

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: **A55-02056**
Date Received: 1/16/1989
Receipt No: W001974
Received By: _____

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

1. Name: JUANITA JOHNSTONE 208-337-3015
Address: RT 1 BOX 1144
HOMEDALE ID 83628

Name: GEORGE JOHNSTONE 208-337-3015
Address: RT 1 BOX 1144
HOMEDALE ID 83628
2. Date of Priority: FEB 10, 1942
3. Source: VULCAN GULCH Trib. to: BOULDER CREEK, SOUTH FORK
MILL CREEK BOULDER CREEK, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	04W	6		NE	NW		OWYHEE
	05W	12	NW	NW	NE		OWYHEE
5. Description of diverting works:
DIVERSION DAM, GRAVITY IRRIGATION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.700		
STOCKWATER	01/01	12/31	0.120		
7. Total Quantity Appropriated is:
1.700 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/500 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	04W	31	SW		NE		IRR	25.0
			NE		NW		IRR	15.0
			SE		NW		IRR	25.0
			NE		SW		IRR	20.0

Section Acres 85.0

Total Acres 85.0

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:
NONE

14. Remarks:

SEE 55-2139 FOR SEC. 30. EXACTLY SAME AS LICENSE, NO GOOD MAPS AVAILABLE. SEE 55-2134 FOR LOCATION MAP.
"Ownership changed by RDH on Sept. 4, 1991"
OWNERSHIP CHANGE 4/1/1998 BY MTS TO CORRECT OWNERSHIP CHANGE FILED 8/5/1991. THE LEGAL DESCRIPTION ON THE QUITCLAIM DEED FILED WITH THE 8/5/1991 FORM DOES NOT INCLUDE THE LAND SUBJECT TO THIS CLAIM. THE RECORD OWNER, GEORGE JOHNSTONE, REMITTED OWYHEE COUNTY TAX RECORDS ON 3/31/1998 AS CONFIRMATION OF HIS OWNERSHIP.

15. Basis of Claim: LICENSE

Water Right Number: 10688

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 _____

MAKE CHECK PAYABLE TO:
 BARBARA WRIGHT TAX COLLECTOR
 OWYHEE COUNTY COURTHOUSE
 MURPHY, ID 83650
 208-495-1158 OR 337-4222
 1ST HALF DUE
 TAX 64.02
 LATE
 INT
 COST
 TOT
 2ND HALF DUE
 TAX 64.02
 LATE
 INT
 COST
 TOT
 BILL# 5836
 CODE AREA 22-00
 FULL DUE 128.04
 TAX
 LATE
 INT
 COST
 TOT
 TOT MV 16,740
 TOT ACS 160.000
 TAXING DISTRICT
 STATE
 COUNTY
 SCHOOL 364
 COUNTY RD
 HWY/PION CEM
 AMOUNT DUE

JOHNSTONE GEORGE
 RT 1 BOX 1144
 HOMEDALE ID 33628
 STATE
 COUNTY
 SCHOOL 364
 COUNTY RD
 HWY/PION CEM
 AMOUNT DUE

E2NW, SANE, NESW 31 7S 4W
 RECEIVED
 MAR 31 1998
 WATER RESOURCES
 WESTERN REGION

★ ★ ★ IMPORTANT ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 ★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
 PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.
 KEEP TOP PORTION FOR YOUR RECORDS.
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

ENCLOSE RIGHT STUB FOR 1ST HALF OR FULL PAYMENT
 LEFT STUB IS FOR 2ND HALF PAYMENT IN JUNE
 FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE
 JOHNSTONE, GEORGE
 1997
 5836

BARBARA WRIGHT TAX COLLECTOR
OHYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1153 OR 337-4222

BILL# 5334 CODE AREA 22-00 L
RP07S04W307810A 936

1ST HALF DUE 3.56
2ND HALF DUE 3.56
TAX 3.56
LATE
INT
COST
TOT

FULL DUE 7.12
TAX 7.12
LATE
INT
COST
TOT

TOT MV 936
TOT ACS 10.000
TOT 936

JOHNSTONE GEORGE & JUANITA
RT 1 BOX 1144
HOMEDALE ID 33628

TAXING DISTRICT RATE AMOUNT
STATE .000000000 3.68
COUNTY .003945409 2.74
SCHOOL 364 .002928807 .70
COUNTY RD .000762499
OHY/PION CEM .000012347
AMOUNT DUE .007650062 7.12

RECEIVED

MAR 3 1 1998

WATER RESOURCES
WESTERN REGION

★ ★ ★ IMPORTANT ★ ★ ★
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LEFT STUB IS FOR 2ND HALF PAYMENT IN JUNE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

JOHNSTONE, GEORGE & JUANITA
1997 5834

BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222
1ST HALF DUE

TAX 51.01
LATE
INT
COST
TOT

2ND HALF DUE 51.01
TAX
LATE
INT
COST
TOT

JOHNSTONE GEORGE
RT 1 BOX 1144
HOMEDALE ID 83628

SWNE, E2SW, SENW 30 7S 4W

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
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FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

JOHNSTONE, GEORGE
1997
5831

RP07S04W301200A
13,338

5831
CODE AREA 22-00
L

TOT MV
13,338

TOT ACS
160.000

TAXING DISTRICT
STATE
COUNTY
SCHOOL 364
COUNTY RD
OWY/PION CEM
AMOUNT DUE

RATE
.000000000
.003946409
.002928907
.000762499
.000012347
.007650062

AMOUNT
52.64
39.06
10.16
.16
102.02

RECEIVED
MAR 3 1 1998
WATER RESOURCES
WESTERN REGION

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: A55-02056
Date Received: 1/16/1989
Receipt No: W001974
Received By: dc Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT LARSEN 208-896-4272
Address: RT 1 BOX 290
MARSING ID 83639
2. Date of Priority: FEB 10, 1942
3. Source: VULCAN GULCH Trib. to: BOULDER CREEK, SOUTH FORK
MILL CREEK BOULDER CREEK, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	04W	6		NE	NW		OWYHEE
	05W	12	NW	NW	NE		OWYHEE
5. Description of diverting works:
DIVERSION DAM, GRAVITY IRRIGATION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.700		
STOCKWATER	01/01	12/31	0.120		
7. Total Quantity Appropriated is:
1.700 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/500 HEAD RANGE CATTLE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	04W	31	SW	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	04W	31	NE	NW		IRR	15.0
			SE	NW		IRR	25.0
			NE	SW		IRR	20.0
						Section Acres	85.0
						Total Acres	85.0

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:
NONE

14. Remarks:

SEE 55-2139 FOR SEC. 30. EXACTLY SAME AS LICENSE, NO GOOD MAPS
AVAILABLE. SEE 55-2134 FOR LOCATION MAP.
"Ownership changed by RDH on Sept. 4, 1991"

15. Basis of Claim: LICENSE

Water Right Number: 10688

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
AUG 05 1991

Department of Water Resources
Western Regional Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A55-02056

☒ Name and Address of Former Owner/Claimant(s)(Seller):
GEORGE JOHNSTONE OR JUANITA
JOHNSTONE
RT. 1, BOX 1144 HOMEDALE ID. 83628

☒ New Owner/Claimant (Purchaser):
ROBERT LARSEN

☒ New Mailing Address:
RT. 1, BOX 290
MARSING, ID 83639

☒ New Telephone Number: (208) 896-4272

☒ Does the change in ownership result in a splitting of the water right owned/claimed? ☐ yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: QUITCLAIM DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Robert F. Larsen Date 7-29-91

Date _____

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

(Optional)
Recorded ☐
Microfilmed ☐
Indexed ☐

Platted ☐
Deed Card ☐
Compared ☐

Key Punched ☐
Master File ☐
Abstracted ☐

To Treasurer ☐
☐

QUITCLAIM DEED

THIS INDENTURE, Made this 12th day of April

in the year of our Lord one thousand nine hundred and Seventy-Eight between

SHIRLEY COWGILL, formerly SHIRLEY LARSEN, a married person dealing
with her sole and separate property,
of Pocatello

County of Bannock

State of Idaho, the part Y of the first part, and

ROBERT LARSEN and SHARON LARSEN, husband and wife,

of Route 1, Marsing,

County of Owyhee

State of Idaho, the part ies of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration ~~DO NOT~~ lawful money of the United States of America, to her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do es by these presents remise, release and forever QUITCLAIM, unto the said parties of the second part, and to their heirs and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the County of Owyhee, State of Idaho, bounded and particularly described as follows, to-wit:

The Northeast Quarter of the Northwest Quarter,
the Southeast Quarter of the Southwest Quarter
and the West Half of the West Half of Section 29.
The East Half of the East Half of Section 30. The
Northwest Quarter of the Northeast Quarter and
the East Half of the East Half of Section 31.
The West Half of the West Half of, and the Northeast
Quarter of the Northwest Quarter of Section 32.
All of the above described real property being
in Township 7 South, Range 4 West of the Boise
Meridian and includes all Taylor Grazing Rights:

S29, NENW
SESW, W $\frac{1}{2}$ W $\frac{1}{2}$
S30, E $\frac{1}{2}$ E $\frac{1}{2}$
S31, NW NE
E $\frac{1}{2}$ E $\frac{1}{2}$
S32, W $\frac{1}{2}$ W $\frac{1}{2}$
NENW

Pg. 2 of 2

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

[Seal]

[Seal]

[Seal]

[Seal]

STATE OF IDAHO,
County of Bannock

ss.

On this day of April in the year 19 78, before me
the undersigned a Notary Public

in and for said State, personally appeared SHIRLEY COWGILL, formerly SHIRLEY LARSEN, a married person dealing with her sole and separate property,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Marge Henge
Notary Public for the State of Idaho,
Residing at Pocatello, Idaho.

No. 154734

QUITCLAIM DEED

Shirley Cowgill

TO

Robert Larsen, et ux

Dated, 19

STATE OF IDAHO,

County of Cwyhee

ss.

I hereby certify that this instrument was filed for record at request of

Jehn Larson

at 25 minutes past 9:00

o'clock A. M., this 11th day

of May, A. D. 19 78

in my office, and duly recorded in Book

Microfilmed

of at page

BARBARA JAYO

Ex Officio Recorder.

By June Dyson Deputy.

Fees, \$ 2.00

Mail to

GREEN PRINTING, LARSEN, IDAHO

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: A55-02056
Date Received: 11/21/1988
Receipt No: W001974
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE JOHNSTONE 208-337-3015
Address: RT. 1 BOX 1144
HOMEDALE, ID 83628

Name: JUANITA JOHNSTONE 208-337-3015
Address: RT. 1 BOX 1144
HOMEDALE, ID 83628

2. Date of Priority: FEB 10, 1942

3. Source: VULCAN GULCH Trib. to: BOULDER CREEK, SOUTH FORK
MILL CREEK BOULDER CREEK, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	04W	6		NE	NW		OWYHEE
	05W	12	NW	NW	NE		OWYHEE

5. Description of diverting works:
DIVERSION DAM, GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.700		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 HEAD RANGE CATTLE

A55-02056

Page 1

Date: 01/17/89

MICROFILMED

SEP 20 1989

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	04W	31	SW	NE		IRR	25.0
			NE	NW		IRR	15.0
			SE	NW		IRR	25.0
			NE	SW		IRR	20.0
						Section Acres	85.0
						Total Acres	85.0

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:
NONE

14. Remarks:
SEE 55-2139 FOR SEC. 30. EXACTLY SAME AS LICENSE, NO GOOD MAPS
AVAILABLE. SEE 55-2134 FOR LOCATION MAP.

15. Basis of Claim: LICENSE
Water Right Number: 10688

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 _____

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Johnstone

CLAIM IDENT. NO. A55-02056

DATE RECEIVED 11-21-88

CK # 2819

AMOUNT \$ 510.00

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) N/A ☐ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? N/A ☐ YES ☐ NO *
- Is the consumptive use correct? N/A ☐ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☐ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☐ YES ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? ☐ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO *
20. Is the fee enclosed correct? Exempt ☐ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☐ YES ☐ NO *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO *

Claim checked by: VERIFIED RDH Date: 1-16-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: LESS ACRES, LESS CFS, OLD WR SHOWS DOMESTIC CAN

USE STOCKWATER FOR DOMESTIC - 50 + 85 = 135.00

MICROFILMED

SEP 20 1992

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 55-2056

Date Received 11-21-88

Receipt Number W001974

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECORDED
NOV 21 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) George & Juanita Johnstone Phone (208) 337-3015

Mailing Address RT1 Box 1144 Homedale, Ida. Zip 83628

2. Date of Priority (Only one (1) per claim) 2/10/1972

3. Source of water supply (a) Vulcan Gulch & Mill Creek
which is tributary to (b) Little Boulder Creek.

4. a. Location of existing point of diversion is: Township 8S Range 4W Section 6,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of OWYHEE

Additional points of diversion if any: NW NW NE Sec 12 T8S R5W.

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 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Diversion dams -

Gravity irrigation

MICROFILMED

SEP 29 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount 1.7 or _____

For Stockwater purposes from 1/1 to 12/31 amount .12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.7 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 500 hd/range

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	4W	31			25	15			25	20									85

Total number of acres irrigated 85

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. _____ or None ()

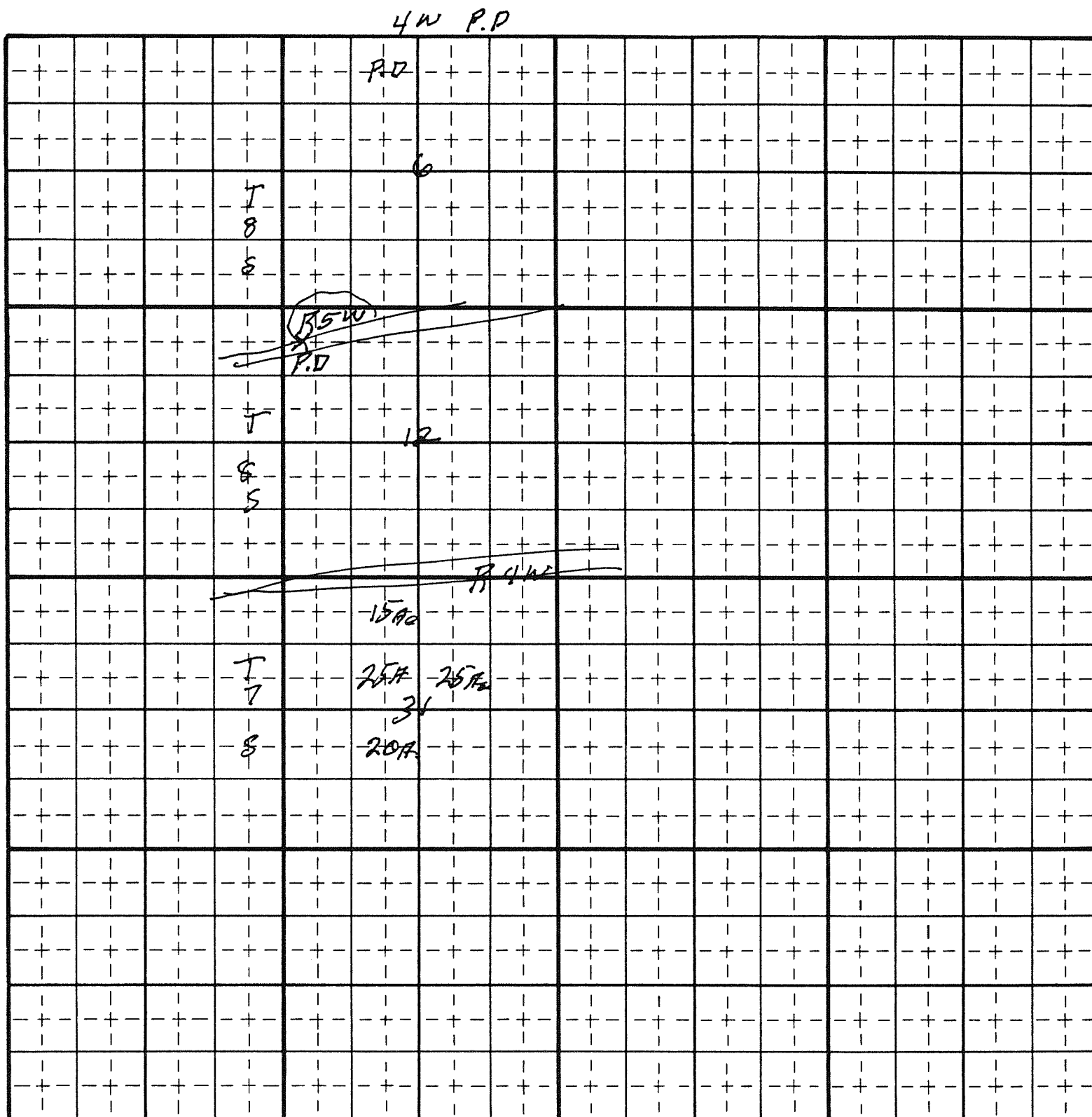
14. Remarks:

See 55-2139 for Sec 30. Exactly same
as Leiden - no good maps available
See 55-2134 for location map.

Last Name Johnstone Ident No. 55-2056

Copyrighted Material
MICROFILMED
SEP 29 1982

Scale: 2 inches equals 1 mile



Ident No. 55-2056

MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 29 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 65-2056
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 _____

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

Signature of Claimant (s) George Johnston Date Oct 27 1988

Date _____

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

Title

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 _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 27 day of October 19 88

SEAL

Notary Public John K. Royer

15470 Farnedale Rd.

Residing at Caldwell, Idaho

My Commission Expires Sept 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney 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 me at the address listed below.

Signature _____

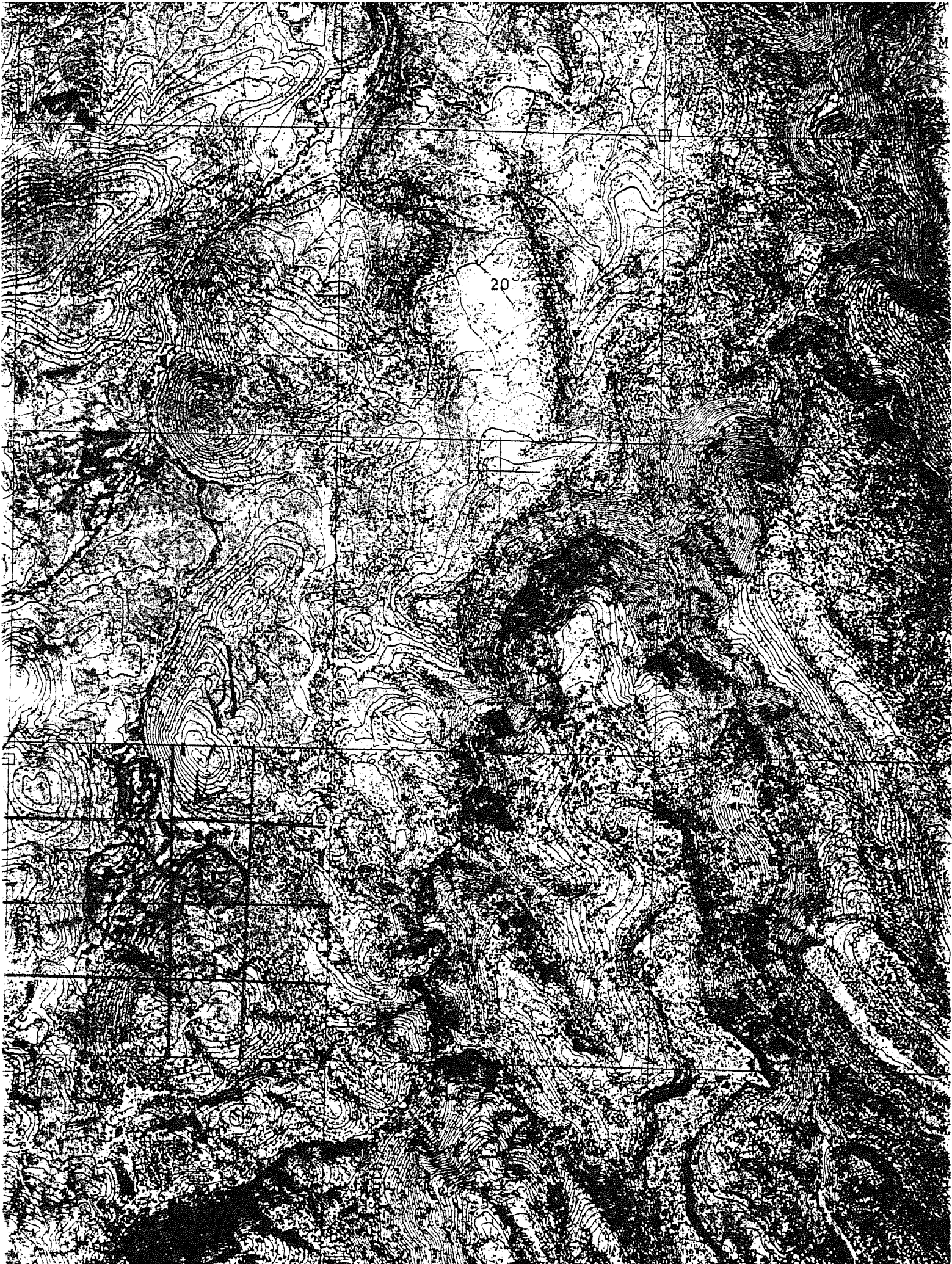
Address _____

Date _____

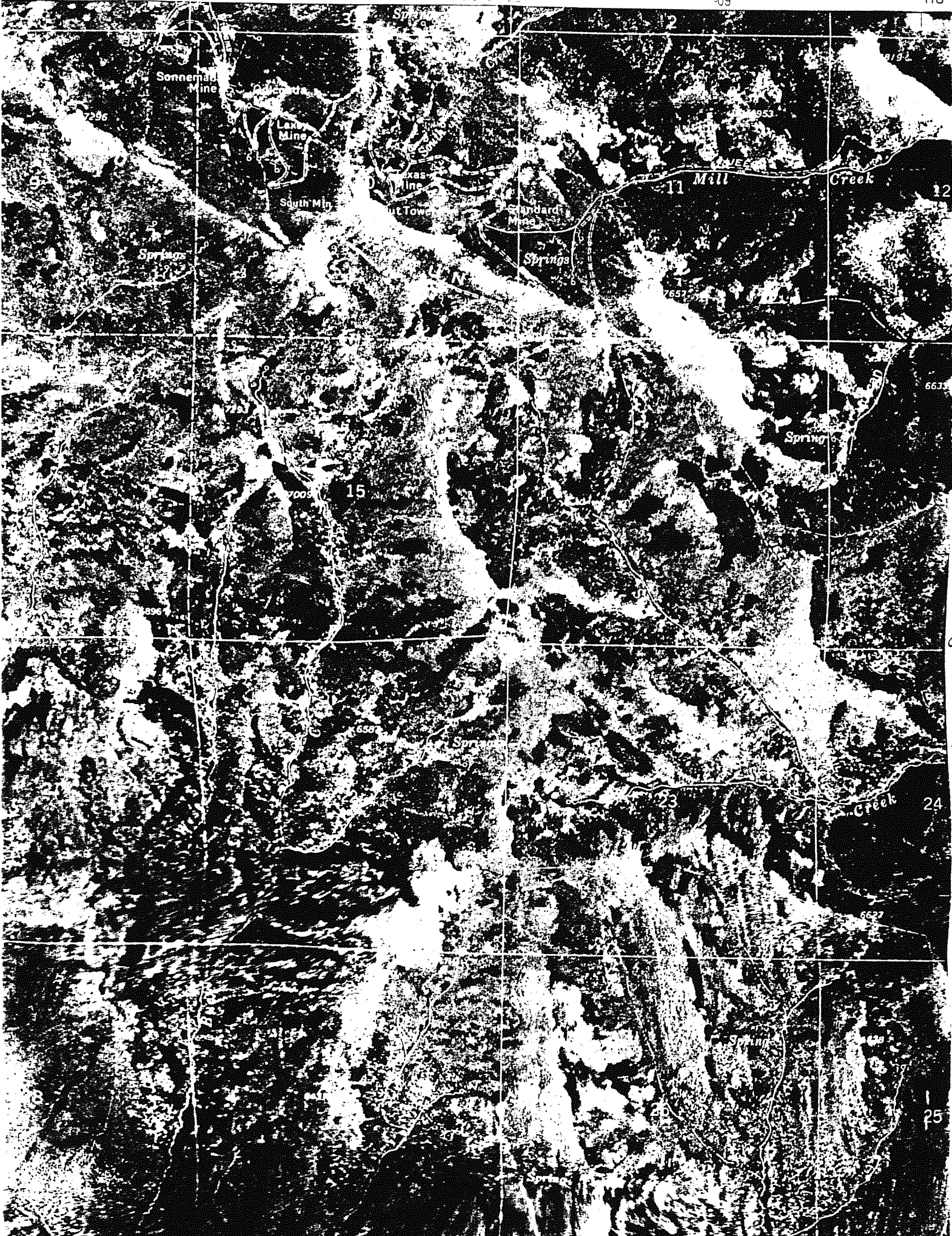
Last Name Johnstone Ident. Number 65-2056

MICROFILMED
Copies White-State, Yellow-Claimant

SEP 29 1992



55-02056 78 4W Oct 31



RECEIVED

APR 13 1999

Department of Water Resources

1999 APR 12 PM 12:27

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED _____

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	)	Subcase 55-02056
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
_____	)	

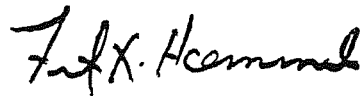
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 55-02056 was filed. Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 55-02056 be decreed as recommended in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 12, 1999.



FRITZ X. HAEMMERLE
Special Master, Snake River Basin Adjudication

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APR 13 1999

Department of Water Resources

1999 APR 12 PM 12:28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 55-02056

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 12, 1999, with sufficient first-class postage prepaid to the following:

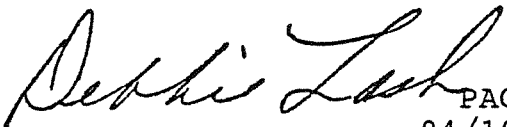
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

GEORGE JOHNSTONE
JUANITA JOHNSTONE
RT 1 BOX 1144
HOMEDALE, ID 83628
Phone: 208-337-3015

CERTIFICATE OF MAILING


PAGE 1
04/10/99
DEBBIE LASH
Deputy Clerk

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

RECEIVED

APR 13 1999

Department of Water Resources

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-02056

NAME AND ADDRESS: GEORGE JOHNSTONE
JUANITA JOHNSTONE
RT 1 BOX 1144
HOMEDALE, ID 83628

SOURCE: VULCAN GULCH TRIBUTARY: SOUTH BOULDER CREEK
MILL CREEK SOUTH BOULDER CREEK

QUANTITY: 2.00 CFS

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

PRIORITY DATE: 02/10/1942

POINT OF DIVERSION: T07S R04W S30 SESW (Rediversion)
S31 NESW (Rediversion)
SENW (Rediversion)
T08S R04W S06 NWSE
R05W S01 NESE (Injection)
S12 NENE
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.00 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE:	Irrigation	Stockwater
	T07S R04W S30	SWNE 14.0
	S31	SESW 20.0
		SWNE 11.0
		NESW 13.0
	117.0 Acres Total	

Within Owyhee County
NESW 11.0
NWSE 6.0
SENE 20.0
NENE 22.0

Stockwater Same as Other Use

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 85 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE USE OF WATER FOR IRRIGATION AND STOCKWATER PURPOSES
WITHIN T07S R04W S30 NWSE IS LIMITED TO THE W 1/2 OF THE W 1/2
OF THAT PLACE OF USE.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL 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 SRBA

Case No. 39576

A. Subcase 55-02056

(Insert water right number)

**DOMESTIC AND
STOCK WATER RIGHT
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Juanita Johnstone & GEORGE JOHNSTONE

Address: Rt. 1 Box 1144; HOMEDALE, ID. 83628

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

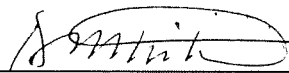
)ss.

County of Ada)

Daryl Albiston, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 31, 1998

Jacqueline L. Ripling
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 4-7-1999

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on SEP 4, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

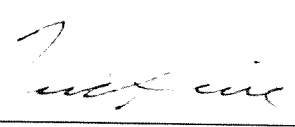
Name: Juanita Johnstone & GEORGE JOHNSTONE
Address: RT. 1 Box 1144 HOMEDALE ID. 83628
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

SRBA DIRECTORS REPORT 55-02056

Return to SRBA Home Page

IWT072

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

Right Number: 55-02056

MIXED OWNERSHIP

Name and Address: JUANITA JOHNSTONE
GEORGE JOHNSTONE
RT 1 BOX 1144
HOMEDALE, ID 83628

*THE POL IDENTIFIED BELOW
CONTAINS PRIVATE & PUBLIC
LANDS. THE DESCRIPTION
SHOULD BE CLARIFIED SUCH
THAT IT IS CLEAR ONLY
PRIVATE LAND IS INTENDED.*

Source: VULCAN GULCH
MILL CREEK

Tributary: SOUTH BOULDER CREEK
SOUTH BOULDER CREEK

Quantity: 1.44 CFS

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.58 CFS.

Priority Date: 02-10-1942

Diversion Point:	T07S R04W S30.	SESW	(Rediversion)
	S31.	NESW	(Rediversion)
		SESW	(Rediversion)
	T08S R04W S06.	NWSE	Within Owyhee County
	R05W S01.	NESE	(Injection)
	S12.	NENE	
		NESE	

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	Irrigation Season	1.32 CFS
	Stockwater	01-01 TO 12-31	.12 CFS

Place of Use:	Irrigation	Within Owyhee County
	T07S R04W S30	SWNE 14
		SESW 20
	S31	SWNE 11
		NESW 13
		NESW 11
		SESW 20
		NENW 22

117 Acres Total

Stockwater
Same as Other Use

*The use of water for irrigation and stockwater
purposes is limited to the 1/2 W1/2 of NWSE
SECTION 30 - T07S R04W.*

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 66 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Other Provisions Necessary for Definition / Administration of this Water Right:

BASED ON A 1979 ORTHOPHOTO MAP, A 1987 NAPP PHOTO AND A FIELD
EXAM ON 10/15/1992, THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR
NON USE FROM 1979 TO 1992.

Explanatory Material: Basis of Claim - License

STOCKWATER, 500 RANGE CATTLE
RIGHT NO. 55-02139 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

[Return to SRBA Home Page](#)

RECEIVED

JUN 30 1999

Department of Water Resources

1999 JUN 28 PM 12: 02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

)

ORDER OF PARTIAL DECREE

)

Case No. 39576

)

For Water Right 55-02056

)

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-02056 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999.



BARRY WOOD

Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 55-02056

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-02056 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

GEORGE JOHNSTONE
JUANITA JOHNSTONE
RT 1 BOX 1144
HOMEDALE, ID 83628
Phone: 208-337-3015

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/28/99

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-02056

1999 JUN 28 PM 12:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: GEORGE JOHNSTONE
JUANITA JOHNSTONE
RT 1 BOX 1144
HOMEDALE, ID 83628

SOURCE: VULCAN GULCH TRIBUTARY: SOUTH BOULDER CREEK
MILL CREEK SOUTH BOULDER CREEK

QUANTITY: 2.00 CFS

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

PRIORITY DATE: 02/10/1942

POINT OF DIVERSION: T07S R04W S30 SESW (Rediversion)
S31 NESW (Rediversion)
SENW (Rediversion)
T08S R04W S06 NWSE
R05W S01 NESE (Injection)
S12 NENE
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.00 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T07S R04W S30	SWNE 14.0 NESW 11.0 SESW 20.0 NWSE 6.0 SWNE 11.0 SENW 20.0 NESW 13.0 NENW 22.0
	S31	
	117.0 Acres Total	

Stockwater Same as Other Use

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 85 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

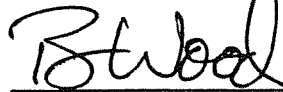
THE USE OF WATER FOR IRRIGATION AND STOCKWATER PURPOSES
WITHIN T07S R04W S30 NWSE IS LIMITED TO THE W 1/2 OF THE W 1/2
OF THAT PLACE OF USE.

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

DEC 16 1998

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

**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

) Subcase No. 55-02056

Case No. 39576

) **Standard Form 5**

) **STIPULATED ELEMENTS**
) **OF A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

George Johnstone
Juanita Johnstone

OBJECTOR:

United States on behalf of the
Bureau of Land Management

George Johnstone 12/14/98
George Johnstone Date

Larry A. Brown 12/17/98
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Juanita Johnstone _____
Date
IDWR CONCURRENCE:

Ronnie Brown 12/16/98
Date

IDWR CONCURRENCE:

Susan Hamill 12/16/98
Date

Right Number: 55-02056

Name and Address: JUANITA JOHNSTONE
GEORGE JOHNSTONE
RT 1 BOX 1144
HOMEDALE, ID 83628

Source: VULCAN GULCH Tributary: SOUTH BOULDER CREEK
MILL CREEK SOUTH BOULDER CREEK

Quantity: ~~1.44~~ 2.00 CFS

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

~~USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 2.58 CFS.~~

Priority Date: 02-10-1942

Diversion Point: T07S R04W S30 SESW (Rediversion)
S31 NESW (Rediversion)
SENW (Rediversion)
T08S R04W S06 NWSE
R05W S01 NESE (Injection)
S12 NENE
NESE

Purpose and
Period of Use:

Purpose of Use	Period of Use	Quantity
Irrigation	04-01 TO 10-31	~~1.32~~ 2.00 CFS
Stockwater	01-01 TO 12-31	.12 CFS

Place of Use: Irrigation Within Owyhee County
T07S R04W S30 SWNE 14 NESW 11
SESW 20 NWSE 6
S31 SWNE 11 SENW 20
NESW 13 NENW 22
117 Acres Total

Stockwater
Same as Other Use

THE USE OF WATER FOR IRRIGATION AND STOCKWATER
PURPOSES WITHIN T07S R04W S30 NWSE IS LIMITED TO THE W 1/2 OF
THE W 1/2 OF THAT PLACE OF USE.

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF ~~66~~ 85 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE
IRRIGATION SEASON.

Other Provisions Necessary for Definition / Administration of this Water Right:

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 55:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

<u>WATER RIGHT NO.</u>	<u>SOURCE</u>
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 55 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

~~IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.~~

~~BASED ON A 1979 ORTHOPHOTO MAP, A 1987 NAAPP PHOTO AND A FIELD EXAM ON 10/15/1992, THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON USE FROM 1979 TO 1992.~~

Explanatory Material: Basis of Claim - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

STOCKWATER, 500 RANGE CATTLE

~~RIGHT NO. 55-02139 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.~~

CERTIFICATE OF MAILING

I certify that on Dec 16, 1998, I mailed the original and copies of this form, including all attachments, 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

Hand

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

Hand

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Hand

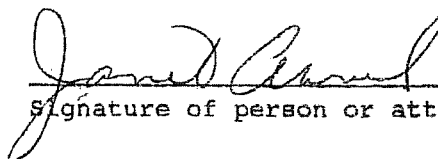
3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand

George and Juanita Johnstone
Rt. 1 Box 1144
Homedale, Idaho 83628

Hand



Signature of person or attorney mailing the form

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

DATE: DEC-16-1998

PAGE: A-1

 RIGHTS FROM: SOURCE: VULCAN GULCH TRIBUTARY: SOUTH BOULDER CREEK

RIGHT NUMBER: 55-02056

NAME AND ADDRESS: JUANITA JOHNSTONE
 GEORGE JOHNSTONE
 RT 1 BOX 1144
 HOMEDALE ID 83628

SOURCE: VULCAN GULCH TRIBUTARY: SOUTH BOULDER CREEK
 MILL CREEK SOUTH BOULDER CREEK

QUANTITY: 2.00 CFS
~~1.44 CFS~~

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

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF ~~2.58~~ CFS.

2.57

PRIORITY DATE: 02/10/1942

POINT OF DIVERSION: T07S R04W S30 SESW (R) Within Owyhee County
 S31 SENW (R)
 NESW (R)
 T08S R04W S06 NWSE
 R05W S01 NESE (I)
 S12 NENE
 NESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	<u>2.00 CFS</u>
			~~1.32 CFS~~
	STOCKWATER	01-01 12-31	0.12 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T07S R04W S30	SWNE 14	NESW 11	SESW 20	~~NWSE 6~~
S31	SWNE 11	NENW 22	SENW 20	NESW 13
~~117~~ ACRES TOTAL				
<i>///</i>				

USE OF THIS RIGHT WITH RIGHT NO. 55-02139 IS LIMITED TO THE
 IRRIGATION OF A COMBINED TOTAL OF ~~117~~ ACRES IN A SINGLE
 IRRIGATION SEASON.

///

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 85 ACRES WITHIN

55-02056 (CONT.)

*THIS RIGHT IS LIMITED TO THE IRRIGATION OF 66 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.*

Place of use for STOCKWATER is same as IRRIGATION

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

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 55 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

*BASED ON A 1979 ORTHOPHOTO MAP, A 1987 NAAPP PHOTO AND A FIELD
EXAM ON 10/15/1992, THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR
NON USE FROM 1979 TO 1992.*

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

STOCKWATER, 500 RANGE CATTLE

*RIGHT NO. 55-02139 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.*

TOTAL DIVERSION:

Stage: LICENSE

OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

	SE	:	SUM
E	SWSE	:	
C	Lt Ac	:	
5	-----	:	-----
		:	51.0
		:	66.0
TOTAL ACRES		:	117.0

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION

Remarks:

IRRIGATION OF A COMBINED TOTAL OF 117 ACRES IN A SINGLE
IRRIGATION SEASON. ²⁵
THIS RIGHT IS LIMITED TO THE IRRIGATION OF ~~66~~ ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
GEN BASED ON A 1979 ORTHOPHOTO MAP, A 1987 MAP PHOTO AND A FIELD
EXAM ON 10/15/1992, THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR
NON USE FROM 1979 TO 1992.

EXP STOCKWATER, 500 RANGE CATTLE
RIGHT NO. 55-02139 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date: 09/04/1998

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments:

Date: 02/19/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
SEE 55-2139 FOR SEC. 30. EXACTLY SAME AS LICENSE, NO GOOD MAPS
AVAILABLE. SEE 55-2134 FOR LOCATION MAP.
"Ownership changed by RDH on Sept. 4, 1991"

Date: 02/19/1998 User-ID: MSCHULTE Subject: INJECTION AND REDIVERSION POINTS
BASED ON A FIELD EXAM MAP IT APPEARS MILL CREEK WATER IS INJECTED
INTO COYOTE CREEK IN T08S, R05W, S01, NESE AND REDIVERTED FROM
THE SAME CREEK IN T07S, R04W, S31, NENW.

Date: 03/04/1998 User-ID: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 04/07/1998 User-ID: MSCHULTE Subject: OWNERSHIP CHANGE
THE OWNERSHIP WAS CHANGED ON 4/1/1998 TO CORRECT THE OWNERSHIP
CHANGE FILED 8/5/1991.

Date: 06/10/1998 User-ID: AUJ21-JS Subject: AUJ21 CONDITION UPDATE
DELETED CONDITION CODE(S) H03 H04

Date: 06/25/1998 User-ID: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART
OF RECORD THRU

Audit:

02/19/98 MSCHULTE 02/25/98 MSCHULTE 02/27/98 LHARRIS 03/04/98 AUJ10-DS
04/01/98 MSCHULTE 04/07/98 MSCHULTE 06/02/98 JSHURTE 06/10/98 AUJ21-JS
06/20/98 CMU-PROD 06/25/98 AUJ10-DS 06/29/98 CPD SHAFF 09/09/98 UPD-SEGB

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

DATE: 02/27/98
PAGE: 1

DIVERSION
VOLUME

ser: 1

1.47

Stage: LICENSE

OLYHEE County

DAYHEE County
DAYHEE County

NE

MN

Ac L

• • •

—

1063

PLISH

425

UND

GALL

DEC

DETE

KOTO

EMAIN

1

CATTLE

•

Veri

2.

Fiel
Proc

113

2

1



5

2.

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

COPY INCLUDED
IN FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	NO. OF PAGES	NOTES
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1979</u> IDMR ID NO. <u>H454</u> Y ☒ N ☐ <u>Page 6e</u>		
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>8-1-1987</u> IDMR ID NO. <u>H454</u> Y ☒ N ☐		
☒ MAP	DATE OF PHOTO <u>1986 - Copy in H55-02139</u> IDMR ID NO. <u>H454SCU</u> Y ☒ N ☐		
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>2-18-98, 4-6-98</u> Y ☒ N ☐ <u>Page 6b & 6c</u>		
☒ ASCS COLOR SLIDE <u>GTS map</u>	DATE OF PHOTO <u>2-18-98, 4-6-98</u> Y ☒ N ☐		
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____ Y ☐ N ☐		
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____ Y ☐ N ☐		
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____ Y ☐ N ☐		
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____ Y ☐ N ☐		
☒ OTHER <u>GTS table</u>	DATE <u>4-6-98</u> <u>Page 6d</u> Y ☒ N ☐		
☒ OTHER <u>Supplemental CVR</u>	DATE <u>4-8-98</u> <u>Page 6e</u> Y ☒ N ☐		
☒ OTHER <u>H80 map</u>	DATE <u>1-4-98</u> <u>6e</u> Y ☒ N ☐		
LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>8-4-1948</u> <u>2</u>		
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>1-4-1949</u> <u>1</u>		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

10-6-92

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A55-2056

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR (IN-OFFICE) VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
---	---	---	------------------------	------------------------------------	----------------------------------	------------

PRIORITY*	10-15-92	X6				
-----------	----------	----	--	--	--	--

PT. OF DIV.	Y			Y Sent 3-9-95		
-------------	---	--	--	------------------	--	--

SOURCE						
--------	--	--	--	--	--	--

PL. OF USE	Y					
------------	---	--	--	--	--	--

DIV. AMOUNT CFS/AF						
-----------------------	--	--	--	--	--	--

CONSUMPTIVE USE						
--------------------	--	--	--	--	--	--

NATURE OF USE						
------------------	--	--	--	--	--	--

PERIOD OF USE						
------------------	--	--	--	--	--	--

BASIS OF CLAIM						
-------------------	--	--	--	--	--	--

REMARKS						
---------	--	--	--	--	--	--

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH

COMMENTS: *6 - Same as Leonard

VERIFICATION CODES
TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
*OTHER(SEE COMMENTS) = 6

DATA ENTRY COMPLETED
BY MS DATE 4-8-98

FINAL RECOMMENDATION
BY MS DATE 4-8-98

MAP =
AA54 SCW

A. ROOT WATER RIGHT NUMBERS: A55-02056

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	G-P UNIT	FIELD EXAM.	RECOMM. ACRES
07S	04W	31	SW	NE		JOHNSTONE, GEORGE	A55-02056 /25.0	55-02056 /25.0				20.0
			SW	NE		JOHNSTONE, GEORGE	A55-10081 /	-				17
07S	04W	31	NE	NW		JOHNSTONE, GEORGE	A55-02056 /15.0	55-02056 /15.0				26.0
07S	04W	31	SE	NW		JOHNSTONE, GEORGE	A55-02056 /25.0	55-02056 /25.0				22.0
07S	04W	31	NE	SW		JOHNSTONE, GEORGE	A55-02056 /20.0	55-02056 /20.0				27.0
TOTAL ACRES							A55-02056	85.00	85.00	95.00	89	18

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET: Due 31, 1980 a possible SUSCE-NO WR in MATIGY

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER

PRESUMPTION FLAG:

REMARKS:

Field map to determine location & number of acres
Recommended area based on 7-18-98 GTS calculation

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

68 117 See Supplemental CUR & GTS table
4-8-98
MEL Schulte 2-19-98

PRD with 55-02139.

Originally Awarded for 85.0 acres; 85.0 acres
claimed. Acknowledged transfer award
85.0 acres within 117.0 PM 203 12/16/98

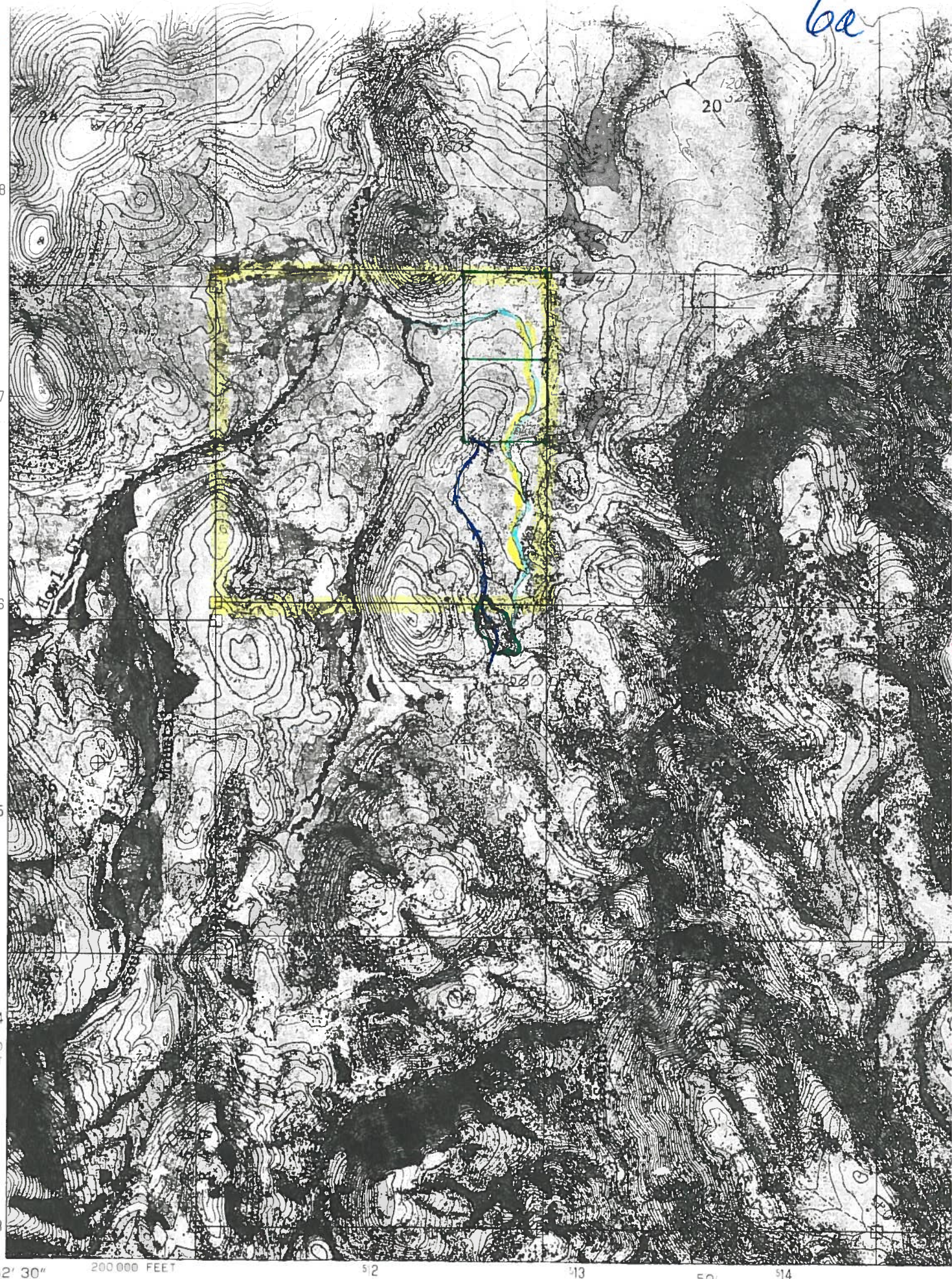
6a

TTS
Q4W
5.30

47°38'
47°30"
47°37'
47°36'
47°35'
47°34'
47°33'

400 000 FEET

116°52' 30" 200 000 FEET



6d

WESTERN REGION

CLAIM NUMBERS A55-02056 & A55-02139

AGENT MS DATE 4-6-98

TOTAL ACRES FROM RECOMMENDATION 117

GEOGRAPHIC INFO SYSTEM ACRES 117

READY FOR DECREE ☒ (YES) SENT FOR DECREE ☐ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	75	4W	30			14						11			20		6		51
GIS			31			11		22			20	13							66
RECOM																			117
GIS																			

POLYGON CREATED ON 803

POLYGON # (278)(280)() () _____ UPDATED BY

ATTRIBUTES OF B55-POU.SHP () () () () ()

ATTRIBUTES OF B55-POD.SHP () () () () ()

B55-DBPOU.DBF _____ UPDATED BY

B55-DBPOD.DBF _____ UPDATED BY

PPU = 117 acres

6e

CLAIM NO. 455 - 02056.

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☐ NAME - No change
☒ NEW OWNER: _____
(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☐ ADDRESS - No change
☒ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☐ QUANTITY - No change
☒ CHANGE - New amounts: 1.44. CFS and/or _____ AFY

4. ☒ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
Added Rediversions and one POD
T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use _____ New period of use _____ New amount(s) _____
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af

7. ☐ PLACE OF USE - No change
☒ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)
Created 117 acre PPU with 55-02139

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			<i>See GIS Table</i>																

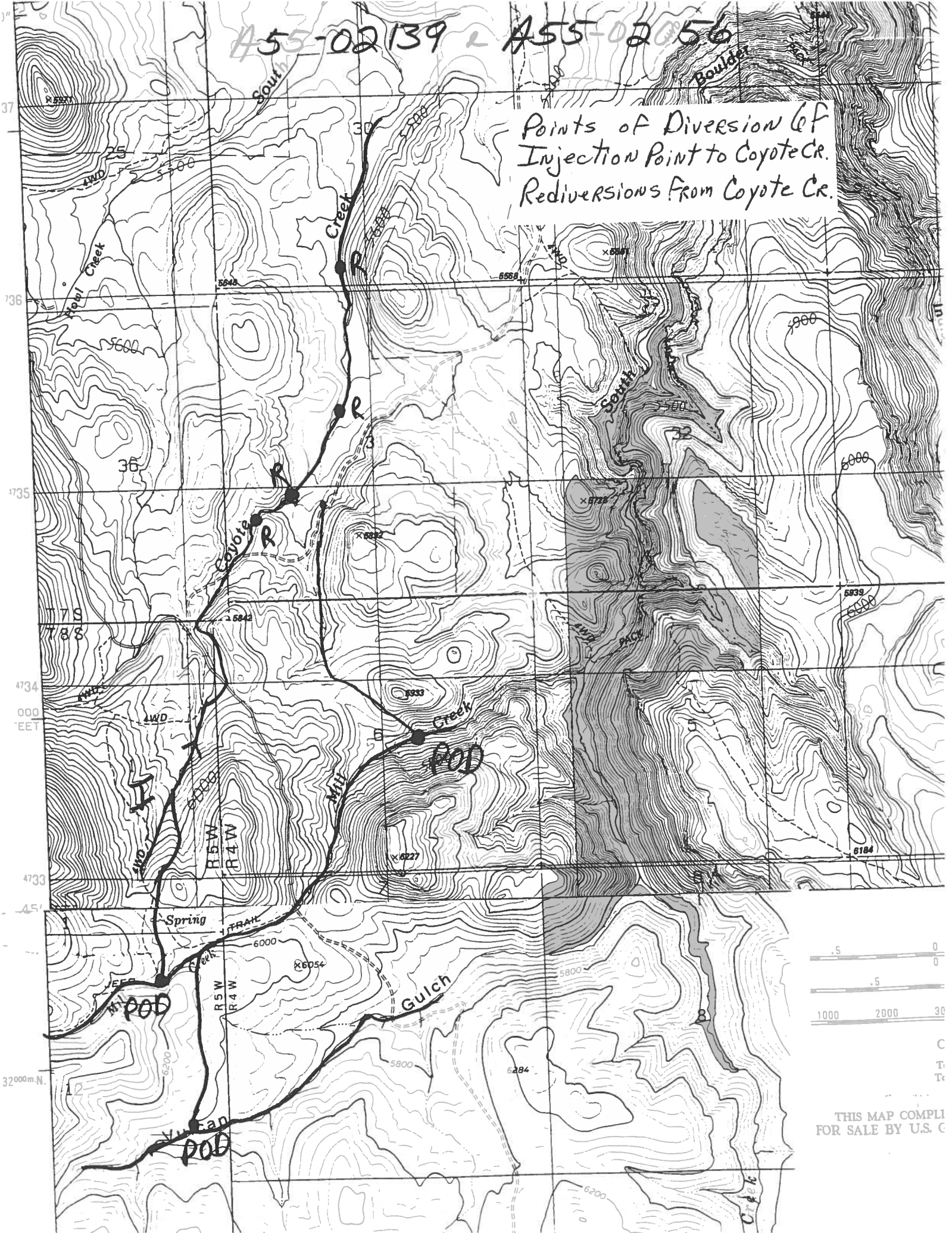
REMARKS *Added remarks for PPU*

CONDITIONS _____

Reviewer *Mel Schulte* Date *4-8-98*

A55-02139 & A55-02056

Points of Diversion of
Injection Point to Coyote Cr.
Rediversions From Coyote Cr.



THIS MAP COMPLI
FOR SALE BY U.S. C

A. AJ CLAIMED USES:

PURPOSES
A55-02056 IRRIGATION
A55-02056 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY

1.700 CFS
.120 CFS
1.700 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
55-02056 IRRIGATION
55-02056 DOMESTIC

MONTH/DAY
FROM TO
FROM TO

DIVERSION QUANTITY

2.000 CFS
2.000 CFS
2.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	Y		
DUE TO DIVERSION RATE DISCREPANCY?	Y		
DUE TO PERIOD FROM/TO DISCREPANCY?	Y		

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.700 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-02056	STOCKWATER	JOHNSTONE , GEORGE	FROM 01-01 TO 12-31	.120 CFS	
A55-10081	DOMESTIC	JOHNSTONE , GEORGE	FROM 01-01 TO 12-31	.020 CFS	
A55-10081	STOCKWATER	JOHNSTONE , GEORGE	FROM 01-01 TO 12-31	.070 CFS	

D.

1a. IRRIGATION RATE
ACRES 68 x 0.02 CFS/ACRE = 1.36 CFS
(Taken from p/u review)

RATE/VOLUME CALCULATIONS: (IRRIGATION)

See Supplemental B. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(5)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA NA =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

DATABASE EXAMINER

REC. DIV
VOL. AF/A

DATABASE EXAMINER

REC. CONS.
USE

DATABASE EXAMINER

Amputation
Hardware

4-15 10-15
1-1 12-31

1.36 1.12
1.48 1.12

✓

TOTAL FOR THIS RIGHT

REVIEWED BY:

McShulte

DATE:

4-8-98
5-19-98

* See Supplemental CVR

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02056

TOTAL DIVERSION RATE OF WR SPLITS

2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A55-02056

1.700

-

55-02056

2.000

TOTAL CFS

1.700

2.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

Sandy at Sandhu Co. Diversions Office says the lands of the landowner
to this claim are owned by Harold Johnson. 3-3-95 at P.O.

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

4-8-98

Michael Schultz

Judy Werner

St. Agent

1-4-1949

State of Idaho
License and Certificate of Water Right

Water License No. 10688

Amount \$1500.00

Water District No.

Priority February 10, 1948

THIS IS TO CERTIFY that WILLIAM R. PRUITT and CHARLES M. PRUITT of Jordan Valley, Oregon, made application for a permit to appropriate the public waters of the State of Idaho, dated September 28, 1916, that Permit No. 10688 was issued under said application; that Certificate of Completion of works, with a carrying capacity of two (2) second feet, was issued thereunder on October 1, 1917, showing that said works were completed on the 1st day of October, 1917, and that on the 1st day of April, 1948,

JOHN LINDLEY, Assistant

of Sheaville

State of Oregon

made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of Tulser

Gulch and Mill, a tributary of Creek

for the purpose of irrigation and

domestic use under Use Permit No. 10688

of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

of Licenses at page 4451 on the 4th day of January, 1949

The right hereby confirmed dates from February 10,

1948

The Point of Diversion is located from Mill Creek in NE 1/4 Sec. 5, T.8 S., R. 5 E., and in the SW 1/4 Sec. 12, T. 8 S., R. 5 E., B. M. from William Dillah,

Owyhee County,

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed Two (2) cubic feet per second, 1 C.F.S. from Mill Creek and 1 C.F.S. from Tulser Gulch.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 S.	4 E.	51	SW 1/4 NE 1/4	40	25
			NR 1/4 NW 1/4	40	15
			SE 1/4 NW 1/4	40	25
			NE 1/4 SW 1/4	40	20
			Number of Acres actually irrigated		85

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, at Boise, Idaho, this 4th day of January, 1949

(Seal)

MARK H. KULE

State Reclamation Engineer

442-12056

8-4-1948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 10638

In Water District No.

This report is for Beneficial use

1. Name of applicant John Little, Rockville, Oregon

2. Source of water supply Hill Creek and Vulcan Gulch Creek

3. Location of point of diversion It is in the NE 1/4 Sec. 6 from Hill Creek, Twp. 8 S., R. 4 W., B.M., and at Section 31, NE 1/4, 39, 12

W. 8 S., R. 5 W. from / County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same. Diversions are made direct from the stream, no structures being necessary. The ditches average two feet wide, and 1 foot deep

5. Water is used for Irrigation and domestic

6. State whether or not water has been turned into works of diversion Yes

7. List legal subdivisions of lands to be irrigated. If report is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. Describe manner and place of use if other than irrigation

SW 1/4, NE 1/4 and NE 1/4, Section 31, Township 7 South, Range 4 West, B. M.

8. Submit map or sketch plan showing location and details of above description

9. What large stream would the water here appropriated drain? Or these nearby Jordan Creek and Snake River

Remarks

This application was made on the

day of

August 1948

10638

Permit No. 10638

8-4-1948



A 25-5056

MEMORANDUM

TO: Susan Hamlin
Legal Services

FROM: Mel Schulte
Western Region

MS.

DATE: April 8, 1998

RE: Possible objection to ownership of A55-02056

Attached are copies of several documents relating to the ownership issue we discussed for claim A55-02056. The copies are for review and file.

The original letters were mailed today to Mr Larsen and Mr Johnstone so I could have an indication before long as to whether Mr Larsen will object to the SRBA court. I will provide you with copies of all correspondence I may receive from him and will try to keep you and our files updated concerning any conversations I have concerning the ownership issue.

Let me know if you need any additional documents or information we may have in our files.

MTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 8, 1998

PHILIP E. BATT
GOVERNOR

GEORGE JOHNSTONE
RT 1 BOX 1144
HOMEDALE ID 83628

KARL J. DREHER
DIRECTOR

RE: 55-02139 & 55-02056

Dear Mr. Johnstone:

After the meeting in our office on March 31st, I made amendments to our records to address the changes you requested in the Notice of Error you filed on that date. Listed below are several documents that describe those changes.

- 1) An infrared imagery map that shows the combined place of use for both of your water rights into a permissible place of use totalling 117 acres.
- 2) Copies of two computer print outs called profile reports that describe the corrected recommendations for your water rights referenced above.
- 3) A copy of claim form A55-02056 for your records. This copy shows that I changed the ownership back into your name to correct the error we made in 1991 when we changed the name on the claim to Robert Larsen.
- 4) A copy of my letter to Robert Larsen notifying him that I changed the names in our records for claim A55-02056 from his name to yours. The letter also describes some options he has if he disagrees with the changes I made.

Please review the enclosed documents carefully and call me at the number below if you have any questions or additional discussion.

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.

CC: Susan Hamlin, Legal Services



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 8, 1998

PHILIP E. BATT
GOVERNOR

ROBERT LARSEN
RT 1 BOX 290
MARSING ID 83639

KARL J. DREHER
DIRECTOR

RE: A55-02056

Dear Mr. Larsen:

On August 5, 1991 we received from you a Notice of Change of Water Right Ownership relating to Snake River Basin Adjudication (SRBA) claim A55-02056. As a supporting document there was attached a certified copy of a Quitclaim Deed conveying property from Shirley Cowgill, formerly Shirley Larsen, to yourself and Sharon Larsen. Shortly after receiving the ownership change form we changed our records for claim A55-02056 from George & Juanita Johnstone into your name.

On March 31, 1998 George Johnstone informed us that he is the owner of SRBA claim A55-02056 and the land appurtenant to it. As confirmation of his ownership he provided copies of 1997 Owyhee County tax records. A recent review of the Quitclaim Deed you submitted on 8/5/1991 revealed that it does not include the legal description described in claim A55-02056. A review of water license 55-02056, which is the basis for SRBA claim A55-02056, indicates this water right was not appurtenant to the land described in the Quitclaim Deed. Also, I cannot find in any of our water right records and files that Shirley Cowgill, formerly Shirley Larsen, has ever had an interest in water right license 55-02056 and SRBA claim A55-02056.

If you purchased all or part of water right 55-02056 we need documentation that describes the purchase. To move any or part of the water relating to this right to land not appurtenant to the right requires a transfer application be filed and approved prior to using the water at the new location.

It appears we erred in 1991 when we changed A55-02056 into your name. Therefore, to correct the error I have changed the name on the claim back to George & Juanita Johnstone. Enclosed for your records is a copy of the claim form.

If you disagree with changing the ownership of SRBA claim A55-02056 into the names of George & Juanita Johnstone please let me know before April 15, 1998 and provide me with documentation that describes your ownership interest. If there is an ownership dispute that cannot be resolved before we submit our recommendations to the SRBA court, the dispute can be addressed through the court's procedures.

If you have any questions or want to discuss this matter in more detail please call me at the number below.

April 8, 1998
Page 2

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.

CC: George Johnstone
Susan Hamlin, Legal Services

MAILING DATE: March 9, 1995
RESPONSE DATE: April 10, 1995

GEORGE JOHNSTONE, Sr. & Allen
ROUTE 1 BOX 1144
HOMEDALE ID 83628 337-3015

SUBJECT: Notices of Claim to a Water Right, A55-02056 &
A55-02139

Dear Mr. Johnstone;

We are currently in the process of preparing the above referenced Notices of Claim for court decree in the Snake River Basin Adjudication. During this process certain questions arose concerning the claims listed above. They are as follows:

If you will recall, these claims are on licensed water rights which name Mill creek and Vulcan Gulch as sources for the irrigation of lands in sections 30 and 31, T7S, R4W. There remains some question as to the actual diversion sites between what was originally licensed, claimed in the SRBA, and found during the field exam in October, 1992. It also appears that water may be conveyed to the place of use through Coyote creek.

I am enclosing a map showing the location of the sources and place of use and ask that you use this map to draw a system diagram. I would appreciate it if you would return this information, to my attention, by the response date shown above. This will allow me to continue with your claim recommendations on a timely basis. In the meantime, if you have any questions, please feel free to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Rec phone call from George Johnstone on 4-3-95 L.A.W.

Enclosure

*Upper ditch diverted from Mill cr. to Coyote cr.
Srr. top side of meadow.
Lower ditch - POB: Sec. 6
Used @ Sec. 30 & 31 - lower part of meadow.
Ditches have not been moved. Has been there 60 yrs. (my)
P.O.U. appeared to be accurate, into POB out of
(into 30)*

October 16, 1992

ROBERT LARSEN
RT 1 BOX 290
MARSING ID 83639

Dear Mr. Larsen;

I am writing in regard to the field exam completed on October 15, 1992, for your property in the E1/2 of Section 30, T7S, 4W and the information gathered from that exam.

I have researched our files for previous water rights on this property and find no license, decree or statutory claim has ever been issued on this land. I also find no evidence of a Notice of Claim to a Water Right ever being filed in the Snake River Basin Adjudication asserting any water usage. Since no water right has ever been issued or claimed, it is presupposed that this land has never been irrigated from a **developed** water source. My observations from the field exam completed yesterday supports the above in that there has been no recent beneficial use of water for this land.

I am enclosing two forms, an Application for Permit and a Notice of Claim to a Water Right. If you intend to develop an irrigation system for this property, complete the permit application. If you feel that there has, in fact, been a beneficial use of water to this land with no **five year period of non-use**, then complete the Notice of Claim to a Water Right.

Along with these two forms I am enclosing a pamphlet entitled "Evidence of Priority". Please review this pamphlet. If you choose to file a Notice of Claim it will be necessary for you to submit evidence of priority to substantiate the date of first usage for this claim.

The filing fee is dependent upon the number of acres you will be filing on or the quantity of water you will be applying for. The enclosed instruction books will outline this for you. If you file a Notice of Claim it will be necessary to submit a late filing fee of \$50.00 as explained in the late fee notice also enclosed.

Please respond within 30 days of the date of this letter. If you have any questions, feel free to contact me.

Sincerely,

Pg. 2 of 2
10-16-92

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Application for Permit/Instructions
Notice of Claim to a Water Right/Instructions
Pamphlet
Late Fee Notice
Request for Extension of Time

CONVERSATION MEMORANDUM

DATE 10-16-92

FILE A55-2056

NAME OF PARTY Sam - Owy Co. Assessors

EMPLOYEE Linda Warner

RE: Ownership of Sec. 30 & Sec. 31

According to Sam property belongs to
George Johnstone.

If Robert Larsen submits a claim on the
E's of Sec. 30 - ask for ownership info.
as there has been some property ownership
problems in the past on Larsen's property

10-16-92

Pg. 1 of 2

Field exam notes from 10-15-92, 8am
Robert Larsen
A55-2056

I met Mr. Larsen at 7³⁰ at his home outside of Marsing. Was informed at that time we would be accompanied by Jim Rowe, a visitor from Anaheim, CA.

Arrived at site approximately to loc. #
55-2056; T7S, R4W, Sec. 31, SWNE & E $\frac{1}{2}$ NW &
NESW

Larsen told me this was not his property so we drove to his land. This land is located in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T7S, R4W & is adjacent to an unim. stream.

There are approx. 17 acres of pasture grass which is kept wet by sub water from the unim. stream.

Larsen said this land had been irr. by means of a ditch which branches off off the ditch used by George Johnstone. This ditch conveys water from Vulcan Gulch & Mill cr. After I surveyed (checked ir. place of use) we then looked for the ditch. Larsen did locate a "ditch" which runs along the crest of a hill. This ditch was not maintained & there has been no maintenance

Pg. 2 of 2

done on this ditch for many years. It is flat in many spots & could not carry water to the pastures as any water conveyed through it would be lost as when it reached the woody & rock terrain at the south side of the property. Once ditch passes this point it continues along hillside & any water released through ditch must flow 500' downslope to the creek bottom. Terrain at this point is sparse grass & sagebrush, gradually becoming grassy as it reaches bottom land.

I was told by Bob Bruce that morning that it's been 3 yrs. since the land he rents from Larsen has been irr. Bruce did not accompany us on this exam.

At 11:00, we met with Marge & Allen Johnstone & Robert McKenzie at Larsen site, to complete an exam for claim number A55-2139. Marge Johnstone told me at that time that this land (Larsen land) has no water right to it & that it had not been irr.

There is no water right or claim on this piece of property. Claimant might file a claim on it; however, given the condition of the ditch, I would not recommend it. Sent claimant a letter to this effect on 10-16

CONVERSATION MEMORANDUM

DATE 10-16-92

FILE A55-2056 & 2139

NAME OF PARTY Anita - ASCS-Manning

EMPLOYEE Linda Werner

RE: Maps for all of Sec. 30 & 31, 7S, 4W.

Will send them. Are of 1986 vintage &
the lands are drawn in.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-02056

13:17:45
05/17/91

LAST: PFEIFFER
ADDRESS: XXXXX
CITY: XXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: O
FIRST: WILLIAM H.
STATE: ID ZIP: 00000

LAST: PFEIFFER
ADDRESS: XXXXX
CITY: XXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: O
FIRST: CHARLES B.
STATE: ID ZIP: 00000

LAST: LIDDLE
ADDRESS: SHEAVILLE
CITY: SHEAVILLE
PHONE NUMBER: 208-000-0000
OWNER CODE: O
FIRST: JOHN
STATE: OR ZIP: 00000

LAST: JOHNSTONE
ADDRESS: RT. 1 BOX 1144
CITY: HOMEDALE
PHONE NUMBER: 208-337-3015
OWNER CODE: C
FIRST: GEORGE
STATE: ID ZIP: 83628

LAST: JOHNSTONE
ADDRESS: RT. 1 BOX 1144
CITY: HOMEDALE
PHONE NUMBER: 208-337-3015
OWNER CODE: C
FIRST: JUANITA
STATE: ID ZIP: 83628

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: SEE 55-2139 FOR SEC. 30. EXACTLY SAME AS LICENSE, NO GOOD MAPS
DATABASE Y FIELD EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Robert Johnson

PHONE NUMBER: () - -

DATE OF FIELD EXAM:

10/15/82

APPOINTMENT MADE: Y () N ()

TIME: : A () P ()

ACCOMPANIED BY:

Jim Fowler

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

Friend

DIRECTIONS TO PROPERTY / REMARKS:

Met w/ Mr. Johnson who took me to lands in the E 1/2 of Sec. 30 & 31, which are not the lands adjacent to this survey. Not in agreement on these lands. At 3m afternoon we met w/ Mr. Johnson & Mr. Johnson who is the registered owner of lands for this right of way. A 55-2139

10-6-92

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A55-2056

NAME OF CONTACT Robert Larson

PHONE NO. 896-4272 ADJ. AGENT Linda Werner

DATE SET FOR EXAM 8⁰⁰ - 10-15

LOCATION McKenzie - then Johnstones - then Larson
Mo thru Johnstones property -

* Lives in Marana - F US 95 - junction
toward J. V. 2 1/2 mi. Oil road to the
right - 3/4 mi - Called Poison cr. road (Sign might
be gone.)
Up over little sage brush hill - white, name on box

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of system? (pipeline, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS Look at entire ditch system Is
couple d. used as conveyance.

A. AJ CLAIM: # A55-02056 PRIORITY DATE: 02-10-1942 STAGE: L
B. WR RECORD: # 55-02056 PRIORITY DATE: 02-10-1942 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER W

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

02-10-1942

REVIEWED BY

Michael Hault

DATE

2-18-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-02056	08S	04W	6		NE	NW		OWYHEE
A55-02056	08S	05W	12	NW	NW	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A55-02139 NONE 55-02139

SOURCE: VULCAN GULCH
MILL CREEK

TRIB: BOULDER CREEK, SOUTH FORK
BOULDER CREEK, SOUTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02056	08S	04W	6		NE	NW		OWYHEE
55-02056	08S	05W	12		SW	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
NONE NONE NONE

SOURCE: VULCAN GULCH
MILL CREEK

TRIB: BOULDER CREEK, SOUTH FORK
BOULDER CREEK, SOUTH FORK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	<u>2</u>

REMARKS:

Chg. in P.O.D. requires field exam

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC.

1/4

1/4

1/4

LOT

COUNTY

28 44 6
85 50 12

==

10 100
100 100

==

==

000 100
100 100

Water Catch Mill Creek
Mill Creek

SOURCE: VULCAN GULCH

TRIB: BOULDER CREEK, SOUTH FORK

REVIEWED BY:

DATE:

3-9-95 I have claimed POB (a licensed) in Sec. 6, NE NE should be from mill creek but mill creek does not run in this area. It appears that the claimed POB in Sec. 12, NE NE may be correct as mill creek runs through there. Topography of area could support a ditch system.

The Vulcan Gulch POB appears to be in the NE SE, Sec. 12 rather than claimed POB & licensed POB, both listed differently.

When I did the field work on this on 10-15-92 I was unable to determine an accurate location of the POB due to narrow meadows.

- 1) I was unable to pick up sufficient satellite locations to get any readings when using the GPS. (Topographic Positioning System)
 - 2) I was topography of the area may have contributed to the inability of the GPS to pick anything up. It also contributed to my inability to determine a location using maps.
- Unless the claimant can supply me with any further information I am going to withdraw and appointment of claimant to redo this work, for POB site verification.

IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R04W, S30 & 31

6c



1987 NAPP PHOTO

SECTION LINES



POD



POU



1/4 1/4 LINES

6

ACRES

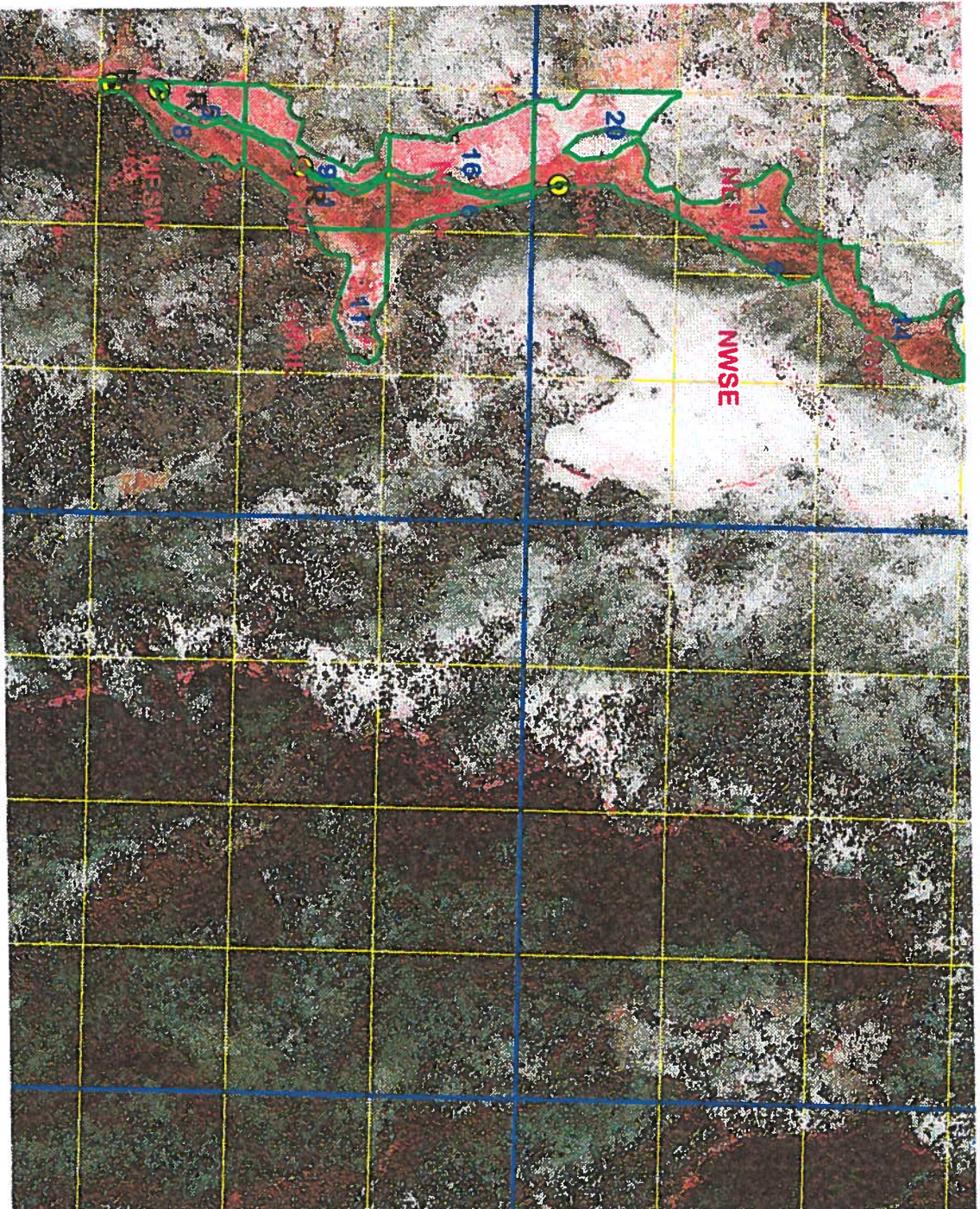
CLAIM(S) : 55-02056 & 55-02139

OWNER(S): GEORGE JOHNSTONE

Prepared by: Mel Schulte

Date: 4/6/1998

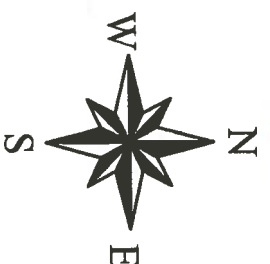
TOTAL ACRES = 117



IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R04W, S31

66



1987 NAPP PHOTO

SECTION LINES

POD

PLACE OF USE

1/4 1/4 LINES

6 ACRES

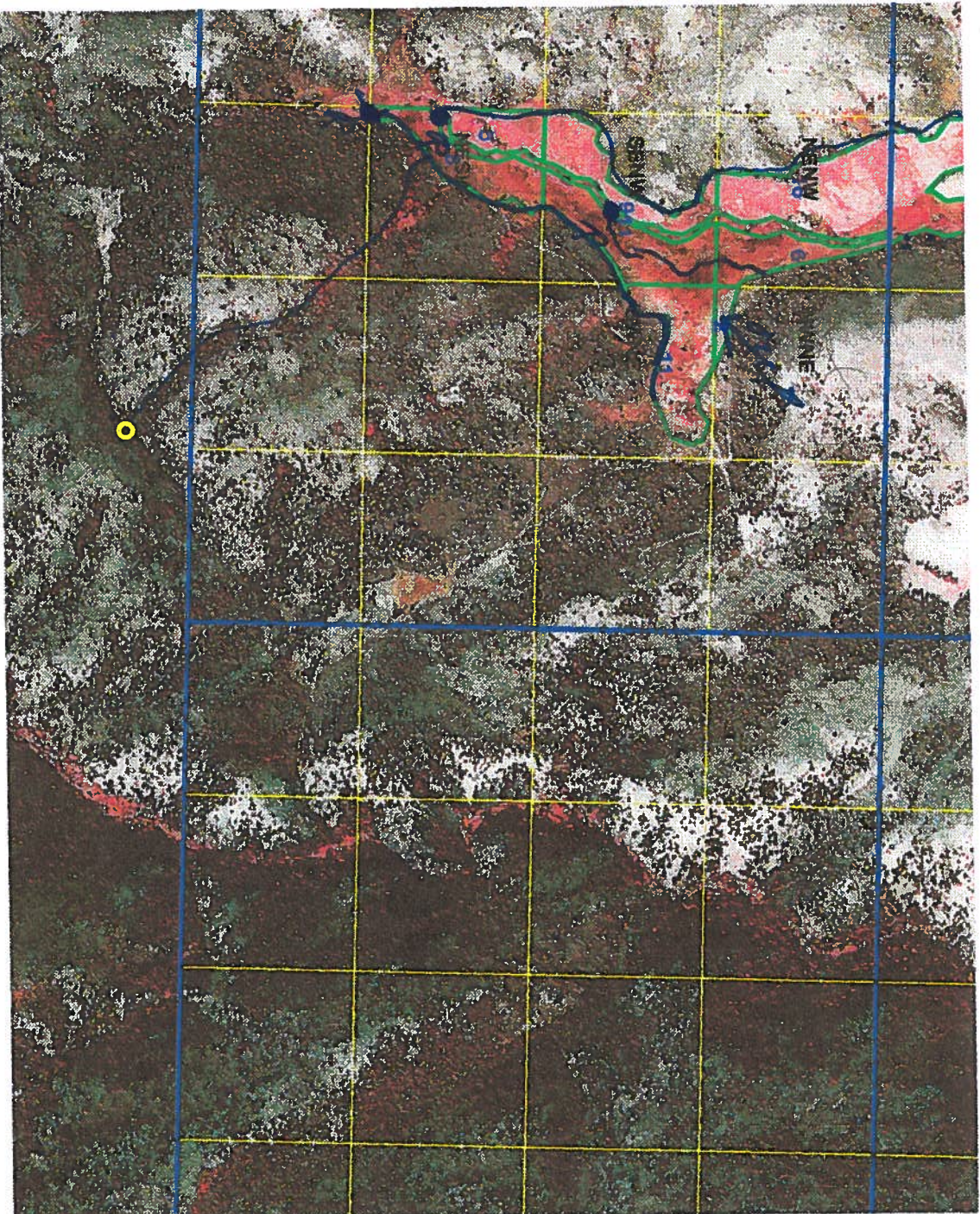
CLAIM(S) : 55-02056

OWNER(S) : ROBERT LARSEN

Prepared by: Mel Schulte

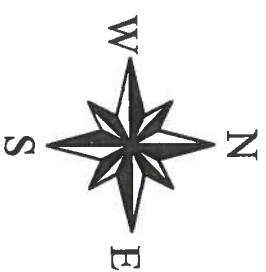
Date: 2/18/1998

TOTAL ACRES = 68



IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R04W, S30 & 31



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

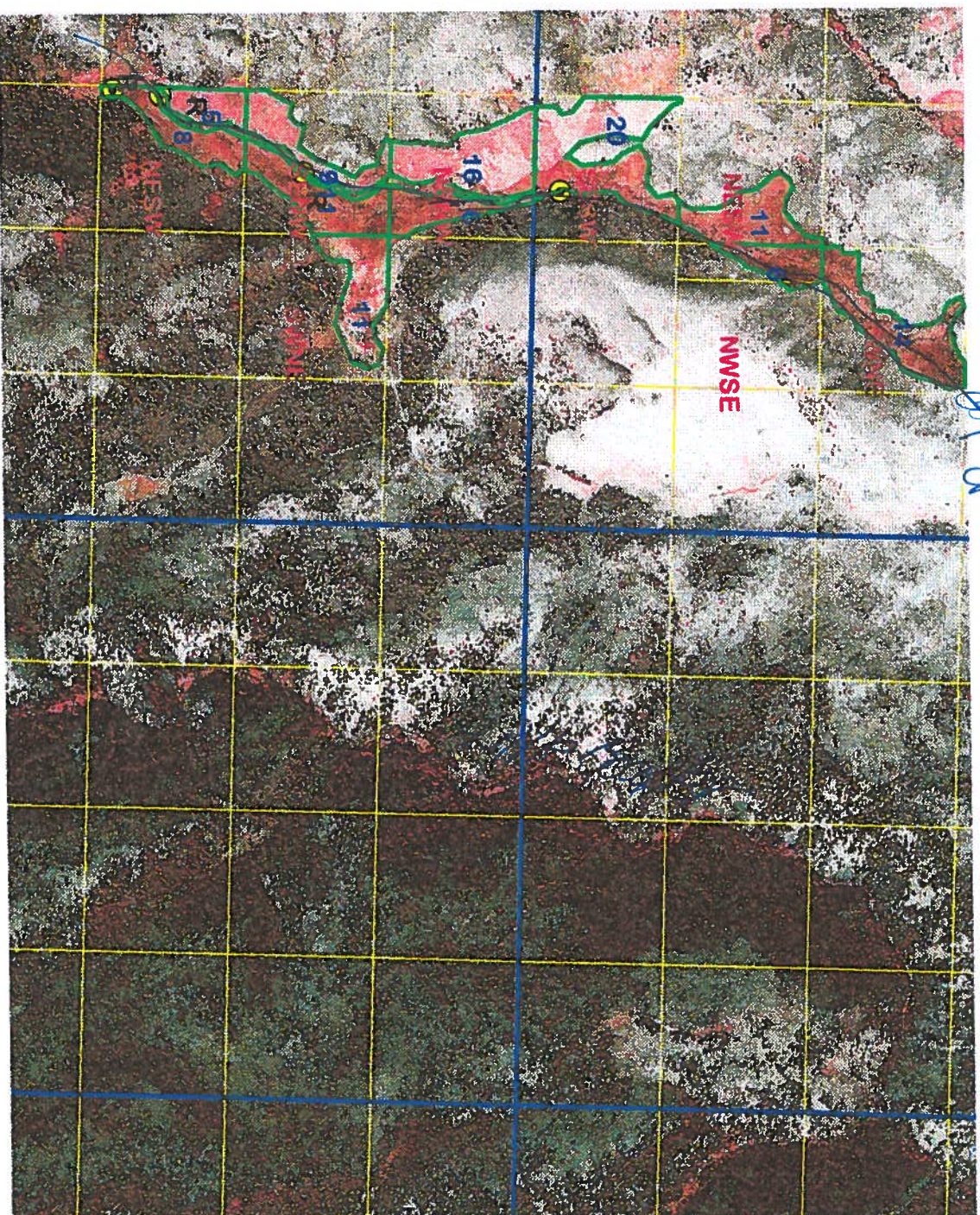
CLAIM(S) : 55-02056 & 55-02139

OWNER(S): GEORGE JOHNSTONE

Prepared by: Mel Schulte

Date: 4/6/1998

TOTAL ACRES = 117



0.25 0.5 0.75 1 1.25 1.5 1.75 2 Miles

water comes out of NWSE, connected with Coyote Cr.

81.7

485

T 1201

SOUTH MOUNTAIN

BLM

58.0

30

31

25

36

BLM

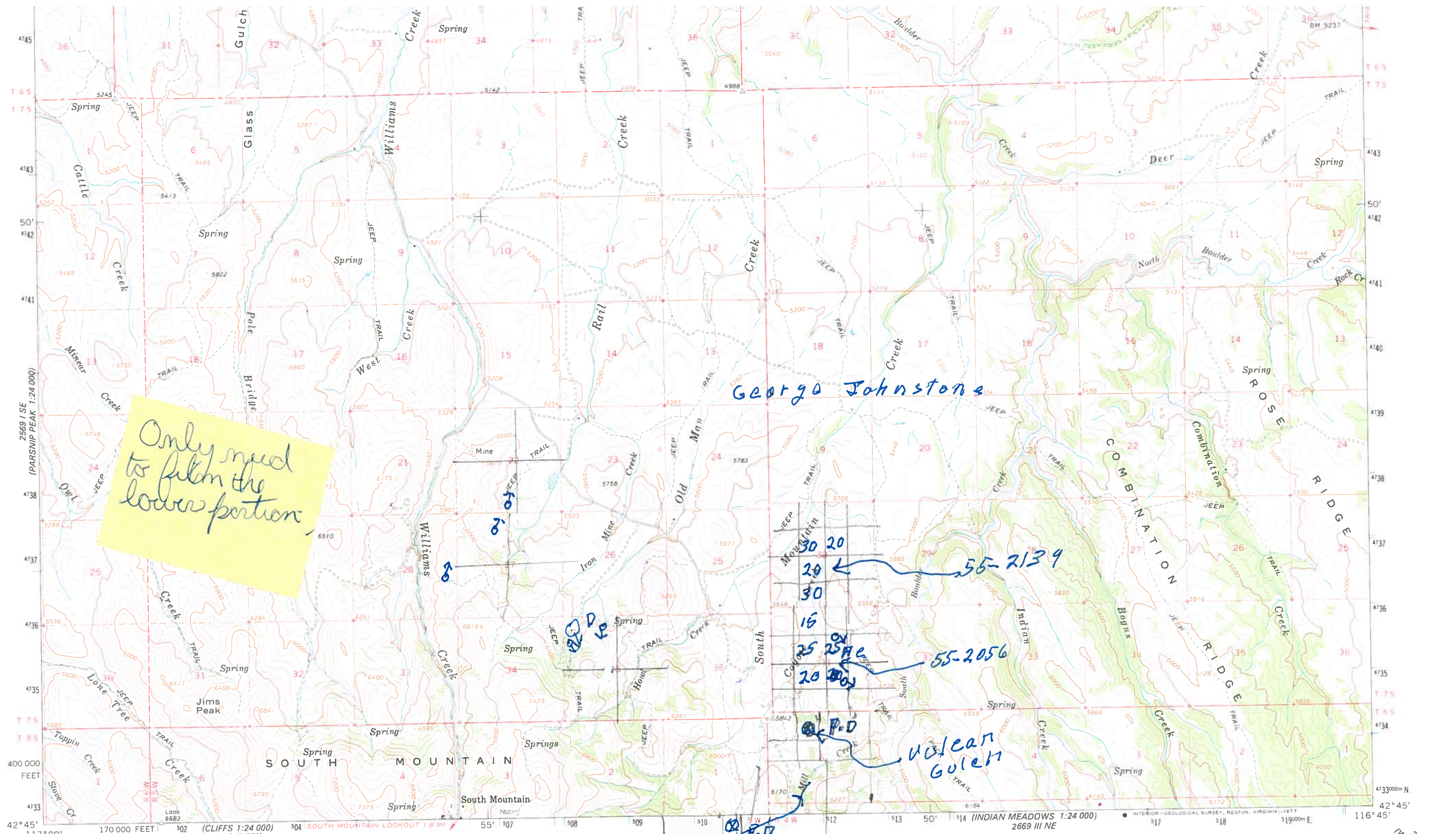
26.5

15.4

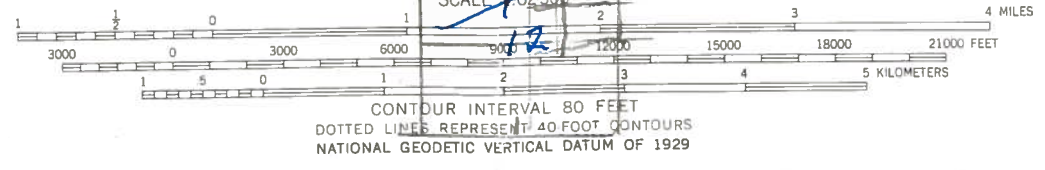
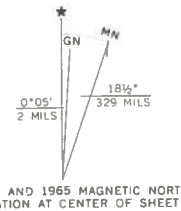
36

5.1

6



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial photographs taken 1963. Field checked 1965
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue



ROAD CLASSIFICATION
Light-duty ————— Unimproved dirt =====



FLINT CREEK, IDAHO
N4245—W11645/15

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

1965
AMS 2669 IV—SERIES V793

RECEIVED

SEP 08 1998

Department of Water Resources
Adjudication Bureau

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

Case No. 39576

A. Subcase 55-02056

(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Juanita Johnstone & GEORGE JOHNSTONE

Address: Rt. 1 Box 144; HOMEDALE, ID. 83628

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- | | | | | |
|----|-------------------------------------|---------------------------|------------|--------------|
| 1. | ☐ | Name and Address | Should be: | _____ |
| 2. | ☐ | Source | Should be: | _____ |
| 3. | ☐ | Quantity | Should be: | _____ |
| 4. | ☐ | Priority Date | Should be: | _____ |
| 5. | ☐ | Point(s) of Diversion | Should be: | _____ |
| 6. | ☐ | Instream Flow Description | Should be: | _____ |
| 7. | ☐ | Purpose(s) of Use | Should be: | _____ |
| 8. | ☐ | Period of Year | Should be: | _____ |
| 9. | ☒ | Place of Use | Should be: | See attached |

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

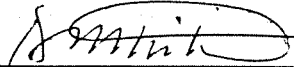
)ss.

County of Ada)

Daryl Albiston, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 31, 1998

Jacqueline L. Ripling
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 4-7-1999

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on SEP 4, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Juanita Johnstone & CEDAR LAKE HOUSE
Address: Rt. 1 Box 1144, HOMEDEAR, ID. 83628

Name:
Address:

Name:
Address:

Name:
Address:

Name:
Address:

3. Copies to:

IDWR Document Depository
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