

FEB-13-1997
0024

1

RIGHT NUMBER: 72-10175
NAME AND ADDRESS: JAMES J JOHNSTON
PO BOX 291
MC CALL ID 83638
SOURCE: GROUNDWATER
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13.000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1983
POINT OF DIVERSION: T14N R19E S07 SENENE Within CUSTER County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.02 CFS
DOMESTIC 1 HOME 01-01 12-31 0.04 CFS

PLACE OF USE: STOCKWATER Within CUSTER County
T14N R19E S07 NENE
DOMESTIC Within CUSTER County
T14N R19E S07 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP14N19E070010A
STOCKWATER, 10 HORSES & CATTLE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE



DATE: 01/17/97
PAGE: 30

DIVERSION RATE
DIVERSION VOLUME

01-01 12-31
01-01 12-31

TOTAL DIVERSION: 0.04 CFS

Stage: BENEFICIAL USE

SENESE[illegible][illegible]

Other Rights: A72-00010A FOR IRRIGATION.

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Audit:	06/29/93	SMITH	03/30/95	POST-STD	04/21/95	TBACKLUN	01/14/97	D&S-OSHA
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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: A72-10175
Date Received: 12/ 4/1989
Receipt No: M005290
Received By: O/C
HB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES J JOHNSTON
Address: PO BOX 291
MC CALL ID

83638

2. Date of Priority: JUN 1, 1983

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	7	SE	NE	NE		CUSTER

5. Description of diverting works:
6" X 90' WELL, 1.5 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOUSE, S/10 HORSES & CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	7	NE	NE		DOMEST	
			NE	NE		STOCK	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00010A FOR IRRIGATION.

14. Remarks:
OWNERSHIP CHANGE MADE 4-21-95 BY TLB.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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 _____

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - R72-10175 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
JOHNSTON JAMES J 1 - PO BOX 291
2 -
3 - State- ID Zip- 83638
City- MC CALL
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
STRAND DANNIE A 1 - BOX 81
2 -
3 - State- ID Zip- 83226
City- CHALLIS
Phone - 208-879-4415

STRAND SALLY L 1 - BOX 81
2 -
3 - State- ID Zip- 83226
City- CHALLIS
Phone - 208-879-4415

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1983 17 SOUTHERN J - BENEFICIAL USE

+ - - Source - - - - - + + - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

14N 19E 7 SE NE NE (37) CUSTER

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.040 0.0

+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 7 NE NE 04 STOCKWATER (37) CUSTER
14N 19E 7 NE NE 43 DOMESTIC (37) CUSTER

Total Acres:
+ - - Diversion Means - 6" X 90' WELL, 1.5 HP PUMP.
+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 10 HORSES & CATTLE.

DEC 03 1996

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 12/04/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M005290 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

APRIL 21, 1995

JAMES J JOHNSTON
PO BOX 291
MC CALL, ID 83638

RE: SRBA CLAIM: A72-00010A & A72-10175
STRAND

DEAR CLAIMANT:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIMS, WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

YOU HAVE ANY MORE QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

DEC 03 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 17 1995

DATE OF CLOSING: 4/14/95

Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township 14 Range 19
Section 7, NE 1/4 of NE 1/4 of 1/4 Govt. Lot 1
Lot 1, Block 1, Subdivision/Townsite 1

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

APR 18 1995

[] 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) Department of Water Resources Southern Region

[] Water Right Number(s) Assigned by IDWR: A72-10175

[] Name and Address of Former Owner/Claimant(s)(Seller): Dannie A. Strand & Sally L. Strand
P.O. Box 81 Challis = Idaho 83226

[] New Owner/Claimant (Purchaser): James J. Johnston

[] New Mailing Address: P.O. Box 291 McCall, Idaho 83638

[] New Telephone Number: () -

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Warranty 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) X James J. Johnston Date 4/12/95

[] Signature of Former Owner/Claimant(s) Dannie A. Strand Date 4/13/95
Sally L. Strand Date 4-13-95

(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: 4-21-95 By: JLB

Claim Numbers of Split, if any:

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

DEC 03 1996

RECEIVED

0208553

APR 17 1995

WARRANTY DEED

Department of Water Resources
Southern Region

For Value Received DANNIE A. STRAND and SALLY L. STRAND, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto JAMES J. JOHNSTON, a married man dealing with his sole and separate property, the grantee, whose current address is P.O. Box 291, McCall, Idaho 83638, the following described premises, in Custer County, Idaho, to-wit:

A portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at the East 1/16 (NW corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$) corner of Section 7, Township 14 North, Range 19 East, Boise Meridian. Running thence East along the Section line, 1105.66 feet;

Thence S. 40°01'44" E., 331.76 feet to the East line of said Section 7,

Thence S. 1°09'31" W., along the Section line 571.13 feet:

Thence N. 81°05'03" W., 254.23 feet;
Thence N. 58°56'25" W., 173.49 feet;
Thence S. 86°10'54" W., 107.03 feet;
Thence S. 41°43'49" W., 156.97 feet;
Thence S. 75°22'28" W., 73.98 feet;
Thence N. 73°46'33" W., 155.88 feet;
Thence S. 65°28'09" W., 137.69 feet;
Thence S. 55°33'30" W., 244.15 feet;
Thence S. 59°20'49" W., 198.54 feet to the North-South centerline of said NE $\frac{1}{4}$ of Section 7,
Thence N. 1°09'55" E. along said centerline of the NE $\frac{1}{4}$ of Section 7, 1092.24 feet to the POINT OF BEGINNING.

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 incumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 13TH day of APRIL, 1995.

DANNIE A. STRAND

SALLY L. STRAND

208553

Custer County Reg. of
Custer County Title

Time 1:15 P.M.

4-13-1995

Wendy Murphy
3rd Deputy

STATE OF IDAHO
COUNTY OF CUSTER

ss.

On this 13th day of APRIL in the year 1995, before me, a Notary Public, personally appeared DANNIE A. STRAND AND SALLY L. STRAND known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he y executed the same.

Patsy Kindt
Notary Public

Residing at Challis, Idaho
Commission Expires 3/12/98

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

May 26, 1995 2:43pm JAMES JOHNSTON A72-00010A, A72-10175

SUBJECT: ?? HAS O/C BEEN COMPLETED ??

phone call (X) walk-in (.)

He wanted to make sure the ownership change had been completed on these two claims. Looked them up and Tara did them about a month ago. He also wondered what the status of the irrigation was and when he had to have his system operating. I pulled the file and Bob's field exam notes mentioned that the 11 acres weren't being irrigated in 1993 when he was there, but they were doing some leveling work. Mr. Johnston said his new pump is in now but he's having trouble getting the sprinkler system going and wondered how long he had? I told him water rights could be lost if not used for a period of 5 years or more, so as long as he started irrigating again within that time, he should be okay. Said he hoped to have it up and running by next year...

DEC 03 1996

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent JEANIE M ROBERTSON

| DATE | CUSTOMER |
|-----------------------|------------------------|
| April 1, 1996 12:06pm | JIM JOHNSTON A72-10175 |

SUBJECT: WELL LOG

phone call (X) walk-in (.)

Asked if I could find a well log for this claim that I FAX it to him @ 634-2835. I did and I did...

DEC 03 1996

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: A72-10175
Date Received: 12/04/1989
Receipt No: M005290
Received By: R. V. M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANNIE A. STRAND 208-879-4415
Address: BOX 81
CHALLIS, ID 83226
OR
Name: SALLY L. STRAND 208-879-4415
Address: BOX 81
CHALLIS, ID 83226
2. Date of Priority: JUN 01, 1983
3. Source: GROUNDWATER. Trib. to:
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
14N 19E 7 SE NE NE CUSTER
5. Description of diverting works:
6" X 90' WELL, 1.5 HP PUMP.
6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOUSE, S/10 HORSES & CATTLE.

A72-10175

Page 1

Date: 12/04/89

MICROFILMED
MAR 19 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 14N | 19E | 7 | NE | NE | | DOMEST | |
| | | | NE | NE | | STOCK | |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00010A FOR IRRIGATION.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): *Sam A. Strawn* Date: *12/4/89*

Date: _____

State of Idaho)
County of *Custer*) SS.

Subscribed and sworn (or affirmed) before me this *4th* day
of *December* 19 *89*

Robert V. Thorstall
Notary Public

Seal

Twin Falls, Idaho

Residing at _____ *January 10, 1993*

My Commission Expires _____

OLD (D) NUMBER -

CITY- CHALLIS
PHONE - 208-879-4415

NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
NOV 01 1994

