

COPY

200 NOV 17 PM 1:16

T-SRBA
TWIN FALLS, 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 NO. 37-11062, 37-11063

)

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

)

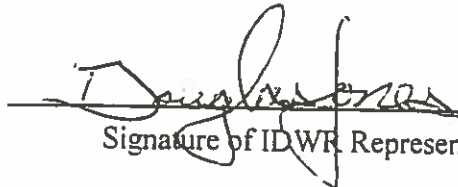
IDWR has completed the following Administrative proceeding: SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 11/3/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/17, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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:
Claimant/Seller for Substitution of Party or attorney of record:
Jose G Andre
Maria Andre
1455 S 1750 E
Gooding ID 83330
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Benjamin Johnson
Stanley Lehmann
1743 E 3000 S
Wendell ID 83355
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

11/02/2000

RIGHT NUMBER: 37-11062

NAME AND ADDRESS: BENJAMIN R JOHNSON
STANLEY LEHMANN
1743 E 3000 S
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.13 CFS

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

PRIORITY DATE: 01/01/1920

POINT OF DIVERSION: T05S R14E S13 NENESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.13 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

DOMESTIC Within GOODING County
T05S R14E S13 NESW
STOCKWATER Within GOODING County
T05S R14E S13 NESW

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP05S14E134800A STOCKWATER, 200 COW DAIRY

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

11/02/2000

RIGHT NUMBER: 37-11063

NAME AND ADDRESS: BENJAMIN JOHNSON
STANLEY LEHMANN
1743 E 3000 S
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.13 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1984

POINT OF DIVERSION: T05S R14E S13 NENESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.13 CFS

PLACE OF USE:

STOCKWATER Within GOODING County
T05S R14E S13 NESW

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP05S14E134800A STOCKWATER, 200 COW DAIRY



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 16, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BENJAMIN JOHNSON
STANLEY LEHMANN
1743 E 3000 E
WENDELL ID 83355

RE: SRBA Claim(s) 37-11062, 37-11063

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Jose and Maria Andre

Author	Date	Subject	Comment
DUNNI	10/27/93	COPIED FROM REMARKS	BOTH WELLS SUPPLY WATER TO DAIRY.
fmunzenr	10/30/00	OWNER CHANGE	10-30-00, FM. OWNER CHANGE PER REQUEST RECEIVED 2-17-00.

Dates:

Licensed Date:
 Claim Received Date: 08/22/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

 Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: AND
 Overall Max Diversion Rate: 0.13
 Overall Max Diversion Volume: 0
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:NONE RECEIVED
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log: No log entries

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 17 2000
Department of Water Resources
Cottonwood, Idaho

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

1. Water Right No(s).: 37-11062 and 37-11063
Adjudication Claim No(s).: AJ5809NP and AJ5809NP

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Jose G. Andre and Maria Andre
1455 South 1750 East, Gooding, ID 83330

4. New Owner/Claimant(s) Benjamin R. Johnson and Stanley Lehmann
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 1743 East 3000 South, Wendell, ID 83355
City, State and ZIP Code _____
New Telephone Number () _____

5. Date you acquired the property February 14, 2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Benjamin R. Johnson
Stanley Lehmann
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
Stanley Lehmann

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

128 10/31/00

Recording Requested By:
Western Farm Credit Bank

WHEN RECORDED MAIL TO:
Legal Department
Western Farm Credit Bank
P. O. Box 13106
Sacramento, CA 95813-4106

187-141
STATE OF CALIFORNIA COUNTY OF GOODING
LAND TITLE & ESCROW
Filed for record in the first of
47 min. past 12 o'clock P.M. this 15th
of February, 2000 \$600
By Penny Archuleta Deputy

Space Above This Line For Recorder's Use

QUITCLAIM DEED

FOR VALUE RECEIVED,

WESTERN FARM CREDIT BANK, a federally chartered instrumentality of the Farm Credit System, (GRANTOR), does hereby remise, release and quitclaim, without warranty of any kind, unto

BENJAMIN R. JOHNSON, an unmarried man, and
STANLEY LEHMANN, an unmarried man, together GRANTEE
Address: 1455 South 1755 East, Gooding, ID 83330
the all of Grantor's right, title and interest in the following described real estate, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to 106.10 shares of capital stock of the Big Wood Canal Company, and also including any licensed domestic or irrigation water rights, and licenses with the State of Idaho, if any.

SUBJECT TO: All reservations in patents or deeds in the chain of title and any exceptions reflected in Schedule B of the Standard Coverage Title Owner's Policy to be issued to Grantee as of the date hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEE, and the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, this Quitclaim is executed as of 2/10/2000 by GRANTOR.

WESTERN FARM CREDIT BANK

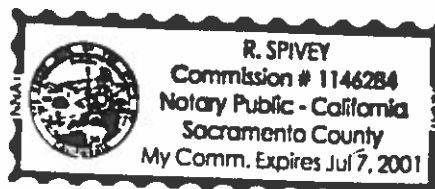
By: Michael P. Morris
Michael P. Morris
Assistant Vice President

STATE OF CALIFORNIA)
County of Sacramento)

On February 14, 2000 before me, R. Spivey, Notary Public and for the said County and State, personally appeared Michael P. Morris, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

R. Spivey



j:\b\quitclaim-Andre

EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 5 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 13: S½NE¼, EXCEPTING THEREFROM that part of the SE¼NE¼, described as follows:

Commencing at the East quarter corner of said Section 13 and being THE TRUE POINT OF BEGINNING;
Thence South 89°37'02" West along the South boundary of the NE¼ of Section 13 for a distance of 765.00 feet;
Thence North parallel with the East boundary of the NE¼ for a distance of 355.00 feet;
Thence North 89°37'02" East parallel with the South boundary of the NE¼ for a distance of 765.00 feet to a point on the East boundary of the NE¼;
Thence South along the East boundary of the NE¼ for a distance of 355.00 feet to the East quarter corner of Section 13 and THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM the following described parcel of land:

Commencing at the Northeast corner of said Section 13;
Thence South 00°00'00" West along the East boundary of Section 13 for a distance of 1322.02 feet to the Northeast corner of the Southeast quarter of the Northeast quarter of Section 13 and THE TRUE POINT OF BEGINNING;
Thence continuing South 00°00'00" West along the East boundary of the Southeast quarter of the Northeast quarter for a distance of 272.34 feet;
Thence South 86°50'36" West for a distance of 1588.36 feet;
Thence North 00°32'02" West for a distance of 350.06 feet to a point on the North boundary of the South one-half of the Northeast quarter;
Thence North 89°38'54" East along the North boundary of the South one-half of the Northeast quarter for a distance of 1,589.24 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 13: NE¼SW¼;

Post-it® Fax Note	7671	Date	2/2	# of pages	3
To	Keri Craig	From	IDWR		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	934-5890	Fax #			

RECEIVED. 02/02/2000 17:29 2087363037

2087363037 -> LANDTITLE - GOODING - ; Page 2
IDWR SOUTHERN REGION

PAGE 02

AJ5809MP
No. 37-11062

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/02/00
PAGE: 2

Comments: Date: 10/27/1995 User-ID: DUNN1 Subject: COPIED FROM REMARKS
2 WELLS USED FOR HOUSE & DAIRY.

Audit: 10/25/93 DUNN1 10/27/93 DUNN1 03/30/95 POST-STD 02/10/99 SOUTH2
03/03/99 CPD SHAFF 04/05/99 ADT-BSHA

AJ5809WP
No. 37-11063IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 02/02/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSE G ANDRE	05/01/1984	STOCKWATER	01-01 12-31	0.130 CFS	
C	MARIA ANDRE					
	1455S 1750E					
	GOODING ID 83330					
	(208) 934-5430					
				TOTAL DIVERSION:	0.130 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R14E S13

NEWESW

GOODING County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	14E	13	:																	:

POU County: GOODING

Other Rights: A37-11062

Conditions of Approval:

- 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.

Remarks: EXP PARCEL NO. RPO5S14E134800A
STOCKWATER, 200 COW DAIRY

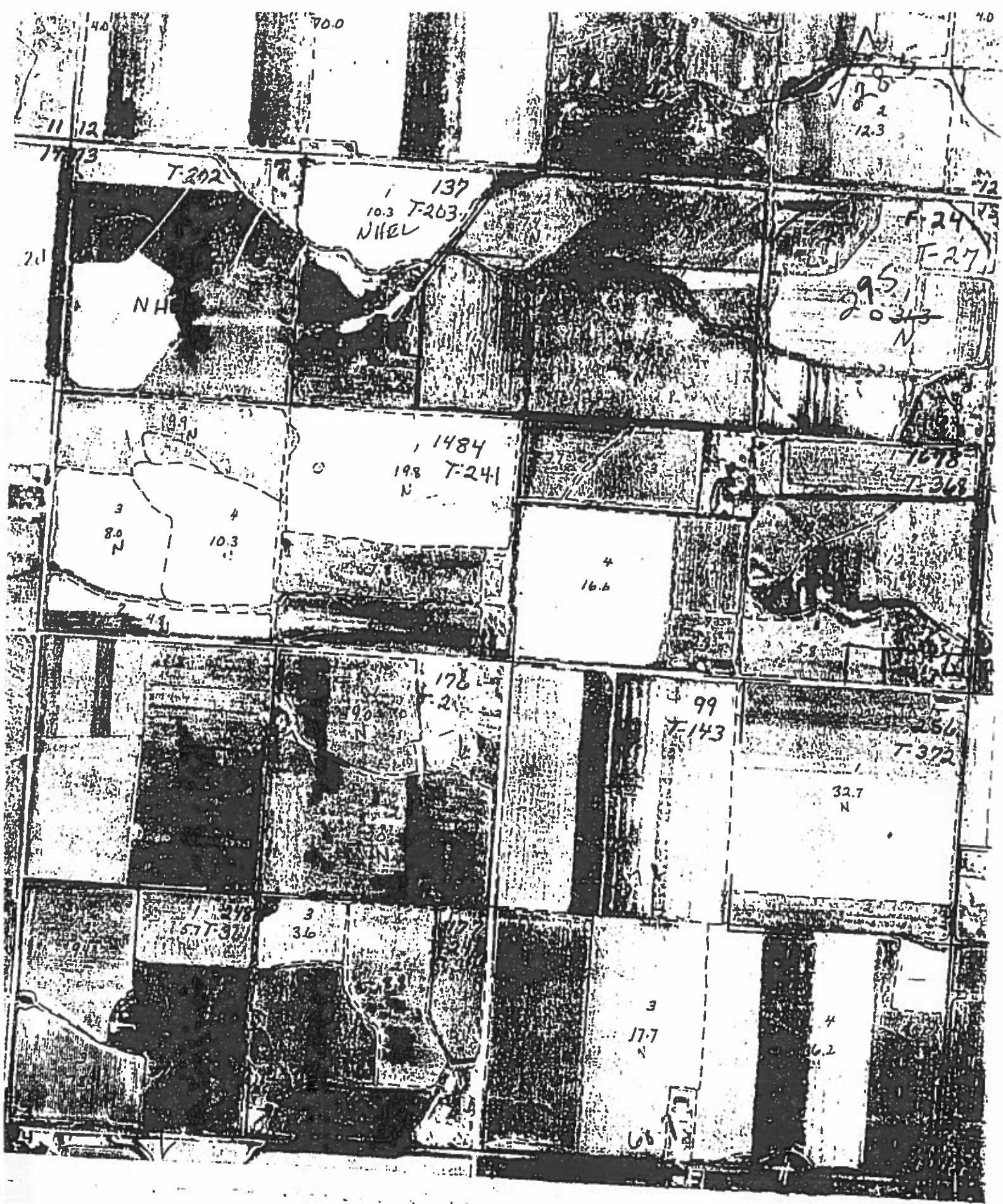
Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

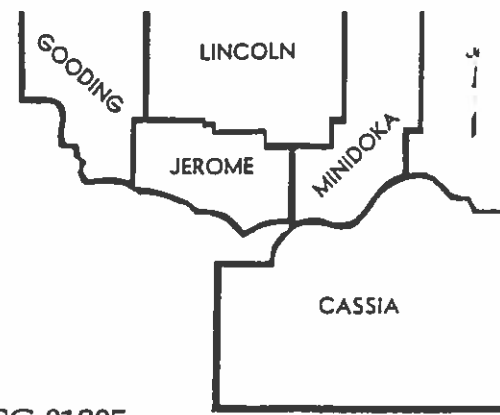
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:Comments: Date: 10/27/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
BOTH WELLS SUPPLY WATER TO DAIRY.Audit: 10/25/93 DUNN1 10/27/93 DUNN1 03/30/95 POST-STD 02/10/99 SOUTH2
03/03/99 CPDASHAFF 04/05/99 ADT-DSHA



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



February 16, 2000

REFER TO:
OFFICE:

GG-01805
Gooding

State of Idaho
Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED
FEB 17 2000
Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Andre to Johnson-Lehmann
Cert. Mail # Z 321 171 599

Dear Sirs:

At the request of the Buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership
- Copy of Deed # 184461
- Copy of Map

Thank You,

LAND TITLE AND ESCROW, INC.

Keri Craig

Keri Craig
Escrow Assistant
(208) 934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

cc:

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 • FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 • FAX 324-8861

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 • FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 • FAX 436-1199

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: A37-11063
Date Received: 8/22/1988
Receipt No: S001609
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSE G. ANDRE 208-934-5430
Address: 1455S 1750E
GOODING, ID 83330

AND/OR

Name: MARIA ANDRE 208-934-5430
Address: 1455S 1750E
GOODING, ID 83330

2. Date of Priority: MAY 01, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	14E	13	NE	NE	SW		GOODING

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 COW DAIRY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	14E	13	NE SW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-11062

14. Remarks:
BOTH WELLS SUPPLY WATER TO DAIRY.

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): *Joseph Jondre* Date: 8/22/88
Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

WATER RIGHT NUMBER - A37-11063

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
ANDRE

JOSE G.

1 - 1455S 1750E

2 -

3 -

CITY- GOODING

STATE- ID ZIP- 83330

PHONE - 208-934-5430

ANDRE

MARIA

1 - 1455S 1750E

2 -

3 -

CITY- GOODING

STATE- ID ZIP- 83330

PHONE - 208-934-5430

+ - - PRIORITY DATE - - +
05/01/1984

+ - - - REGION - - - +
ERROR IN REGION

+ - - - 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)

05S 14E 13 NE NE SW (47) GOODING

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.130

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.130 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

05S 14E 13 NE SW 04 STOCKWATER (47) GOODING

+ - - DIVERSION MEANS - WELL & PUMP

+ - - NON-IRRIGATION USE - S/200 COW DAIRY

+ - - OTHER RIGHTS FOR SAME USE - A37-11062

+ - - - - REMARKS - - - - - +
BOTH WELLS SUPPLY WATER TO DAIRY.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

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

MICROFILMED

NOV 23 1994

