Block 8 & 8'2" of Lot

78-02215 thru 04287 -

Indian NENE - 4 acres

Not in
decree SWNW - 20 acres

Indian SENW - 35 acres

8/10th 59 acres of water etc. ~~8/10th 59 acres~~
of per 00215 - .65 cfs - 1878 ~~to 20th of 1878~~
of acre 00216A - .27 cfs - 1889 } .45 cfs 22.5"
00217A - .13 cfs - 1918 } Revised to 20"
04287 - .84 cfs - 1890 (not decreed) Flood
1.29 = 65" of water H2O

Need Powell's Addition
Map

Do they own any of Powell's Park Addition

*

Need to file claim for stockwater
from spring in the Mitchell Glenn
ditch - decreed its date back to
1895. See map.

No Goose Lake Res. H2O.

Granite River Lake Water Basin: - 12% - Swifts
will be venting artificial.

Ne Shaws Goose Lake
78-00215 - 176 cfs

3:15

00216 - 1.136 cfs = 45.4 acres

00217 - 1.616

04287 - 3 cfs

? 10026 - .04

Aug 04287
A78-00215 - 6 Passano's

Does not

SWNE - 10 acres

include the

E 1/2 SWNW - 20 acres

JOHNSON'S

~~ALL SE~~ ^{OK} - 40

SENE - 40 acres

NENE - 20

N 1/2 SW - 80 acres

60

150 acres

~~ALL SE (Barringer Addition)~~

SWNE (Rowell's Addition)

OK on A78-04103, 04104 vs A79-04126A

A79-04126B

WARRANTY DEED

INSTRUMENT NO. 20010
PAGE 1 OF 2

For Value Received, NEIL L. TASSANO and KATHERINE TASSANO, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
RODNEY D. JOHNSON and DARLA H. JOHNSON, husband and wife

the grantees, whose current address is 8108 Fort Wilson Dr., Payette, ID 83661

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED 'EXHIBIT A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: October 20, 1999

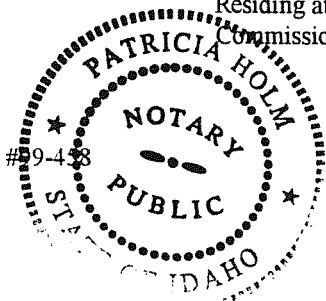
Neil L. Tassano
Neil L. Tassano

Katherine Tassano
Katherine Tassano

STATE OF Idaho)
COUNTY OF Adams) ss

On this 22 day of Oct, in the year of 1999, before me a Notary Public in and for said State, personally appeared NEIL L. TASSANO & KATHERINE TASSANO known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Patricia Holm
Notary Public
Residing at New Meadows
Commission expires: 10-27-03



STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

at 42 minutes past 4 o'clock PM.
this 22 day of Oct, 1999, in my
office, and duly recorded in Book
of Deeds at page

MICHAEL FISK
Ex-Officio Recorder

By: Deagay Pinal
Deputy

Fees \$ 6.00
Mail to: Timberline Title & Escrow

RECEIVED

AUG 14 2000

WATER RESOURCES
WESTERN REGION

EXHIBIT 'A'

Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho
Section 29: N1/2SW1/4 EXCEPTING THEREFROM a parcel located in the NW1/4SE1/4 and NE1/4SW1/4 more particularly described as follows:
Commencing at a 5/8 inch diameter iron pin marking the southwesterly corner of said NW1/4SE1/4;

Thence North 00°04'59" East along the Easterly boundary of said NE1/4SW1/4 a distance of 50.00 feet to a 5/8 inch diameter iron pin and the REAL POINT OF BEGINNING;
Thence leaving said Easterly boundary North 89°23'51" West a distance of 110.24 feet to a 5/8 inch diameter iron pin;

Thence North 00°04'59" East a distance of 934.48 feet to a 5/8 inch diameter iron pin;
Thence south 89°13'32" East a distance of 1394.19 feet to a 5/8 inch diameter iron pin on the Westerly right-of-way of Raney Lane;

Thence South 00°29'20" East along said Westerly right-of-way a distance of 934.53 feet to a point;

Thence leaving said Westerly right-of-way North 89°12'56" West a distance of 1293.28 feet to the REAL POINT OF BEGINNING

ALSO

Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho
Section 29: A strip of land more particularly described as follows:
Beginning at the Southeast 1/16 corner;

Thence North 89° 12'56" West 25.01 feet to the REAL POINT OF BEGINNING;

Thence continuing North 89° 12'56" West 1293.78 feet to the CS 1/16 corner;

Thence North 00° 04'59" East 50 feet;

Thence South 89° 12'56" East 1293.28 feet;

Thence South 00° 29'20" East 50.00 feet to the REAL POINT OF BEGINNING.

NOTE SECURED BY MORTGAGE
(Installment-Interest Included)

\$90,000.00 Council, State of Idaho, October 20, 1999

In installments as herein stated, for value received, we promise to pay to
NEIL L. TASSANO and KATHERINE TASSANO, husband and wife

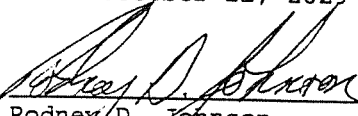
or order
of the principal sum of
NINETY THOUSAND AND NO/100 -----Dollars,
with interest from October 22, 1999 on unpaid balance at the rate of
EIGHT (8.0%) per cent per annum; principal and interest payable in installments of
ONE THOUSAND NINE HUNDRED EIGHTY FOUR AND 33/100-----Dollars
or more on the 22nd day of each JANUARY, APRIL, JULY & OCTOBER, beginning on the
22nd day of JANUARY, 2000.

LATE FEE OF 5% ON ANY PAYMENT MORE THAN TEN (10) DAYS LATE. NO PREPAYMENT PENALTY AFTER
12/31/99. ENTIRE BALANCE DUE ON SALE OR TRANSFER OF PROPERTY. BALANCE DUE IN FULL THIRTY
(30) YEARS FROM CLOSE OF ESCROW.

and continuing until said principal and interest have been paid.

Each payment shall be credited first on interest then due; and the remainder on
principal; and the interest shall thereupon cease upon the principal so credited.
Should default be made in payment of any installment of principal and interest, the
whole sum of principal and interest shall, at the option of the holder of this Note,
become immediately due. Principal and interest payable in lawful money of the United
States. If action be instituted on this Note, the undersigned promise to pay such sum as
the Court may adjudge as attorney's fees. This Note is secured by a Real Estate Mortgage.

DUE: October 22, 2029


Rodney D. Johnson


Darla H. Johnson

RECEIVED

AUG 14 2000

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

INSTRUMENT NO. **97071**
PAGE 1 OF 2

For Value Received, RANDY C. RASLEY and CYNTHIA L. RASLEY, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
RODNEY D. JOHNSON and DARLA H. JOHNSON, husband and wife
the grantees, whose current address is 8108 Fort Wilson Dr., Payette, ID 83661
the following described premises, in Adams County, Idaho, to-wit:
SEE ATTACHED 'EXHIBIT A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: October 20, 1999

Randy C. Rasley
Randy C. Rasley

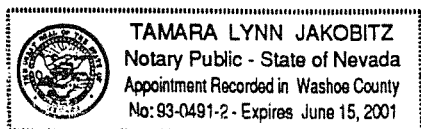
Cynthia L. Rasley
Cynthia L. Rasley

STATE OF NEVADA)
COUNTY OF WASHOE) ss

On this 21 day of OCT, in the year of 1999, before me
a Notary Public in and for said State, personally appeared
RANDY C. RASLEY & CYNTHIA L. RASLEY
known or identified to me to be the persons whose names
are subscribed to the within instrument, and acknowledged
to me that they executed the same.

Tamara Lynn Jakobitz
Notary Public
Residing at
Commission expires:

#99-459



STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

at 40 minutes past 4 o'clock PM.
this 22 day of Oct, 1999, in my
office, and duly recorded in Book
of Deeds at page

MICHAEL FISK

Ex-Officio Recorder

By: Peggy Pindal
Deputy

Fees \$ 6.00

Mail to: Timberline Title & Escrow

RECEIVED

AUG 14 2000

WATER RESOURCES
WESTERN REGION

EXHIBIT 'A'

Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho
Section 29: A parcel located in the NW1/4SE1/4 and the NE1/4SW1/4 more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the southwesterly corner of said NW1/4SE1/4;

Thence North 00°04'59" East along the Easterly boundary of said NE1/4SW1/4 a distance of 50.00 feet to a 5/8 inch diameter iron pin and the REAL POINT OF BEGINNING;

Thence leaving said Easterly boundary North 89°23'51" West a distance of 110.24 feet to a 5/8 inch diameter iron pin;

Thence North 00°04'59" East a distance of 934.48 feet to a 5/8 inch diameter iron pin;

Thence South 89°13'32" East a distance of 1394.19 feet to a 5/8 inch diameter iron pin on the Westerly right-of-way of Raney Lane;

Thence South 00°29'20" East along said Westerly right-of-way a distance of 934.53 feet to a point;

Thence leaving said Westerly right-of-way North 89°12'56" West a distance of 1293.28 feet to the REAL POINT OF BEGINNING.

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 78-4287
Date Received: 6/3/88
Receipt No: C001100
Received By:

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

1. Name of Claimant(s): NEIL L TASSANO
PO BOX 1658
MC CALL ID USA 83638

Phone: (208) 634-7435

KATHERINE TASSANO
PO BOX 1658
MC CALL ID USA 83638

Phone: (208) 634-7435

2. Date of Priority: 05/15/1890

3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	02E	28	SE SW NE	ADAMS	
19N	02E	29	NE SW NE	ADAMS	
19N	02E	28	NE SW NW	ADAMS	

5. Description of diverting works:

HEADGATES, DITCHES & GRAVITY IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	3	

7. Total Quantity Appropriated is:
3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	02E	29	SW NE		IRRIGATION	10
			NE NW		IRRIGATION	20
			SW SW		IRRIGATION	20
			SE NW		IRRIGATION	40
			NE SW		IRRIGATION	40
			NW SW		IRRIGATION	40
			NW SE		IRRIGATION	40
			Section Acres			
Total Acres						210

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

#13 56.9 INCHES 5/1/1889 (78-0216) || ***** MEMO TO FILE
***** THIS WATER RIGHT HAS ONLY ONE P.D. FROM GOOSE CREEK. THE
OTHER POINTS OF DIVERSION ARE LATERAL CANALS FROM THE CAL WHITE CANAL. CLF 10-2-88

Ownership changed by DB 6/8/2001

15. Basis of Claim: Statutory Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 12, 2001

RODNEY D JOHNSON
DARLA H JOHNSON
8108 FORT WILSON DR
PAYETTE ID 83661

Re: Original Notice of Claim to a Water Right No. 78-00215

Renumbered Notice of Claim to a Water Right No. 78-12136

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Also enclosed you will find copies of the other water right numbers involved in this ownership, renumbered as follows: 78-00216A renumbered as 78-12141; 78-00217A renumbered as 78-12144 and 78-04287 renumbered as 78-12147.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosure