

07/05/2006

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

RIGHT NUMBER: 22-129C

NAME AND ADDRESS: KATHRYN E R JOHNSON
1229 N 1800 E
LOGAN UT 84341

DOUGLAS A JOHNSON
1229 N 1800 E
LOGAN UT 84341

SOURCE: NORTH LEIGH CREEK

TRIBUTARY: SPRING CREEK

QUANTITY: 0.320 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R46E S29 NENWNE Lot 1 Within TETON County
The point of diversion for this water right is in Wyoming, T45N, R118W Sec.
32 SENW (L2), 6PM.
The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.320 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T06N R45E S24	SESW 17.00	
	17 ACRES TOTAL		

17

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-129C, 22-289C,
22-290C.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through North Leigh Canal.

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

02/22/2005

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

RIGHT NUMBER: 22-129C
NAME AND ADDRESS: KATHRYN E R JOHNSON
1229 N 1800 E
LOGAN UT 84341

DOUGLAS A JOHNSON
1229 N 1800 E
LOGAN UT 84341

SOURCE: NORTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.320 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T06N R46E S29 NENWNE Lot 1 Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.320 CFS

PLACE OF USE: IRRIGATION Within TETON County
T06N R45E S24 SESW 16.0

16 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Decreed

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

WATER IS DELIVERED THROUGH NORTH LEIGH CANAL.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 22-289A, 22-290A, 29-129B/C.

07/05/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-129C

KATHRYN E R JOHNSON

1229 N 1800 E

LOGAN UT 84341

Telephone Number: (801)753-7422

DOUGLAS A JOHNSON

1229 N 1800 E

LOGAN UT 84341

Telephone Number: (801)753-7422

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/9/06

SIGNATURE: Douglas A. Johnson

Please print your name: Douglas A. Johnson

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



MAR 10 2005

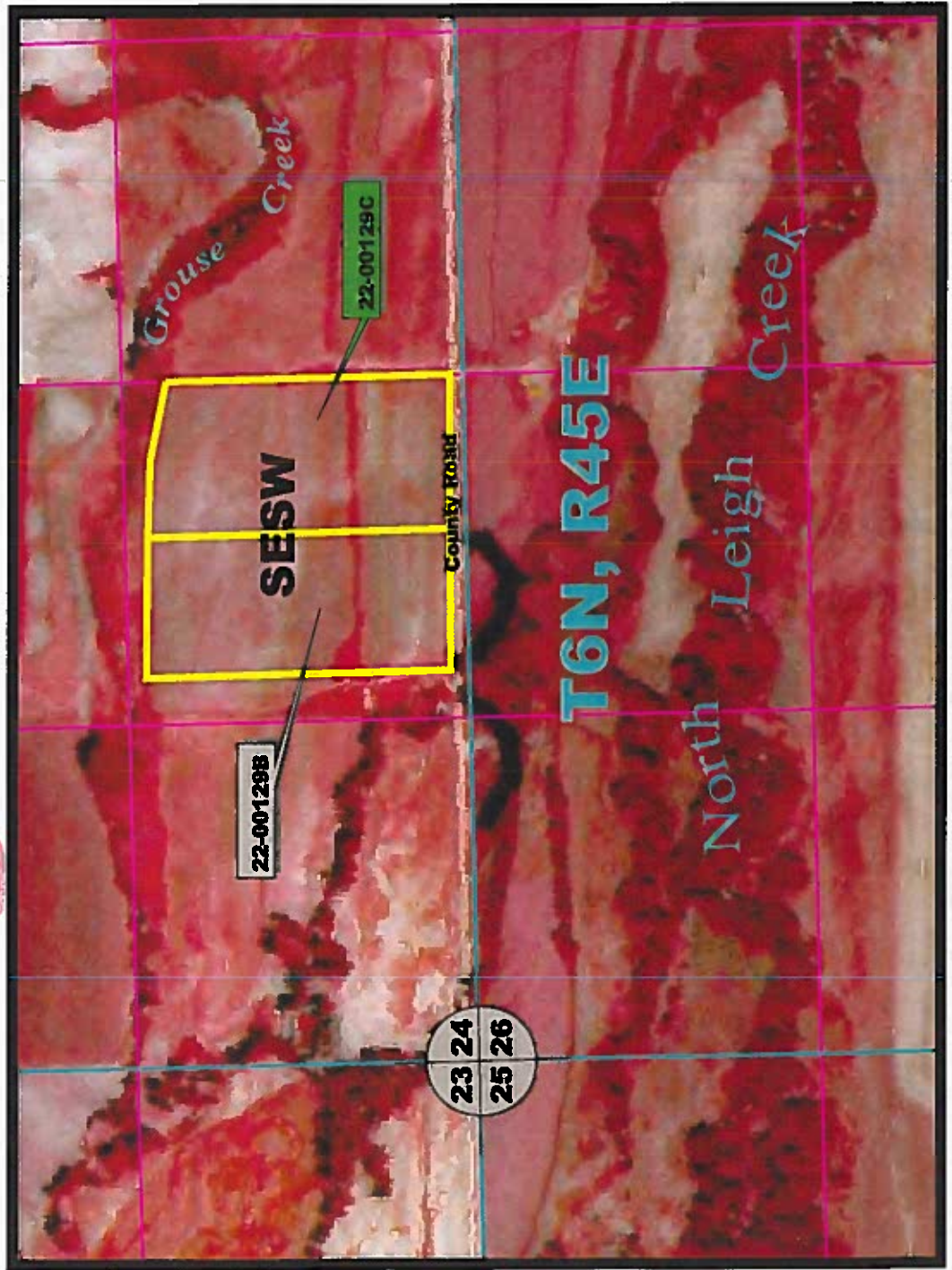
SCANNED

PROFILED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-00129B,
22-00129C

Point(s) of Diversion:

T6N, R46E

Sec. 29 NENWNE (L1)

Place of Use: (parts of)

T6N, R45E

Sec. 24 SESW

Delivery by North Leigh Canal

Wyoming diversion:

T45E R118W Sec. 32 NESENW (L2)

LEGEND



Point of Diversion



SESE



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAIP Photography
Prepared by: A. Ruberry
Date: February 2005

250 0 250 500 750 1000 1250 1500 1750 2000 2250 2500 2750 3000 3250 3500 3750 4000 Feet

02/22/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-129C

KATHRYN E R JOHNSON

1229 N 1800 E

LOGAN UT 84341

Telephone Number: (801) 753-7422

DOUGLAS A JOHNSON

1229 N 1800 E

LOGAN UT 84341

Telephone Number: (801) 753-7422

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/22/05

SIGNATURE: Douglas A. Johnson

Please print your name: Douglas A. Johnson

IDWR Regional Office,

SCANNED

JUL 01 2005

RECEIVED

JUN 30 2005

Department of Water Resources
Eastern Region

PROFILED

UMJ
6/30

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner Douglas Johnson

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Decreed Martell Hansen vs Lynn Crandall 24 Jan 1938
Decreed To Martell Hansen, R S. Jackson, Glenn
Petersen, Wayne Henric, Dick Beard, David Beard
Spencer Little, Ed. S. Little, E.C. Hansen, CF Loft House

Other Water Right used A2200289, A2200290

7 C. pad/pou conveyance/System

Reviewer: _____

Date: _____

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MAR 10 2005

Water Right No(s). A 2200129C

See Photo in
22-289A

GPS DATA:

Tag # A0014298 Location: North Leigh Canal

Diversion Data:

Source: North Leigh Trib to: Spring CK

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

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MAR 10 2005

A2200129A.

A2200129B. PAUL JOHNSON

16" (0.32 CFS) 22 JAN 1916

POD NE NE NE SEC 29 T6N R46E.
NORTH LEIGH. CREEK. TRIB TO TETON RIVER

21.5 AC.

A2200129C. DOUGLAS JOHNSON

16" (0.32 CFS) 22 JAN 1916

POD NE, SW SEC. 24 T6N R. 45E.
NORTH LEIGH. CREEK. TRIB TO TETON RIVER.

21.5 AC.

A2200129D

MARTELL HANSEN

R. S. JACKSON

GLENN PETERSON

WAYNE HENRIE

DICK BEARD

DAVID DIXON

SPENCER B. LITTLE

E. O. S. LITTLE

E. O. HANSEN

OF LOFT HOUSE.

ACCREDITED
TO

A2200129

600" (12 CFS) 22 JAN 1916

POD. NORTH. LEIGH CREEK TRIB TO
TETON RIVER. SW 1/4 NW 1/4 SEC 29
T6N R46E.

POD. W 1/2 NE 1/4, SE 1/4 NE 1/4 OF SEC 23

SE 1/4 2 NW 1/2 SW 1/4 OF SEC. 24 NW 1/2

NE 1/4 OF SEC. 25 IN T6N R45E.

SE 1/4 NE 1/4 OF SEC 23 SW 1/4 SW 1/4

SEC. 19 + NW 1/2 NW 1/4 OF SEC. 30

T6N R46E.

600 AC MORE OR LESS

A2200129E. TETON WEST COOP 2 GEORGE HATCH

534" (10.24 CFS) 22 JAN 1916

POD NE NW NE SEC. 29 T6N R. 46E
NORTH LEIGH. CREEK TRIB TO TETON RIVER.

25 AC.

A2200129F

MARY ANN ANDERSON

DAVID, MARY S., JOHN E.)

A2200129G. JAMES, D., DAVID DEAN. LOFT HOUSE.

110" (2.20 CFS) 22 JAN 1916

110 AC

POD. NE NE SEC 29 T6N R46E

NORTH LEIGH. CREEK. TRIB TO TETON RIVER

A2200129H. ESTATE OF PAUL J HANSEN

30" (0.60 CFS) 22 JAN 1916

30 AC.

POD NE SE NE SEC. 25 T6N R. 45E.

NORTH LEIGH. CREEK. TRIB TO (SPRING CREEK?)

PROFIT

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MAR 10 2005

are situate in T^{own} County, Idaho, and require artificial irrigation to produce agricultural crops.

VII.

22.0129

That the plaintiffs, Martell Hansen, R. S. Jackson, Glenn Peterson, Wayne Henrie, Dick Beard, David Beard, Spencer B. Little, Ed S. Little, E. C. Hansen and G. F. Lofthouse, are the owners of, or have an estate in, the following described lands, to-wit:

W¹/₄NE¹/₄; SE¹/₄NE¹/₄ of section 23, SE¹/₄ and N¹/₄SW¹/₄ of section 24; N¹/₄NE¹/₄ of section 25 in township 6 north, range 45 E.B.M.; SE¹/₄NE¹/₄ of section 23; SW¹/₄SW¹/₄ of section 19 and N¹/₄NW¹/₄ of section 30, all in township 6 north, range 46 E.B.M., containing 600 acres more or less,

and are the owners of a common ditch by and through which they divert water from North Leigh Creek for the irrigation of the above described lands, with point of diversion works located on the north side of North Leigh Creek in the SW¹/₄NW¹/₄ of section 29 in township 6 north, range 46 E.B.M.; that the plaintiffs, or their predecessors in interest, have diverted 12 cubic feet or 600 miners inches of the waters of North Leigh Creek, through their common ditch, with point of diversion and use upon the lands above described; that on or before and ever since the 22d day of January, 1916, have diverted, appropriated and applied to beneficial use in the irrigation of the above described lands during the irrigation season the above stated quantity or stream flow in addition to any other rights fixed, decreed or granted to the said plaintiff,

VIII.

22.0130

That the plaintiffs, Miles Hastings, David Hansen, and Edsell Egbert are the owners of, or have an estate in, the following described lands, to-wit:

EXCERPT FROM

Martell Hansen

VS

Lyvyn Crandall 24 Jan 1938

SE¹/₄NE¹/₄; NW¹/₄NE¹/₄; E¹/₄NW¹/₄ and N¹/₄SW¹/₄ of section 26 in township 6 north, range 45 E.B.M., containing 600 acres, more or less,

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MAR 10 2005

PROFILE

Priority Date Data Entry Form

Claim Number: A 22 00129 C

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 22 Jan 1916 Claimed Basis: DACREEDRecommended Priority Date: 22 Jan 1916 Recommended Basis: DACREED☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matches Dacreed

Reviewer: _____

Date: _____

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MAR 10 2005

Point of Diversion and Source Data Entry Form

Claim Number: A2200129C

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T 14N, R 46E, Sec. 29, NE, NE, NE, County: TetonSource: NORTH Leigh CREEK Tributary: TETON RIVER

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>14N</u>	<u>46E</u>	<u>29</u>		<u>NE NW NE</u>	<u>TETON</u>	<u>SPRING CK</u>

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? Tag # A0014298

Document how the POD and Source were verified and/or Pump and Motor data:

POD IS NORTH Leigh Canal @ NENW NE TRIB
TO SPRING CK.

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCANNED

MAR 10 2005

PROFILE

Place Of Use Data Entry Form

Claim Number: A 2200129C☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	4SE	24	NE	SW	Teton		4.5	Irrigation
11	11	11	SE	SW	11		17	11

Total Acres 21.5

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU - SEE 22-290A

Transfers Changing POU _____

Reviewer: _____

Date: _____

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MAR 10 2005

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Period of Use and Quantity Data Entry Form

Claim Number: A 0200129 C☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>Irrigation</u>	<u>4/1</u>	<u>11/1</u>		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD. SOU. 4/15 TO 10/31

Reviewer: _____

Date: _____

SCANNED

MAR 10 2005

PROTECTED

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

SCANNED
MAR 10 2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

APRIL 30, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL D JOHNSON
1202 EVERGREEN
MARSHALL MN 56258

RE: CHANGE IN OWNERSHIP FOR A22-00129 (A22-12502)

Dear Mr. Johnson:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

A22-00129A DARRELL HOWELL, 7.0 AC; 0.11 CFS (WAS A22-12502)
A22-00129B PAUL JOHNSON, 21.5 AC; 0.32 CFS (WAS A22-12502)
A22-00129C DOUGLAS JOHNSON, 21.5 AC; 0.32 CFS (WAS A22-12502)

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Darrel Howell/copy claim/letter
Douglas Johnson/copy claim/letter

ROF

SCANNED

MAR 10 2005

MICROFILMED

NOV 06 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

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: A22-12502, 22- A127-00129
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Darrel Howell
- ☐ New Owner/Claimant (Purchaser): Douglas A. Johnson/Kathryn E.R. Johnson
- ☐ New Mailing Address: 1229 N. 1800 E.
Logan, UT 84341
- ☐ New Telephone Number: (801) 797-3067 home - 801-753-7422
- ☐ 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:

split with Howell and with brother (EAST 1/2)

- ☐ Attach proof of ownership, describe proof attached: _____

(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) Douglas A. Johnson Date 4/25/96
- ☐ Signature of Former Owner/Claimant(s): _____ 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: _____

MICROFILMED

NOV 06 1999

SCANNED

MAR 10 2005

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

PROFILED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

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: A22-12502 - A22-00129

☐ Name and Address of Former Owner/Claimant(s)(Seller): Darrel Howell

☐ New Owner/Claimant (Purchaser): Paul D. Johnson / Lois A. Johnson

☐ New Mailing Address: 1202 Evergreen
Marshall, MN 56258

☐ New Telephone Number: (507) 532-3104 507-532-7463 (home)

☐ 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:

split with Howell and with brother West 1/2

☐ Attach proof of ownership, describe proof attached: _____

(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) _____ Date _____

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

4-30-96: 1/2 split and unnumbered A22-12502
to A22-00129; 3-way split among Howell, (129A) -
Doug Johnson, and Paul Johnson
(129C) (129B)

MICROFILME

SCHMIDT 1220

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

MAR 10 2005

PROFILE

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: A22-00129C

Date Received: 1/24/1989

Receipt No: X777777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS A JOHNSON 801-753-7422
Address: 1229 N 1800 E
LOGAN UT 84341

AND/OR

Name: KATHRYN E R JOHNSON 801-753-7422
Address: 1229 N 1800 E
LOGAN UT 84341

2. Date of Priority: JAN 22, 1916

3. Source: NORTH LEIGH CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	46E	29	NE	NE	NE		TETON

5. Description of diverting works:
HEADWORKS OF NORTH LEIGH CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.320		

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

8. Total consumptive use is 54.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	24	NE	SW		IRR	4.5

A2200129C



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NOV 0 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	24	SE SW		IRR	17.0
Section Acres						21.5
Total Acres						21.5

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
22-00289, 290

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED