

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-1244

RIGHT NUMBER:

45-11744

NAME & ADDRESS:

BASIL EDWARD JOHNSON  
JANICE B JOHNSON  
% RUFF-TUFF PRODUCTS  
850 W 17000 S  
SALT LAKE CITY UT 84104

8/18/98

40

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

06/01/1986

POINT OF DIVERSION:

T11S R23E S06

SESENE

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER  
DOMESTIC 1 HOME

PERIOD OF USE  
01-01 12-31  
01-01 12-31

QUANTITY  
0.02 CFS  
0.04 CFS

PLACE OF USE:

STOCKWATER  
T11S R23E S06

Within CASSIA County  
SENE

DOMESTIC  
T11S R23E S06

Within CASSIA County  
SENE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

PARCEL NO. 11S23E062399  
STOCKWATER, 3 HORSES, 2 COWS

Claim proofread by: C.A.  
Date: 9-29

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: A45-11744  
Date Received: 6/32/1989 6/8/89  
Receipt No: 8008334  
Received By: LS-V. JK.

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BASIL EDWARD JOHNSON 801-972-5845  
Address: % RUFF-TUFF PRODUCTS  
850 WEST, 17000 SOUTH  
SALT LAKE CITY, UT 84104

AND/OR

Name: JANICE B. JOHNSON 801-972-5845  
Address: % RUFF-TUFF PRODUCTS  
850 WEST, 17000 SOUTH  
SALT LAKE CITY, UT 84104

2. Date of Priority: JUN 01, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 11S      | 23E   | 6       | SE     | SE     | NE     |     | CASSIA |

5. Description of diverting works:  
8" X 85' WELL, 1 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/5 (3 HORSES & 2 COWS)

A45-11744

Page 1

Date: 06/22/89

MICROFILMED

MAR 09 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 11S      | 23E   | 6       | SE     | NE  |     | DOMEST |       |
|          |       |         | SE     | NE  |     | STOCK  |       |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
NONE.

14. Remarks:  
SURVEY PLOT PLAN ENCLOSED.

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 \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A45-11744  
Date Received 6-8-89  
Receipt Number SDO 8334RECEIVED NOTICE OF CLAIM  
TO A  
WATER RIGHT

RECEIVED

JUN 13 1989

Department of Water Resources  
Southern Region OfficeACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

JUN 21 1989

Department of Water Resources  
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) BASIL EDWARD <sup>AND/OR</sup> JANICE B JOHNSON <sup>H/W</sup> Phone (801) 972-5845Mailing Address PO RUFF-TUFF PRODUCTS 850 WEST 17000 SOUTH SLC, UTAH Zip 841042. Date of Priority (Only one per claim) 6/01/86 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_ Name or kind of source

4. Location of point of diversion is: Township 11 Range 23Section 6, SE 1/4 of NE 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.,County of CASSIA see enclosed survey

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Wells 6" casing, 8" casing, 85' deep, 1 HP submersible pump, pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)  
(Both dates are inclusive)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: type and Number of livestock) Domestic: 1 unit which also includes a caretaker3 HEAD OF HORSE, 2 HEAD COWS

MAR 09 1993

10. Place of use is: Township: 11 Range 23

Section 6, SE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of CASSIA for (Circle One) Domestic Stock ~~Domestic and Stock~~

Additional places of use, if any \_\_\_\_\_

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

12. Do you own the property listed above as place of use? Yes X 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. None (X)

14. Remarks: SURVEY plot plan enclosed

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s) Basil Edward Johnson

Number of Attachments 1

By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet. YES \_\_\_\_\_ NO X

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

Signature of Claimant (s) Basil Edward Johnson Date 6/08/89

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

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

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ } SS.

County of \_\_\_\_\_ }

Subscribed and sworn (or affirmed) before me this 8<sup>th</sup> day of June 19 89

SEAL

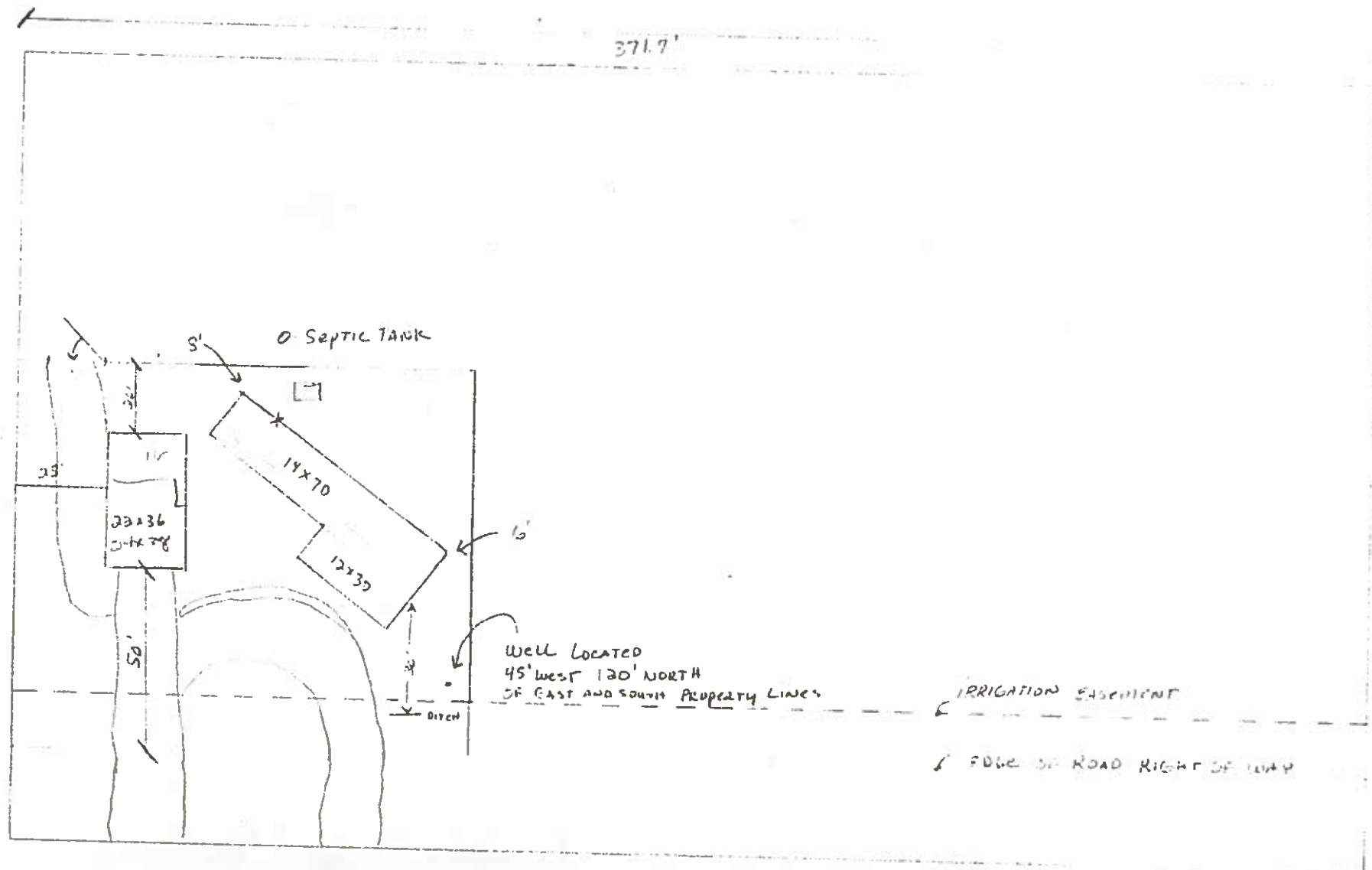
Notary Public Richard W. Dooly

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant



215

Jan 9 1993

ALLGEMEINLICH

SURVEYED THE FOLLOWING DESCRIBED PARCEL

TOWNSHIP 11 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 6:

That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 6 more particularly described as follows:

Commencing at the East quarter corner of said Section 6; thence North 0°24'30" East along the East boundary of said Section 6 40.00 feet to the True Point of Beginning;  
Thence continuing North 0°24'30" East along the East boundary of said Section 6 371.70 feet;  
Thence North 85°33'39" West parallel to the South boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  240.00 feet;  
Thence South 0°24'30" West parallel to the East boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  371.70 feet;  
Thence South 85°33'39" East parallel to and 40.00 feet North of the South boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  240.00 feet to the True Point of Beginning.

CERTIFICATE OF SURVEY

I, Steven C. Pearson a Registered Land Surveyor, Idaho License No.3623,do hereby certify that this Record of Survey map has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

NE CORNER  
SE $\frac{1}{4}$  NE $\frac{1}{4}$   
SECTION 6  
Ind. 5/8" rebar on  
top of 1908 u.s.r.s.  
pipe  
c.p. Rec. 28 APR. 1986  
Inst. no. 177830

914.95'  
S 0°24'30" W  
basis of bearing

00'  
25'  
section line  
county road r.o.w.

371.70'  
N 0°24'30" E  
25'

well

60.00'  
60.00'

MAR 09 1993  
MICROFILMED

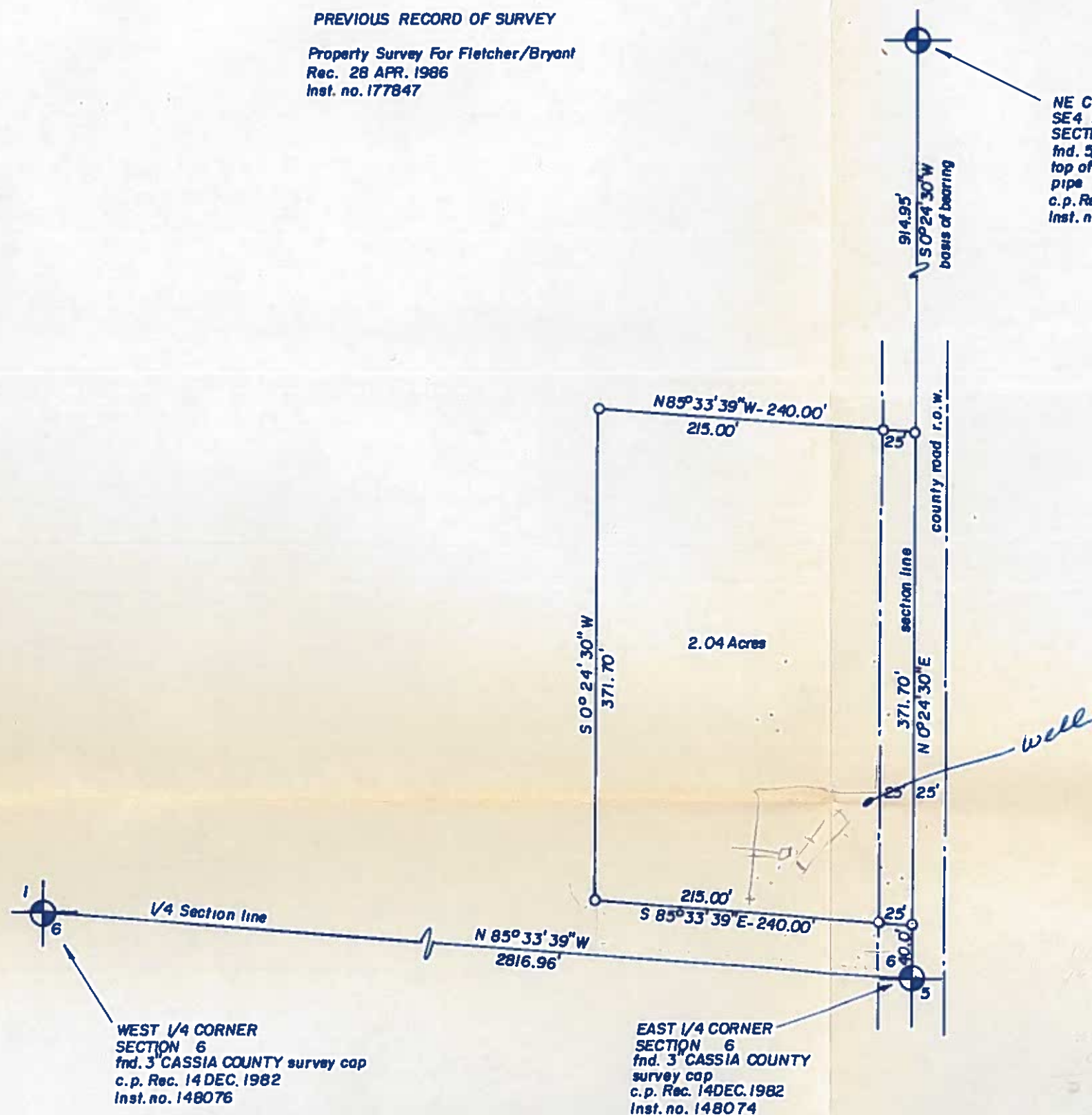
PREVIOUS RECORD OF SURVEY

Property Survey For Fletcher/Bryant  
Rec. 28 APR. 1986  
Inst. no. 177847

TOWNSHIP 11 SOUTH, RANGE 23  
CASSIA COUNTY, IDAHO

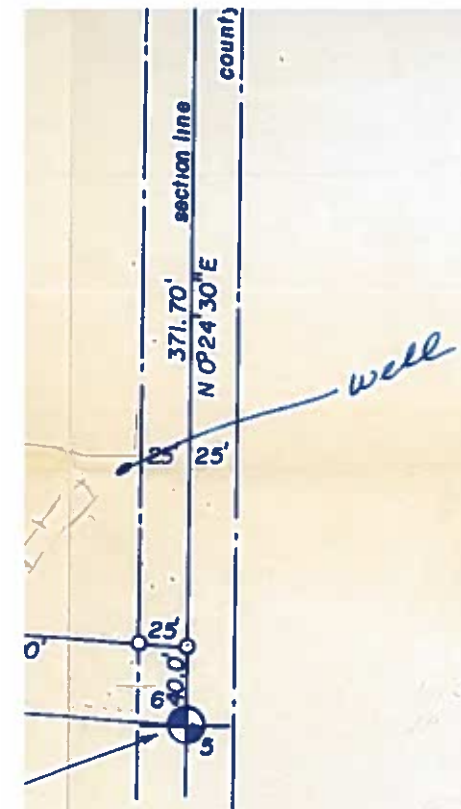
Section 6: That part of the  
particularly describ

Commencing at the  
Section 6; then  
East boundary c  
True Point of E  
Thence continuing  
East boundary c  
Thence North 85°3  
boundary of the  
Thence South 0°24  
boundary of the  
Thence South 85°3  
feet North of t  
240.00 feet to



CERTIFICATE C

I, Steven C. Pearsor  
Surveyor, Idaho Lice  
certify that this Re  
been prepared from a  
under my supervisor  
accurate representat



# CERTIFICATE OF SURVEY

I, Steven C. Pearson a Registered Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey map has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.



SCALE 1" = 100'

## NOTE

○ = Set Iron Pin (1/2" x 24" rebar) or P.K. Nail w/L.S. no. attached

**PROPERTY SURVEY**  
for  
**ED JOHNSON**



**DESERT WEST LAND SURVEYS**

1751 Overland Ave. Burley Idaho 83318

JOB NO: 111586B1

DRAWN BY: AL E SP

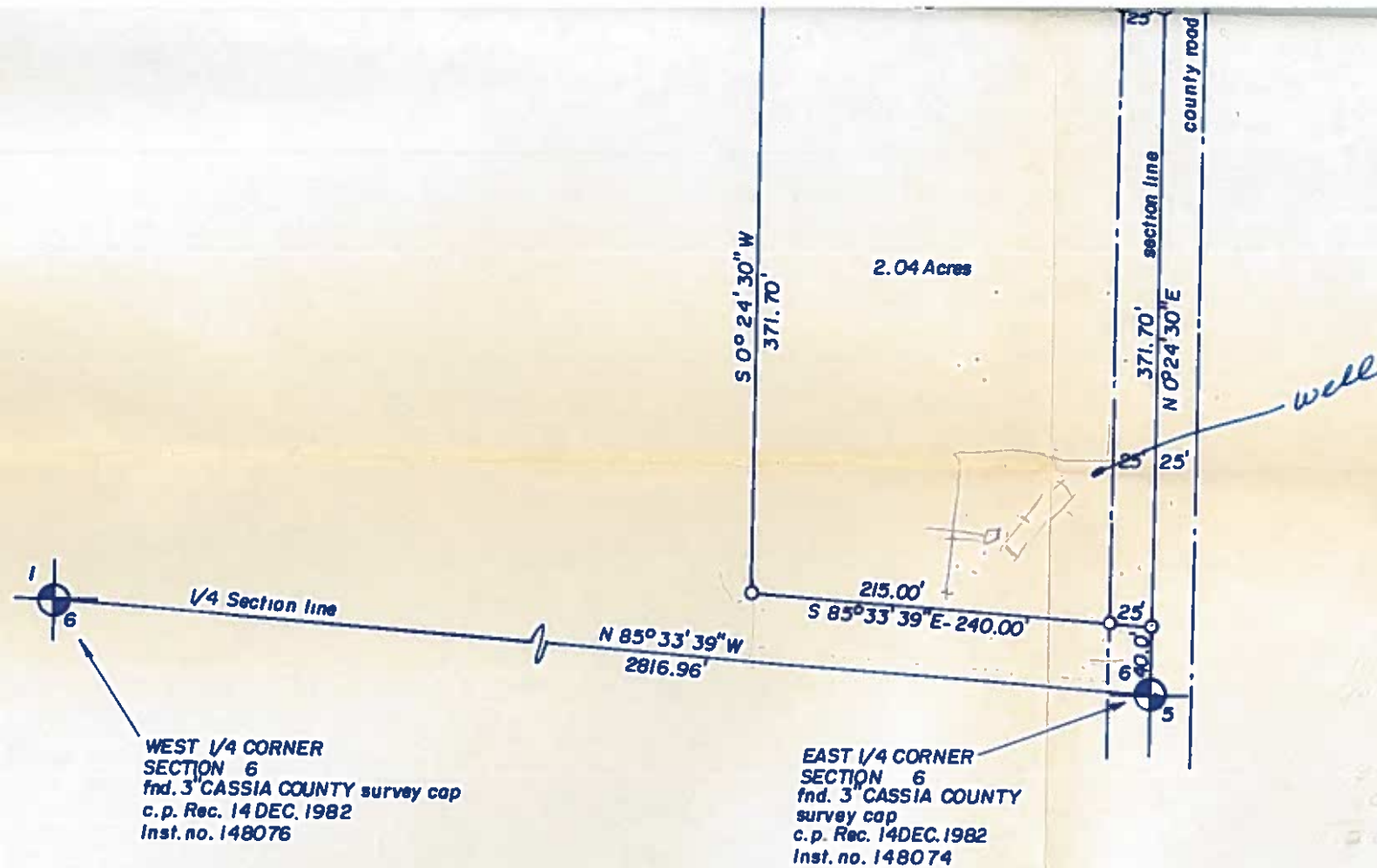
DATE: 7 MAY 1986

CHECKED BY:

PHONE: 208-678-7112



11232-6-1-2-0



# CERTIFICATE OF SURVEY

I, Steven C. Pearson a  
Surveyor, Idaho License  
certify that this Record  
has been prepared from a survey  
under my supervision and  
is an accurate representation

T.11S., R. 23E., B.M

CASSIA COUNTY, IDAHO



SCALE 1" = 100'

## NOTE

O = Set Iron Pin (1/2"x24" rebar) or P.K. Nail  
w/L.S. no. attached



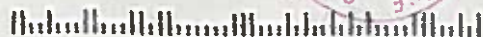
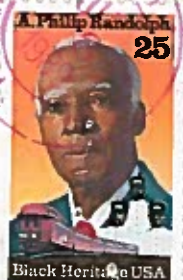
850 West 1700 South  
Salt Lake City, Utah 84104



Idaho Dept. of Water Resource  
2148 4th Ave. East  
Twin Falls, Idaho 83301

**RETURN RECEIPT  
REQUESTED**

Name IDOC  
1st N. 6/13  
2nd Notice  
Return





State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

June 15, 1989

R. KEITH HIGGINSON  
Director

Basil Edward &/or Janice B. Johnson  
c/o Ruff-tuff Products  
850 West 17000 South  
Salt Lake City, UT 84104

RE: SRBA CLAIM

DEAR CLAIMANT:

PLEASE FIND ENCLOSED YOUR ADJUDICATION CLAIM AND YOUR CHECK # No Check FOR \$ —. YOU ARE GIVEN THE OPPORTUNITY TO WITHDRAW THIS CLAIM AS ORIGINALLY FILED. ANY WATER RIGHT DEVELOPED AFTER 3/15/1963, FOR ANY USE OTHER THAN SINGLE FAMILY DOMESTIC USE AND OR STOCKWATER USING 13,000 GALLONS PER DAY OR LESS, IS REQUIRED TO HAVE AN APPLICATION FOR PERMIT FILED. THIS INCLUDES USES SUCH AS IRRIGATION OF OVER 1/2 ACRE OR DOMESTIC USE FOR A COMMERCIAL BUSINESS.

SINCE WE CAN FIND NO RECORD OF A PERMIT OR LICENSE FOR THE USE YOU DESCRIBE, THE DEPARTMENT, IN ITS FINAL REPORT TO THE COURT, WOULD BE FORCED TO RECOMMEND THAT YOUR CLAIM BE REJECTED.

AT THIS POINT PLEASE CONSIDER THE FOLLOWING OPTIONS:

RETURN THE CLAIM AS FILED UNDERSTANDING THAT THE DEPARTMENT WILL RECOMMEND THE CLAIM REJECTED. UPON REJECTION YOU CAN PURSUE LITIGATION.

RECORD THE USE NOW BY FILING FOR AN APPLICATION FOR PERMIT. (PLEASE CONTACT OUR OFFICE FOR FORMS, INSTRUCTIONS OR ASSISTANCE)

FILE MODIFIED CLAIM OR CLAIMS WHICH WOULD PROPERLY RECORD YOUR USE. FOR EXAMPLE, IF YOUR USE IS MULTIPLE DOMESTIC YOU COULD FILE MULTIPLE CLAIMS EACH MEETING THE SINGLE FAMILY DOMESTIC DEFINITION. BUT BEFORE RETURNING SUCH CLAIMS PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S BROCHURE. DUE TO A RECENT COURT RULING YOU MAY DEFER FILING SUCH CLAIMS.

IF YOU CHOOSE TO FILE ADJUDICATION CLAIMS, YOU WILL NEED TO RETURN THEM WITH THE CORRECT FEE WITHIN 30 DAYS FROM THE DATE OF THIS LETTER OR THE CLAIMS WILL BE CONSIDERED LATE AND EACH SUBJECT TO ADDITIONAL LATE FEES WHICH COULD BE \$50 OR MORE. IN RETURNING CLAIMS PLEASE ATTACH A COPY OF THIS LETTER. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT OUR OFFICE.

SINCERELY,

*Bob Worstell*  
BOB WORSTELL  
WATER RESOURCE AGENT

ENCL:

*Note: If caretaker's apartment has a bathroom and cooking facilities, an additional claim must be filed, or an application for a permit may be filed to cover the home and the apartment.*

MICROFILMED

MAR 09 1993

*Please keep postmarked envelope with this claim to show it was submitted by the deadline date.*



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

July 3, 1989

A45 - 11744

• Basil Edward Johnson  
• % Ruff-Tuff Products  
• 850 West, 17000 South  
Salt Lake City, Utah 84104  
Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 09 1993

WATER RIGHT NUMBER - A45-11744

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (C) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
JOHNSON

BASIL EDWARD

1 - % RUFF-TUFF PRODUCTS  
2 - 850 WEST, 17000 SOUTH  
3 -CITY- SALT LAKE CITY  
PHONE - 801-972-5845

STATE- UT ZIP- 84104

JOHNSON

JANICE B.

1 - % RUFF-TUFF PRODUCTS  
2 - 850 WEST, 17000 SOUTH  
3 -CITY- SALT LAKE CITY  
PHONE - 801-972-5845

STATE- UT ZIP- 84104

+ - - PRIORITY DATE - - +  
06/01/1986+ - - - REGION - - - +  
17 SOUTHERN+ - - - STAGE - - - +  
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +  
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION - - - - - +  
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

11S 23E 6 SE SE NE (31) CASSIA

+ - - - - - 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 DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.040 0.0+ - - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY  
11S 23E 6 SE NE 04 STOCKWATER (31) CASSIA  
11S 23E 6 SE NE 43 DOMESTIC (31) CASSIA

+ - - DIVERSION MEANS - 8" X 85' WELL, 1 HP PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE, S/5 (3 HORSES &amp; 2 COWS)

+ - - OTHER RIGHTS FOR SAME USE - NONE.

+ - - - - - REMARKS - - - - - +  
SURVEY PLOT PLAN ENCLOSED.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.MICROFILMED  
JUL 26 1994

WATER RIGHT NUMBER - A45-11744

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +  
00/00/0000

+ - - AUDIT FIELDS - 06/22/89 WORSTELL

```
+-----COMMENTS-----+
```

NO COMMENTS FOUND

[illegible]

|                       |   |            |                       |   |            |                         |   |       |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| 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   | - | 06/22/1989 | LAST AMENDED DATE     | - | 00/00/0000 | TEMPORARY RIGHT         | - | P     |
| PROOF DUE DATE        | - | 00/00/0000 | PROOF MADE DATE       | - | 00/00/0000 | WATER DISTRICT          | - |       |
| LICENSED DATE         | - | 00/00/0000 | RECEIPT NUMBER        | - | S008334    | FEDERAL/STATE INDICATOR | - | S     |
| CLAIMS TAPE ERROR FLG | - |            | POU OWNERSHIP FLAG    | - | Y          | PRESUMPTION FLAG        | - |       |
| FEE EXEMPT FLAG       | - |            | NAME CONNECTOR        | - | AND/OR     | NOTICE OF ERROR FLAG    | - |       |

11522E 062399

## DATA ENTRY

ENTERED 12.29.91  
CHECKED 2/6/92

"Verified By"  
 Topo Map/Ortho-PQ  
 ASCS Map  
 Watermaster Records  
 NAPP Photos  
 Field Exam  
 Other (See Remarks)  
 County Records  
 Witness Statement  
 Project Records  
 IDWR Records

VERIFIED  
NOV 13 1991

CERTIFIED  
DEC 23 1991  
WATER EXAMINER

PROOF  
OCT 01 1991