

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

AMENDED

Ident. Number 63-5197
Date Received: 9/10/1990
Receipt No: C018262
Received By:

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

1. Name of Claimant(s)
JOHNSON RESEARCH LLC Phone: (208) 722-5829
24007 HWY 20/26
PARMA ID USA 83660
2. Date of Priority: 04/01/1919
3. Source: SAND HOLLOW CREEK Trib. to: BOISE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	15	SE NE SW	CANYON	
5. Description of diverting works:
Pump, ditches
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	1.33	
7. Total Quantity Appropriated is:
1.33 C.F.S.
8. Total consumptive use:
9. Non-irrigation uses:
10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	05W	9	SE SE	IRRIGATION	0.8
				Section Acres	0.8
05N	05W	15	NE NW	IRRIGATION	0.1
			NW NW	IRRIGATION	17
			SW NW	IRRIGATION	37
			SE NW	IRRIGATION	26
			NE SW	IRRIGATION	32
			NW SW	IRRIGATION	36
				Section Acres	148.1
05N	05W	16	NE NE	IRRIGATION	15
			SW NE	IRRIGATION	3
			SE NE	IRRIGATION	36
			NE SE	IRRIGATION	34
				Section Acres	88
				Total Acres	236.9

11. Place of use in counties: CANYON
12. Do you own the property listed above as place of use? Yes
13. Other Water Rights Used: 63-4535, 63-4536, 63-4537, 63-11390
14. Remarks:

Limited to 44.6 acres irrigation within the 236.9 ppu.

P/U amended per SRBA field exam findings.

Ownership change received 12/22/2003.

15. Basis of Claim: Statutory Claim

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 Organizations:

I do solemnly swear or affirm that I am Member of
Johnson Research LLC, that I have signed the foregoing
Organization
document in the space below as Member of
Johnson Research LLC and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Member Johnson Research LLC
Title and Organization

Aug 21, 2006
Date

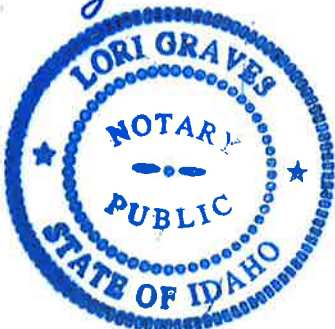
State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of Aug 20 06

21st
Lori Graves
Notary Public

Residing at Boise

My commission Expires 6/18/2010



STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 22 2003

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

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

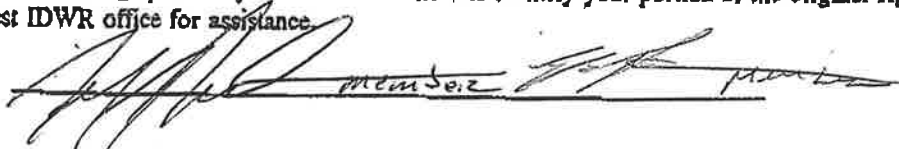
RECEIVED

from W.A.

JUN 2 2005

ADJ. P

Department of Water Resources

1. Water Right No(s): See Exhibit "A" attached hereto.
Adjudication Claim No(s): See Exhibit "A" attached hereto.
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
J.R. Simplot Company, a Nevada corporation
999 Main St., One Capital Center, Boise, ID 83702
4. New Owner/Claimant(s)
Johnson Research, L.L.C., an Idaho limited liability
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or company
New Mailing Address
24007 Hwy. 20/26
City, State and ZIP Code
Parma, ID 83660
New Telephone Number
(208) 722-5829
5. Date you acquired the property
December 5, 2003
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)

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
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..

RECEIVED

JUN 03 2005

WATER RESOURCES
WESTERN REGION

Exhibit 'A'

Parma Pastures
Claims Filed in the Snake River Basin Adjudication ("SRBA")

Claim Number	Priority	Use(s)	Source	Status or Basis of Claim
A63-4534A	June 1, 1919	Irrigation	Cole Slough Drain	Statutory Claim
A63-4535	June 1, 1928	Irrigation	Unnamed Drain	Statutory Claim
A63-4536	June 1, 1928	Irrigation	Unnamed Drain	Statutory Claim
A63-4537	June 1, 1928	Irrigation	Kiesel Drain	Statutory Claim
A63-5197	April 1, 1919	Irrigation	Sand Hollow Creek	Statutory Claim
A63-7576	April 3, 1972	Irrigation	Sand Hollow Creek	License
A63-9432	August 6, 1980	Irrigation	Sand Hollow Creek	License
A63-20548	May 1, 1900	Domestic for one home and Stockwater	Groundwater	Decree
A63-20549	May 1, 1900	Stockwater	Groundwater	Decree

Pending Permit

*63-11390	June 6, 1990	Irrigation and Stockwater	Sand Run Gulch	Permit
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* An assignment of this permit is required to update the current permit holder, J. R. Simplot Company. This assignment will be filed with the IDWR on or before November 21, 2003. *Simplot agrees to transfer the assignment to Johnson Ranch. TB. 11-10-03*

Unclaimed Rights

**63-5129	April 1, 1878	Boise River	Irrigation	Statutory claim
**63-5130	April 1, 1977	Wastewater	Irrigation	

**These statutory claims were originally filed by the Parma Irrigation District. 20 acres within the SW¼NE¼ of Section 16 T.5N R.5W were claimed by the District on land owned by Simplot. The irrigation district did not file claims to these rights in the Snake River Basin Adjudication. 5 landowners claimed portions in the Snake River Basin Adjudication under split claims A thru E. As of November 4, 2003, an SRBA claim is not of record covering Simplot's 20 acres. Simplot will file claims to its portions of these rights on or before November 21, 2003.

Those rights above which are based upon statutory claims filed prior to the commencement of the SRBA will require evidence to support the priority date claimed during the proceedings of the SRBA.

Buyer's initials EA Seller's initials TB

B

9055138

200375114

RECORDED

2003 DEC 5 PM 4 20

G NOEL HALE

CANYON CNTY RECORDER

PIONEER-CALDWELL

REQUEST

TYPE Deed FEE 21.00

BARGAIN AND SALE DEED

GRANTOR, **J.R. SIMPLOT COMPANY**, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, for Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell and convey unto **JOHNSON RESEARCH, L.L.C., an Idaho limited liability company**, whose principal address is 24007 Highway 20/26, Parma ID 83660, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in Canyon County, State of Idaho:

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

TOGETHER WITH all improvements, easements, hereditaments, all appurtenant water and water rights, ditches and ditch rights, claims to water rights, and any stock in ditch or irrigation companies appurtenant thereto, which water-related rights and claims include, but are not limited to, those matters set forth on Exhibit B, attached hereto and made a part hereof, and all other appurtenances, and SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto caused this deed to be executed in its corporate name this 4th day of December, 2003.

J.R. SIMPLOT COMPANY

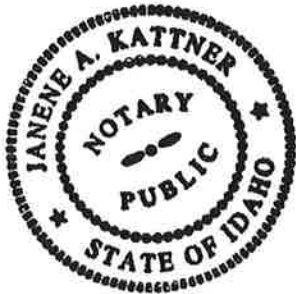
By [Signature]
Lawrence S. Hlobik, President & CEO

ATTEST:

By [Signature]
Ronald N. Graves, Secretary

STATE OF IDAHO)
) ss.
County of ADA)

On this 4th day of December, 2003, before me, a Notary Public in and for said State, personally appeared Lawrence S. Hlobik and Ronald N. Graves, known to me to be the President & CEO and Secretary, respectively, of J.R. Simplot Company, the corporation that executed the within instrument, and acknowledged to me that said corporation 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.



Janene A. Kattner
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 5/31/08

Exhibit A

PARCEL I

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 15, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO, LYING SOUTHWEST OF THE SOUTHWESTERLY RIGHT OF WAY OF THE OREGON SHORT LINE RAILROAD COMPANY.

PARCEL II

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, AND ALL THAT PART OF THE EAST ONE-HALF OF THE NORTHWEST QUARTER, LYING AND BEING SOUTH OF THE SOUTHWESTERLY BOUNDARY LINE OF THE OREGON SHORT LINE (NOW UNION PACIFIC) RAILROAD RIGHT OF WAY, ALL IN SECTION 15, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO.

PARCEL III

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO, AND A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 9, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., AND BEARING EAST 675 FEET, ALONG THE NORTH BOUNDARY OF THE AFORESAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE REAL POINT OF BEGINNING; THENCE NORTH 277.7 FEET TO THE SOUTHWEST BOUNDARY OF THE RIGHT OF WAY OF THE OREGON SHORT LINE RAILROAD COMPANY; THENCE SOUTH 52° 47' EAST 524 FEET, ALONG THE SOUTHWEST BOUNDARY OF THE AFORESAID RIGHT OF WAY; THENCE SOUTH 45° 00' WEST 590 FEET; THENCE NORTH 456.5 FEET TO THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE FOLLOWING:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN; THENCE ALONG THE NORTHERLY BOUNDARY OF THE SAID NORTHEAST QUARTER OF SECTION 16, SOUTH 89° 58' 49" WEST 644.74 FEET

TO A POINT; THENCE LEAVING SAID NORTHERLY BOUNDARY, SOUTH 00° 09' 40" EAST 221.29 FEET TO AN IRON PIN, SAID PIN BEING THE REAL POINT OF BEGINNING; THENCE SOUTH 45° 33' 25" EAST 839.66 FEET TO AN IRON PIN; THENCE SOUTH 00° 13' 38" EAST 350.63 FEET TO AN IRON PIN; THENCE SOUTH 06° 39' 28" EAST 123.29 FEET TO AN IRON PIN; THENCE SOUTH 23° 11' 10" WEST 19.59 FEET TO AN IRON PIN; THENCE NORTH 52° 11' 01" WEST 766.77 FEET TO AN IRON PIN; THENCE NORTH 00° 09' 40" WEST 608.89 FEET TO THE POINT OF BEGINNING.

PARCEL IV

THE SOUTH ONE-HALF OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO.
AND
THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO.

EXCEPTING THEREFROM:

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE AFORESAID SECTION 16, AND RUNNING EAST 1040.5 FEET ALONG THE NORTH BOUNDARY LINE THEREOF TO THE INTERSECTION OF THE SOUTHWEST BOUNDARY LINE OF THE RIGHT OF WAY OF THE OREGON SHORT LINE RAILROAD COMPANY; THENCE SOUTH 52° 46' EAST 65 FEET ALONG THE SOUTHWEST BOUNDARY LINE OF THE AFORESAID RIGHT OF WAY; THENCE SOUTH 45° 00' WEST 886 FEET; THENCE NORTH 45° 00' WEST 658.6 FEET TO THE INTERSECTION OF THE WEST BOUNDARY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE AFORESAID SECTION 16; THENCE NORTH 200 FEET ALONG THE AFORESAID WEST BOUNDARY LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO, AND BEARING SOUTH 200 FEET, ALONG THE WEST BOUNDARY OF THE AFORESAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE REAL POINT OF BEGINNING; THENCE CONTINUING SOUTH 682 FEET, ALONG THE WEST BOUNDARY OF THE AFORESAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE EAST 675 FEET; THENCE NORTH 425.6 FEET; THENCE SOUTH 45° 00' WEST 296

FEET; THENCE NORTH 45° 00' WEST 658.6 FEET TO THE REAL POINT OF BEGINNING.

AND FURTHER EXCEPTING THEREFROM:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN; THENCE ALONG THE NORTHERLY BOUNDARY OF THE SAID NORTHEAST QUARTER OF SECTION 16, SOUTH 89° 58' 49" WEST 644.74 FEET TO A POINT; THENCE LEAVING SAID NORTHERLY BOUNDARY, SOUTH 00° 09' 40" EAST 221.29 FEET TO AN IRON PIN, SAID PIN BEING THE REAL POINT OF BEGINNING; THENCE SOUTH 45° 33' 25" EAST 839.66 FEET TO AN IRON PIN; THENCE SOUTH 00° 13' 38" EAST 350.63 FEET TO AN IRON PIN; THENCE SOUTH 06° 39' 28" EAST 123.29 FEET TO AN IRON PIN; THENCE SOUTH 23° 11' 10" WEST 19.59 FEET TO AN IRON PIN; THENCE NORTH 52° 11' 01" WEST 766.77 FEET TO AN IRON PIN; THENCE NORTH 00° 09' 40" WEST 608.89 FEET TO THE POINT OF BEGINNING.

PARCEL V

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER MONUMENTED WITH A 5/8 INCH DIAMETER IRON PIN; THENCE SOUTH ALONG THE EAST BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 1319.56 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 89° 19' 32" WEST ALONG THE SOUTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 1323.11 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 0° 11' 48" EAST ALONG THE WEST BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 890.36 FEET TO A POINT; THENCE LEAVING SAID WEST BOUNDARY NORTH 89° 45' 28" EAST A DISTANCE OF 290.45 FEET TO A POINT; THENCE NORTH 0° 58' 19" EAST A DISTANCE OF 417.53 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 89° 42' 58" EAST A DISTANCE OF 1022.44 FEET TO THE POINT OF BEGINNING.

PARCEL VI

THE WEST 280 FEET OF THE SOUTH 626 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, CANYON COUNTY, IDAHO.

PARCEL VII

THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, LESS THE WEST 280 FEET OF THE SOUTH 626 FEET OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15.

Exhibit B
Parma Pastures Water Matters
Claims Filed in the Snake River Basin Adjudication ("SRBA")

SRBA Claim Number	Priority	Use(s)	Source	Status or Basis of Claim
A63-4534A	June 1, 1919	Irrigation	Cole Slough Drain	Statutory Claim
A63-4535	June 1, 1928	Irrigation	Unnamed Drain	Statutory Claim
A63-4536	June 1, 1928	Irrigation	Unnamed Drain	Statutory Claim
A63-4537	June 1, 1928	Irrigation	Kiesel Drain	Statutory Claim
A63-5197	April 1, 1919	Irrigation	Sand Hollow Creek	Statutory Claim
A63-7576	April 3, 1972	Irrigation	Sand Hollow Creek	License
A63-9432	August 6, 1980	Irrigation	Sand Hollow Creek	License
A63-20548	May 1, 1900	Domestic for one home and Stockwater	Groundwater	Decree
A63-20549	May 1, 1900	Stockwater	Groundwater	Decree
63-5129F	April 1, 1878	Boise River	Irrigation	Statutory claim
63-5130F	April 1, 1977	Wastewater	Irrigation	Statutory claim

Pending Permit

63-11390	June 6, 1990	Irrigation and Stockwater	Sand Run Gulch	Permit
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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: A63-05197
Date Received: 3/21/1990
Receipt No: C018262
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SSI LAND AND CATTLE CO. INC. 208-459-0734
Address: 2615 E. CLEVELAND
CALDWELL, ID 83605

2. Date of Priority: APR 01, 1919

3. Source: SAND HOLLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	23	NW	NW	NW		CANYON

5. Description of diverting works:
CONCRETE CHECKBOX INTO GRAVITY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.330		

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

8. Total consumptive use is 157.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	15	NE	SW		IRR	25.3
			NW	SW		IRR	19.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	44.6
					Total Acres	44.6

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR. = 44.5.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, 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

Title and Organization

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 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

A63-05197

Date Received

6/19/90

Receipt Number

C017337

RECEIVED
JUL 6 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
JUN 19 1990

Department of Water Resources

ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) SSI Land & Cattle Co, Inc Phone (208) 459-0734
Mailing Address 2615 E Cleveland Caldwell, ID Zip 83605

2. Date of Priority (Only one (1) per claim) 1919, March 15

3. Source of water supply (a) Sand Hollow Creek
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 5N Range 5W Section 23,
NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: N/A

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, 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.

Large concrete check box
in Sand Hollow Creek into gravity ditch

MICROFILMED
AUG 21 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 1.33 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.33 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 157.5 pw acre feet per annum.

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

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	
5N	5W	15									25.3	19.3							44.5

Total number of acres irrigated 44.5

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

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.

or None (X)

14. Remarks:

MICROFILMED

AUG 21 1992

Last Name SS 1 LAND & CATTLE Ident No. A63-D3197

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows, totaling 256 squares. The pattern is uniform across the entire grid.

AUG 21 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ (pw) Posted Notice _____ License _____ Permit _____

Decree _____
If applicable provide IDWR Water Right Number 63-05197

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 ☒ (pw) 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) _____ Date _____

_____ Date _____

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

of SSI Land & Cattle Co, Inc. _____, that I have signed the foregoing
Organization

document in the space below as President of SSI Land & Cattle
Title Organization

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

Signature of Authorized Agent Kath A. Jennings

Title and Organization President, SSI Land & Cattle Date 6-13-90

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

Subscribed and sworn (or affirmed) before me this 13th day of June 19 90

SEAL

Notary Public Kathryn A. Jennings

Residing at 2615 E. Cleveland-Caldwell

My Commission Expires 8/26/95

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 _____

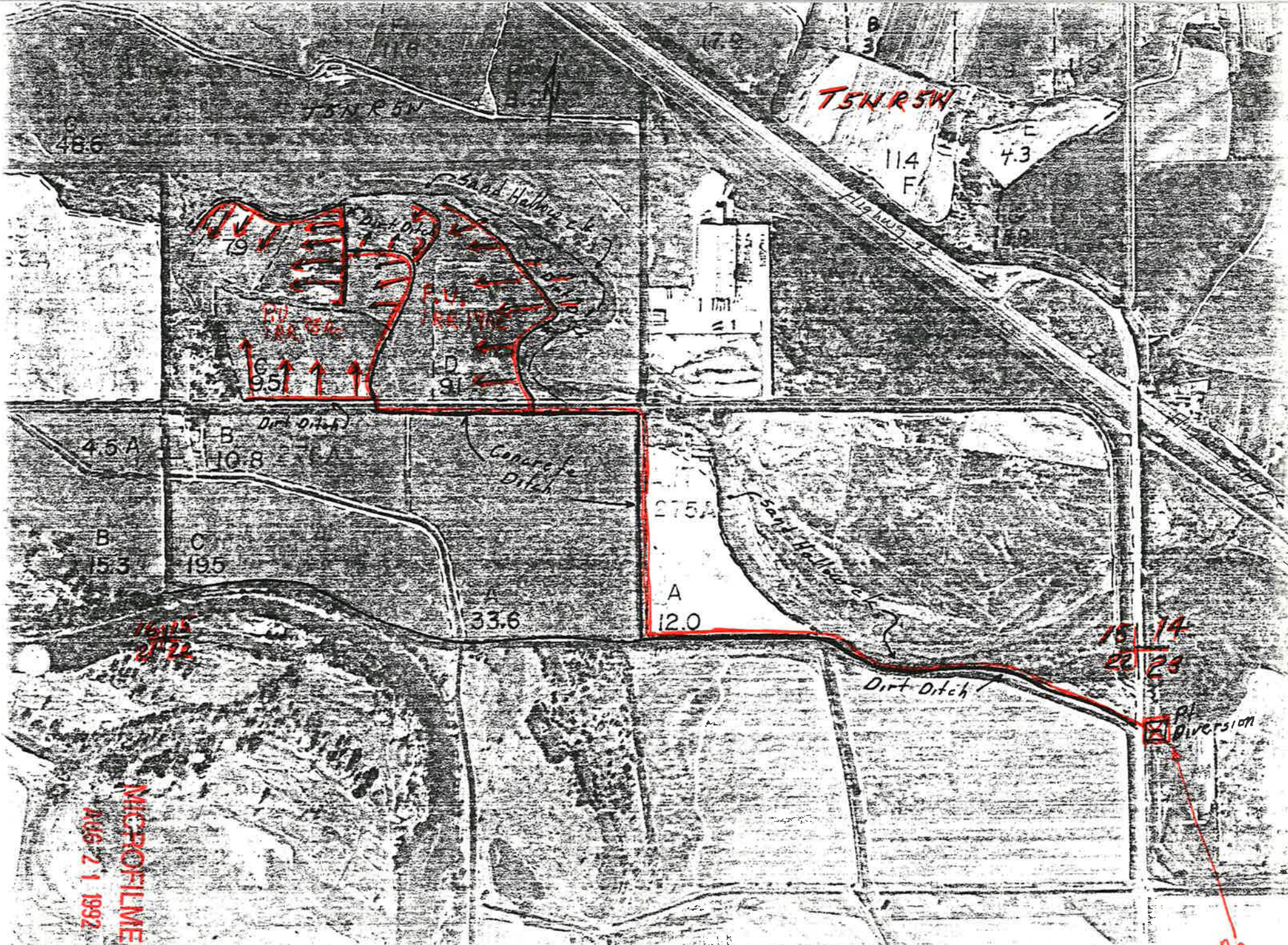
Date _____

MICROFILMED

AUG 21 1992

Last Name SSI LAND & CATTLE Ident. Number 63-05197

Copies White-State, Yellow-Claimant



T5N R5W

114 F

4.3 E

79

P.D. 18.75

P.D. 18.75

6

9.5

1.9

1.9

4.5 A

B

15.3

C

19.5

33.6

27.5 A

A

12.0

15

23

14

28

P.D. Diversion

P.D.
NW NW NW
Sec 23

MICROFILMED
AUG 21 1992

AG3-05197 T5N R5W SEC 15

RECEIVED

JUN 19 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

CLAIM TO A WATER RIGHT



Claim No. 63-5197

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that John A. and/ or Sharon L. Tansley
(Name of Claimant)

3344 Henrietta Avenue, La Crescenta, California, 91214 Telephone No. (213) 248-8106
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1919

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Sand Hollow Creek tributary to Boise River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.33cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>April 1</u>	To <u>October 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) 1.33 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 NW 1/4, Sec. 23 Twp. 5N Rge. 5W B.M., County of Canyon
Additional points of diversion: _____

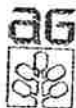
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Large concrete check box in Sand Hollow Creek into gravity ditch.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
5N	5W	15									25.3	19.3							44.5

No. of acres 44.5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:



PHONE: BUS. (208) 459-2838

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list

Person to contact

JERRY GLENN
RESIDENT MANAGER

 SSI LAND & CATTLE, INC.

P. O. BOX 700
2615 E. CLEVELAND BLVD.
CALDWELL, IDAHO 83605-0700

July 5, 1990

Forrest Luthy
Senior Water Resource Agent
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83702

REC'D
JUL 6 1990
Department of Water Resources

Dear Forrest:

Thank you for your help to make SSI's filing for the Snake River Adjudication complete.

In your letter, you stated in item 2 that you amended the priority date with the start of the irrigation season for the vicinity of the property. On the form you returned, there were no changes. I added the date of March 15 to the form.

Hopefully, this is the last application that SSI will have to submit for the Snake River Adjudication. If there is a need for any other changes, please let me know. Again, thank you for your help.

Sincerely,

Pam Wissenbach

Pam Wissenbach
Business Manager

MICROFILMED

AUG 21 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 27, 1990

Pam Wissenbach
Business Manager,
Land & Cattle
SSI Foods, Inc.
2615 E. Cleveland Blvd.
Caldwell, ID 83606

Dear Pam:

We are returning your Notice of Claim to a Water Right filed for your property in Canyon County. There are a few things that we would like you to add or correct to make the claim more complete.

In item 2, I have added the start of the irrigation season for that vicinity to the Priority Date for the month and day.

For item 4, I have added an additional NW to the P/D to get the P/D down from the 40 to the desired 10-acre description.

In item 8, the recommended total consumptive use for your location would be 157.5 AFA at 3.5 Acre feet annually for the approximately 45 acres of Irrigation claimed.

In item 13, if you know of no other rights on this same land, please check none, or if you know of ditch rights other than the Sand Hollow Creek Right, please mention the name here.

For item 15, I have checked B/U as the basis for the claim and added the Statutory Claim number for the IDWR Water Right number.

In item 16, I checked "do not", assuming that you would not care to have the Docket Sheet. Additionally, I have included a copy of the aerial photo from the vault file showing the P/D, some of the system, and the irrigated acres for the P/U.

If my additions and changes look okay to you, please initial them before returning the claim. Also, if SSI has one, you might like to include a copy of the page of the deed or sales contract giving the legals of those lands involved, documenting the fact that SSI has some possessory interest in the land and is entitled to claim the water for it.

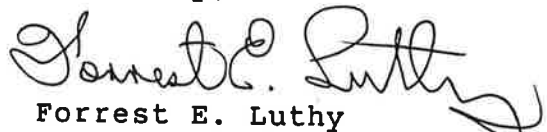
MICROFILMED
AUG 21 1992

Pam Wissenbach
June 27, 1990
Page 2

I have checked the Adjudication data base and can find no evidence that the Tansley's have filed an adjudication claim based on statutory claim 63-05197. Therefore, in addition to the late fee of \$50.00, the receipt for which is enclosed, there is a flat fee of \$50.00 plus a variable fee of \$1.00 per irrigated acre. This would come to \$95.00 if you choose to file the claim as laid out here.

Hopefully I have covered everything. Please return the claims by July 30, 1990. If you have any further questions, please call or write.

Sincerely,



Forrest E. Luthy
Senior Water Resource Agent

FEL:sf:state

Enclosures:

Original Notice of Claim
Receipt #C017337

MICROFILMED
AUG 21 1992

 SSI LAND & CATTLE, INC.

P. O. BOX 700
2015 E. CLEVELAND BLVD
CALDWELL, IDAHO 83605-0700

June 15, 1990

Idaho Department of Water Resources
Adjudication Department
1301 North Orchard
Boise, Idaho 83720

RECEIVED
JUN 19 1990

Department of Water Resources

Enclosed are the forms needed to change ownership on water rights involved in the Snake River adjudication. This water right was overlooked when the others were filed on in March, 1990. The late fee of \$50.00 has been included.

If you have any questions, or require additional information, please call me at 459-0734.

Sincerely,

Pam Wissenbach

Pam Wissenbach
Business Manager

PW/mb

MICROFILMED

AUG 21 1992

09/29/2006

**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: October 31, 2006

Water right number: 63-5197

JOHNSON RESEARCH LLC
24007 HWY 20/26
PARMA ID 83660

Telephone Number: (208) 722-5829

RECEIVED
NOV 01 2006
WATER RESOURCES
WESTERN REGION

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:

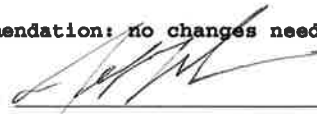
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

10/16/06

SIGNATURE:



Please print your name:

Jeff Johnson, member

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

09/27/2006

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

RIGHT NUMBER: 63-5197

NAME AND ADDRESS: JOHNSON RESEARCH LLC
24007 HWY 20/26
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.890 CFS

Right Nos. 63-4536, 63-5197 and 63-11390 are limited to a total combined diversion rate of 3.42 cfs.

When combined, Right Nos. 63-4535, 63-4536, 63-4537, 63-5197 and 63-11390 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 03/01/1931

POINT OF DIVERSION:

T05N R05W S15 SENESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.890 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S09	SESE	0.80	T05N R05W S15	NENW	0.10
T05N R05W S15	NWNW	17.00	T05N R05W S15	SWNW	37.00
T05N R05W S15	SENW	26.00	T05N R05W S15	NESW	32.00
T05N R05W S15	NWSW	36.00	T05N R05W S16	NENE	15.00
T05N R05W S16	SWNE	3.00	T05N R05W S16	SENE	36.00
T05N R05W S16	NESE	34.00			

236.9 ACRES TOTAL

This right is limited to the irrigation of 44.6 acres within the place of use described above in a single irrigation season.

Right Nos. 63-4535, 63-4536, 63-4537, 63-5197 and 63-11390 are limited to the irrigation of a combined total of 236.9 acres in a single irrigation season.

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 - Beneficial Use

Right Nos. 63-4536 and 63-11390 are also diverted through point of diversion described above.



Idaho Department of Water Resources

63-5197

05N 05W Sections 9, 15 & 16



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 44.6

600 0 600 Feet



IDWR
Prepared by: Lori Graves
Date: 08-17-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5197 V1

WATER RIGHT NUMBER: 63-5197 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SHARON L TANSLEY 3344 HENRIETTA AVE LA CRESCENTA, CA 91214
Original Owner	JOHN A TANSLEY 3344 HENRIETTA AVE LA CRESCENTA, CA 91214
Original Owner	SSI LAND & CATTLE CO INC 2615 E CLEVELAND BLVD CALDWELL, ID 83605 (208)459-0734
Current Owner	JOHNSON RESEARCH LLC 24007 HWY 20/26 PARMA, ID 83660 (208) 722-5829

Priority Date: 03/01/1931

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01	to 11/15	0.890 CFS	
	<u>Total Diversion:</u>		0.890 CFS	

Location of Point(s) of Diversion

SAND HOLLOW CREEK	SE1/4NE1/4SW1/4	Sec. 15, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	9																.8	.8
05N	05W	15					.1	17.0	37.0	26.0	32.0	36.0							148.1
05N	05W	16	15.0		3.0	36.0								34.0					88.0

Total Acres: 236.9

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5197 V1

Conditions of Approval:

1. K06 This right is limited to the irrigation of 44.6 acres within the place of use described above in a single irrigation season.
2. F05 Right Nos. 63-4536 and 63-11390 are also diverted through point of diversion described above.
3. E52 Right Nos. 63-4536, 63-5197 and 63-11390 are limited to a total combined diversion rate of 3.42 cfs.
4. C18 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.
5. E62 When combined, Right Nos. 63-4535, 63-4536, 63-4537, 63-5197 and 63-11390 shall provide no more than .02 cfs per acre.
6. E55 Right Nos. 63-4535, 63-4536, 63-4537, 63-5197 and 63-11390 are limited to the irrigation of a combined total of 236.9 acres in a single irrigation season.

Remarks:

Comments:

1. Igraves 8/18/2006 P/U

Comment: Property aka the Yeakel Place and/or SSI Farm. P/u amended to ppu per field exam findings.

2. Igraves 8/18/2006 Priority Date

Comment: Various affidavits were provided in an effort to support a 1931 priority date along with an explanation letter from Jeff Johnson.

3. Igraves 8/18/2006 Overlaps

Comment: Water from unnamed drains, represented by rights 63-4535 and 63-4537, and water from Sand Hollow Creek, represented by this right, 63-5197 and 63-11390, can be used on the property. Water from the unnamed drains can only be used on acres north of Sand Hollow Creek. Water from Sand Hollow Creek can be used on acres north and south of the creek.

4. Igraves 8/18/2006 P/D

Comment: According to the field exam, the original p/d listed on the statutory claim has not been used since 1982. The claim was amended to the current p/d, aka the Big Pump Diversion, and was measured at 3.42 cfs. This right is limited to .89 cfs.

5. Igraves 9/27/2006 Tributary

Comment: Tributary was clarified to the Snake River based on department analysis and topo maps.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5197 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5197

WATER RIGHT NUMBER: 63-5197

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SHARON L TANSLEY 3344 HENRIETTA AVE LA CRESCENTA, CA 91214
Original Owner	JOHN A TANSLEY 3344 HENRIETTA AVE LA CRESCENTA, CA 91214
Original Owner	SSI LAND & CATTLE CO INC 2615 E CLEVELAND BLVD CALDWELL, ID 83605 (208)459-0734
Current Owner	JOHNSON RESEARCH LLC 24007 HWY 20/26 PARMA, ID 83660 (208) 722-5829

Priority Date: ~~04/01/1919~~ 3/1/1931
 Basis: ~~Statutory Claim~~ B/L
 Status: Active

<u>Source</u>	<u>Tributary</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
SAND HOLLOW CREEK	BOISE RIVER Snake R	4/01	10/31	1.330 CFS	.89
		3/1	11/15	<u>Total Diversion:</u> 1.330 CFS	.89

Location of Point(s) of Diversion

SAND HOLLOW CREEK SE1/4NE1/4SW1/4 Sec. 15, Twp 05N, Rge 05W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	9																.8	.8
05N	05W	15					.1	17.0	37.0	26.0	32.0	36.0							148.1
05N	05W	16	15.0		3.0	36.0								34.0					88.0

Total Acres: 236.9

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5197

Conditions of Approval:

1. P/U amended per SRBA field exam findings.
2. Ownership change received 12/22/2003.
3. Limited to 44.6 acres irrigation within the 236.9 ppu.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 9/10/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

add K06 - limited to 44.6
within PPU

F05 - shared P/D

E52 - 3.42 cfs combined
rate limit

E62 - limited to
1"/ac when
combined

E55 - combined acre
limit

Water Supply Bank:

FIELD EXAM MEMO

DATE: 6/16/2006

TO: Dan Nelson

FR: Lori Graves

RE: A63-4534A, A63-4535, A63-4536, A63-4537, A63-5129F, A63-5130F, **A63-5197**

Dan, the above claims are currently in the name of SSI and Simplot, but the current owner is Johnson Research LLC (Ed Johnson). A change of ownership notice has been received by the department but has yet to be processed.

Items needed for each claim include:

1. Flow measurements
2. Acres irrigated
3. System diagram
4. Are there surface water shares used anywhere?

Notes

Claims A63-5129F & A63-5130F are not diverted per Ed's review and investigation. Please have Ed sign the attached Withdrawal Notice.

Claim A63-4534A is a split of the original statutory claim. The other portion is owned by Tree Top Ranch and filed as A63-4534, which you also have to examine. Tree Top's portion should not be represented by the whole original number and will probably be renumbered in the recommendation process. The original statutory claim listed two p/ds. Tree Top uses the NWNW S23 p/d and Johnson uses the SWNE S16 p/d.

Claim A63-5197 overlaps license 63-11390 (same source, same acres). The license lists Sand Run Gulch Creek as the source, with a condition stating that it is locally known as Sand Hollow Creek. Please have Ed confirm if he wants to pursue the claim, which will result in a licensed acre reduction or withdraw the claim and leave the license in tact. Note: the claim lists a different p/d than the license. Does Ed use both for the acres or has the claimed p/d been abandoned? I've included a withdrawal notice in the claim file and a copy of license 63-11390 with an associated photo.

Ed Johnson is the contact person for the above claims. His cell number is 250-1526.

Thanks Dan

inches

1.98 CF³

3.42 cfs
meas

Year	Location	Value	Total
37	Kieslo	81.2	199.2
35	~~35~~ unnamed	18.0	
36	~~36~~ Sand Hollow	48.6	219.8
390	Sand Hollow	106.3	
197	Sand Hollow	44.6	

NORTH
only

Right
Side

4.74 CFS. $236.9 \times .02 = 4.74 \rightarrow 236.9$

~~15-56~~

~~3.42~~

~~→ 171 ackes@10.10.10.10~~

E56

K06

E62 (no vol)

ESZ - Sit creek

SH cfs

3.42 efs:

4536 - .97 48.6

5197 - .89 44.6

11390 - 1.69 106.3

3.55

WD CFS

KD cfs:

236.9 PPH

3.33 cfs :

4.95 cfs

4535-36 18

21537- Cfs 1.62 81.2

152.6 PPL

152.6 PPH

SEE 63-4535 FOR
ORIGINAL

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

63-4535 - 63-4536 63-4537
and 63-5197

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Big Pump SANDHOLLOCK	LOUIS ALLIS	20HP	1933 F-3	PARMA	20159
Kiesel Diversion	OPEN	DITCH	NO	PUMP	
UNNAMED DRAIN	OPEN		DITCH	NO	PUMP.

8.4 FT - Big Pump

2.) Lift (distance from pump to water) _____

3.) How was lift determined (well log, measurement, owner)? MEASUREMENT

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) 10 PSI ESTIMATE

5.) Was a measurement made? YES If no can a measurement be made at a latter time? _____

6.) What type of measurement device was used? POLYSONIC - BIG - PUMP
Pygmy: Aquacore - Kiesel Drain
Pygmy: Aquacore - UNNAMED DRAIN

7.) Is there a pump curve available for pump? NO

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

FLOOD IRRIGATION.

DONE

 DONE

11.) Please clearly DONE

 DONE

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

g e e m e m d

DATE EXAM CONDUCTED 7-19-2006

FIELD EXAMINER Daniel A. Nelson

MEMORANDUM

TO: ADJUDICATION FILES 63-5179, 63-5181, AND 63-5182

FROM: DANIEL A. NELSON

DATE: 8/2/06

SUBJECT: FIELD EXAMINATION 63-4535, 63-4536, 63-4537, AND 63-5197

A field examination was done on the above rights on 7/20/2006 and 7/21/2006. This ground is currently owned by E.G. Johnson, but the farm is known as the SSI Farm. Mr. Johnson purchased this farm from SSI, thus giving it the name. I will be referring to this farm as the SSI farm to avoid confusion. **PLEASE NOTE: water right 63-4534A is also apart of the SSI farm, but is a self-contained system, and was field examined separately from the main farm's irrigation system.**

There are three water sources supplying water to the SSI farm. The main source of water is Sandhollow Creek also known locally as Cole Slough. The other two sources are unnamed drains, one of which is known locally as the Kiesel Drain, and the other has no local name. In order to keep the sources straight, I will refer the three sources as the Sandhollow Creek, Kiesel Drain, and the Unnamed Drain.

A Parma Pump diverts water from Sandhollow Creek, and the diversion is referred to as the Big Pump Diversion. The pump is located on the north side of Sandhollow Creek. The water from this diversion can go across the creek and travel due west through a concrete ditch to irrigate the lands on the south side of Sandhollow Creek. **PLEASE NOTE: there are no other pipelines across the creek, so the only water source for the land south of the creek is the Sandhollow diversion.** The water from the Big Pump diversion is also diverted due north through a pipeline that open discharges in a ditch north of the diversion. The ditches on the north side of the creek are very flat and deep, which allows the owner to run the water in any direction they choose to irrigate all of the lands north of the creek from this diversion.

Statutory claims 63-4536 and 63-5197 are the only statutory claims using this diversion. Water right 63-4536 lists an unnamed drain in Section 14, but in reality the unnamed drain in question naturally flows into Sandhollow Creek, and is diverted out of Sandhollow Creek at the Big Pump Diversion. Both of these water rights list points of diversion that are no longer used. According to the current owners, the pumps have been in place since they purchased the property. They believed that the system was redesigned when SSI purchased the property in the early 1980's (approximately 1982). Therefore, an accomplished transfer has occurred on both of these rights. The correct point of diversion is the SENESW S15 T5N R5W. This is the only diversion out of Sandhollow creek for these lands.

The water from the Kiesel Drain is diverted from the drain north of Highway 20/26/95. A ditch carries the water from the drain, under the highway, and into a diversion pond. This pond is actually the main distribution point for the water irrigating the ground north of Sandhollow Creek. The water in the pond can travel both east and west to various ditches to flood irrigate the pastures under this system.

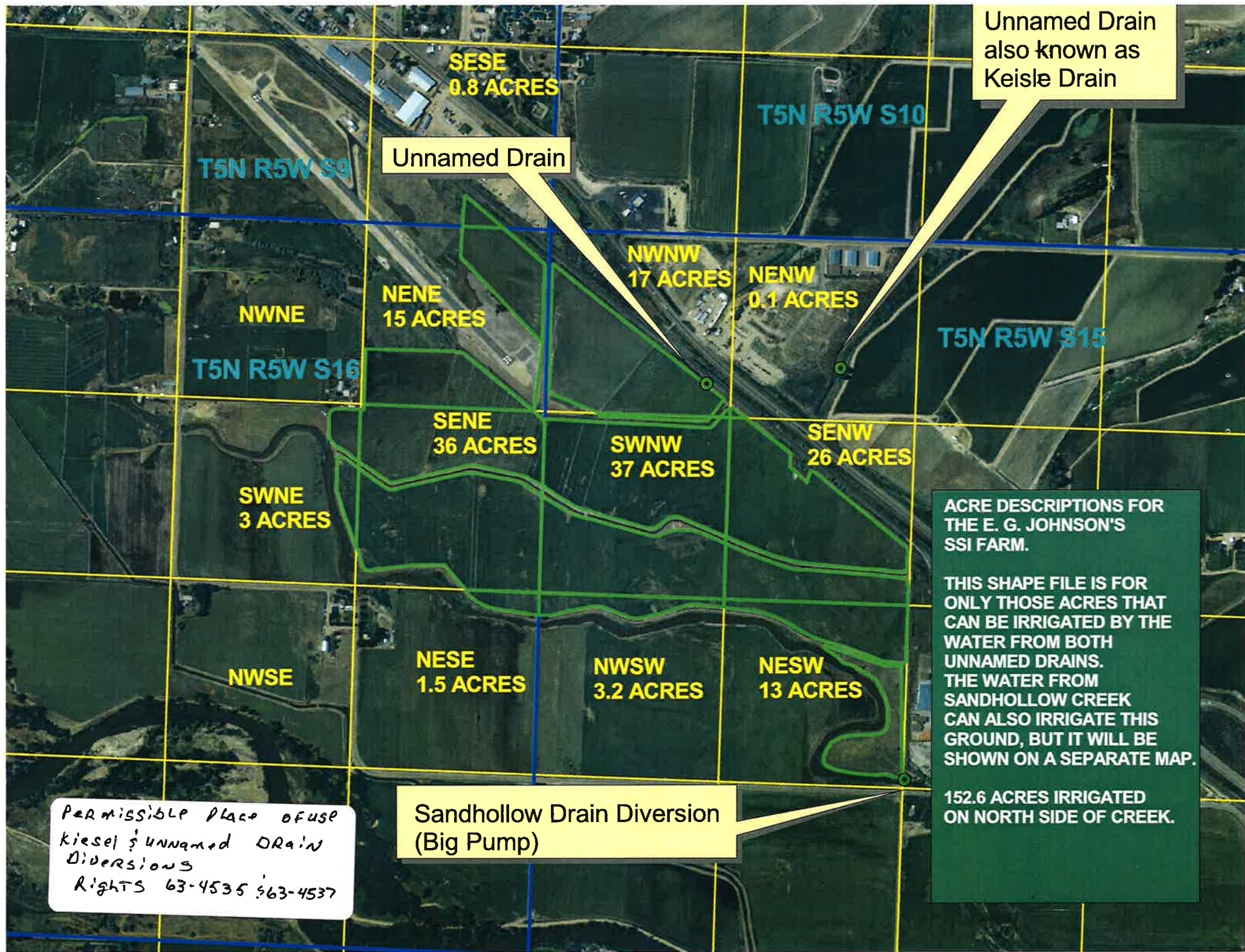
The water from the Unnamed Drain is really not diverted. The drain runs past a log fence facility on the north side of Highway 20/26/95 and is piped under the highway and the railroad tracks. The pipeline for the drain then open discharges directly into the irrigation ditch. So all of the water from this drain is used. The ditches from the point of diversion travel west to allow irrigation of the fields beside the Parma Airport, and west to the distribution pond.

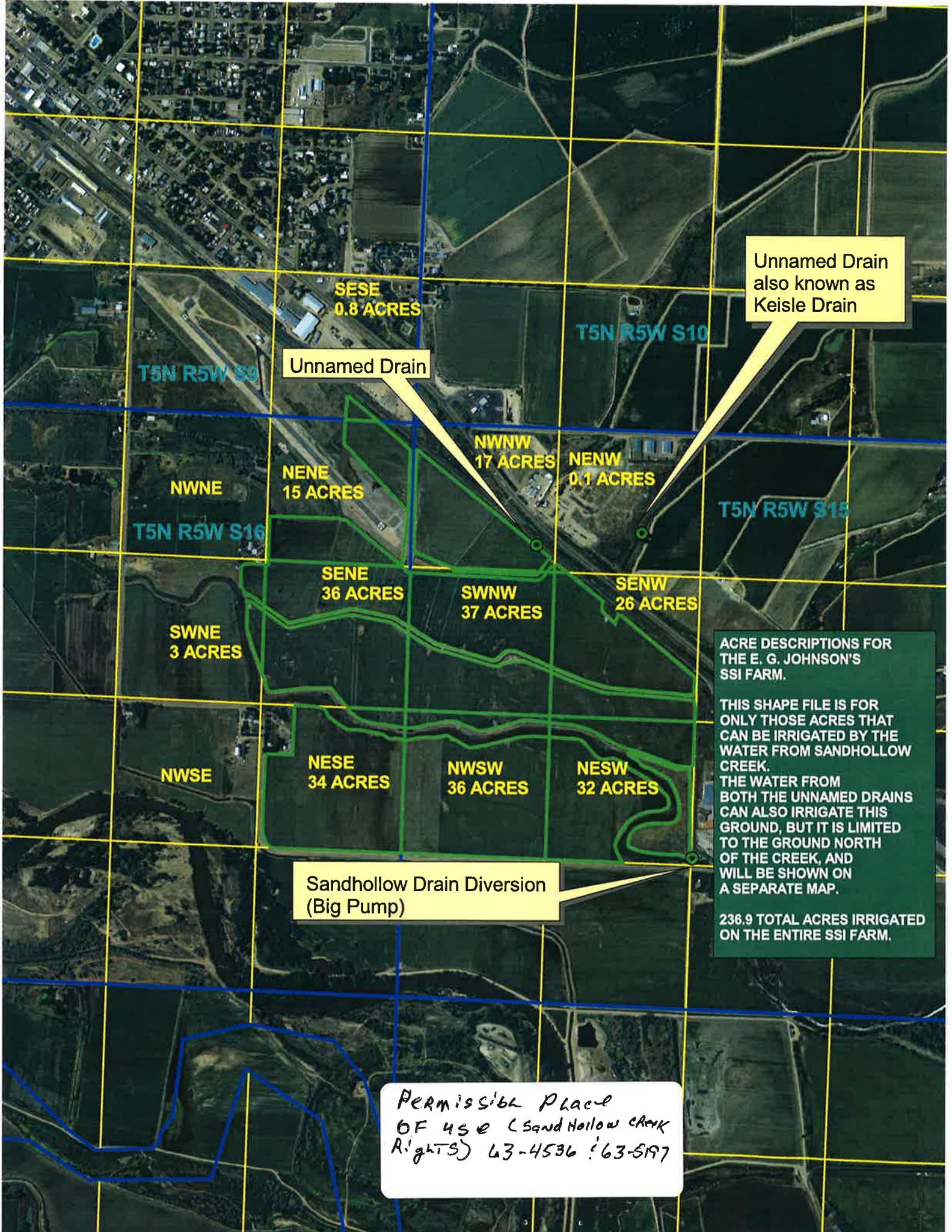
The water from the Kiesel and the Unnamed drains can and are irrigating all of the lands north of the Sandhollow Creek. Therefore, I would recommend that these rights be put into a permissible place of use for all the lands north of the creek. Water right 63-4537 does describe 81.2 acres of the 152.6 acres irrigated under this system. The map for 63-4537 covers all the ground on the north side of the creek except for the 18 acres described in water right 63-4535 from the unnamed drain, and the lands described in the three Sandhollow Creek water rights.

The three diversions were measured, and the Sandhollow Creek diversion provided 3.42 cfs to the system. The two Sandhollow Creek water rights requested 2.00 cfs for 63-4536 and 1.33 cfs for water right 63-5197, which are under the amount measured for this diversion. However, these diversion rates greatly exceed the rate per acre limitations of an inch or 0.02 cfs per acre. Therefore, water right 63-4536 should be limited to 0.97 cfs and 218.7 afa for the 48.6 acres irrigated, and water right 63-5197 should be limited to 0.89 cfs and 200.7 afa for the 44.6 acre irrigated. The volume allowed is based on the standard 4.5 afa per acre. Both water rights 63-4536 and 63-5197 should be recommended for the number of acres requested within a 236.9-acre permissible place of use shown on the maps. This permissible place of use would include lands on both sides of Sandhollow creek, since the water can be delivered over the entire farm from this point of diversion, so it only makes sense to have these rights described in the permissible place of use.

The water right on the Kiesel Drain, 63-4537, requested a diversion rate of 3.00 cfs for 81.2 acres. The Kiesel drain diversion was measured at 4.99 cfs, which is more than requested. However, once again, this diversion rate exceeds the rate per acre limitation. Therefore, water right 63-4537 should be recommended for 1.62 cfs and 365.4 afa for the 81.2 acres requested. The volume allowed was the full 4.5 afa per acre standard. I would also incorporate the acres under this right into a permissible place of use. However, the permissible place of use for this right should only include the 152.6 acres on the north side of Sandhollow creek. A permissible place of use makes sense on this water right also, since it can and is irrigating all of the ground on the north side of Sandhollow Creek.

The water right on the Unnamed Drain, 63-4535, requested a diversion rate of 0.60 cfs for 18 acres. The Unnamed drain diversion was measured at 3.33 cfs, which is more than requested. However, once again, this diversion rate exceeds the rate per acre limitation. Therefore, water right 63-4535 should be recommended for 0.36 cfs and 81 afa for the 18 acres requested. The volume allowed was the full 4.5 afa per acre standard. I would also incorporate the acres under this right into a permissible place of use. However, the permissible place of use for this right should only include the 152.6 acres on the north side of Sandhollow creek. A permissible place of use makes sense on this water right also, since it can and is irrigating all of the ground on the north side of Sandhollow Creek.





SESE
0.8 ACRES

Unnamed Drain
also known as
Keisle Drain

T5N R5W S9
Unnamed Drain

T5N R5W S10

NWNE

NENE
15 ACRES

NWNW
17 ACRES

NENW
0.1 ACRES

T5N R5W S15

T5N R5W S16

SENE
36 ACRES

SWNW
37 ACRES

SENW
26 ACRES

SWNE
3 ACRES

NWSE

NESE
34 ACRES

NWSW
36 ACRES

NESW
32 ACRES

Sandhollow Drain Diversion
(Big Pump)

ACRE DESCRIPTIONS FOR
THE E. G. JOHNSON'S
SSI FARM.

THIS SHAPE FILE IS FOR
ONLY THOSE ACRES THAT
CAN BE IRRIGATED BY THE
WATER FROM SANDHOLLOW
CREEK.
THE WATER FROM
BOTH THE UNNAMED DRAINS
CAN ALSO IRRIGATE THIS
GROUND, BUT IT IS LIMITED
TO THE GROUND NORTH
OF THE CREEK, AND
WILL BE SHOWN ON
A SEPARATE MAP.

236.9 TOTAL ACRES IRRIGATED
ON THE ENTIRE SSI FARM.

PERMISSIBLE PLACE
OF USE (SANDHOLLOW CREEK
RIGHTS) 63-4536 & 63-5197

SYSTEM DIAGRAM FOR THE E. G. JOHNSON'S SSI FARM.

This system can receive water from three drains. The main source is Sandhollow Creek (also known as Cole Slough Drain) in the southeast portion of the farm. The Sandhollow Creek Diversion (Big Pump diversion) has a pump that diverts water due west to irrigate the fields on the southside of the creek, and due north to irrigate the fields on the north side of the creek. The second diversion is an unnamed drain known locally as the Kiesel Drain. The water from this drain is diverted into a ditch that flows under Hwy 20/26/95 to a small pond that distributes the water to all the ditches on the north side of the creek. The third diversion is an Unnamed Drain (no local name) that diverts water directly from the drain into the ditch. The drain ends at the head of the ditch. The water from this drain can go both east to the distribution pond or to the fields to the west. This ground is very flat so water can be run both directions on the north side of the creek. Therefore, all three sources can irrigate the ground north of Sandhollow Creek. There is no pipeline that allows the water from the two unnamed drains to cross over Sandhollow creek, so they can only irrigate the ground north of the creek, unlike the Sandhollow Creek diversion where water is pumped to both the northside and southside of the creek.

T5N R5W S9

Unnamed Drain

T5N R5W S10

Unnamed Drain
also known as
Keisle Drain

T5N R5W S16

NWNE

NENE

NWNW

NENW

T5N R5W S15

SENE

SWNW

SENW

SWNE

DISTRIBUTION POND

NWSE

NESE

NWSW

NESW

Sandhollow Drain Diversion
(Big Pump)

PUMP
DISCHARGE
AREA

POLYSONIC READINGS

PERMIT #: 63-4536 & 63-5197

POINT OF DIVERSION

BIG PUMP DIVERSION SANDHOLLOW CREEK

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
THIS PUMP. THE TOTAL FLOW WAS
AVERAGED OVER A 10 MINUTE READING.

FLOWS IN GALLONS PER MINUTE (GPM)

1536 GPM FLOW RATE

FLOWS IN CUBIC FEET PER SECOND (CFS)

1536 GPM / 448.8 = 3.42 CFS FLOW RATE

MODE SELECT
INPUT

OUTER DIAMETER
12.0201 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1031 IN

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

SPACING
9.251 IN U

07-20 07:5200 *R
+002,50 % AI2

MODE SELECT
T0 CHECK

0440.7 MMSEC
099.02 % T0

ZERO MODE
AUT ZERO

07:59+ 1.540E 3GPM 00R
+ 4.511E 0FPS 00R
+00000 *10 G 00R
-00000 *10 G 00R

08:00+ 1.491E 3GPM 00R
+ 4.366E 0FPS 00R
+00148 *10 G 00R
-00000 *10 G 00R

08:01+ 1.547E 3GPM 00R
+ 4.530E 0FPS 00R
+00303 *10 G 00R
-00000 *10 G 00R

08:02+ 1.586E 3GPM 00R
+ 4.645E 0FPS 00R
+00459 *10 G 00R
-00000 *10 G 00R

08:03+ 1.593E 3GPM 00R
+ 4.665E 0FPS 00R
+00611 *10 G 00R
-00000 *10 G 00R

08:04+ 1.518E 3GPM 00R
+ 4.445E 0FPS 00R
+00765 *10 G 00R
-00000 *10 G 00R

08:05+ 1.515E 3GPM 00R
+ 4.435E 0FPS 00R
+00918 *10 G 00R
-00000 *10 G 00R

08:06+ 1.521E 3GPM 00R
+ 4.455E 0FPS 00R
+01074 *10 G 00R
-00000 *10 G 00R

08:07+ 1.537E 3GPM 00R
+ 4.501E 0FPS 00R
+01229 *10 G 00R
-00000 *10 G 00R

08:08+ 1.566E 3GPM 00R
+ 4.586E 0FPS 00R
+01382 *10 G 00R
-00000 *10 G 00R

08:09+ 1.596E 3GPM 00R
+ 4.675E 0FPS 00R
+01536 *10 G 00R
-00000 *10 G 00R

Original in

63-4536

AgauCalc 5000 (tm) by JBS Instruments
Firmware Version AQCUG7b (c)1993,'94,'95,'96,'97, 1999

```

GAGE ID#, 0
DATE, 7/20/06
TRANSECT, 5
USER ID#, 0
STAFF HEIGHT, 0.00
GAGE HEIGHT, 0.00
METER ID#, 0
AQUACALC ID#, 0
METER TYPE, Pygmy ST1
METER CONST. C1, 0.9770
METER CONST. C2, 0.0280
METER CONST. C3, 0.9770
METER CONST. C4, 0.0280
METER CONST. C5, 1.0000
MEAS. SYSTEM, S.A.E. (English)
TOTAL STATIONS, 6
TOTAL WIDTH, 2.10
TOTAL AREA, 3.19
TOTAL DISCHARGE, 4.9890
MEAN VELOCITY, 1.56

```

**E. G. JOHNSON EXAMS
SSI FARM
KIESEL DRAIN
63-4537**

ST. Q)	,DIST	,DEPTH	,REVS	,TIME	,COS:VF	,LOC	,CLOCK	,VEL	,AREA	,FLOW(
1, 00,	1.7,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00
2, 90,	2.0,	1.60,	48,	40.5,	1.00,	.6,	15:58,	1.186,	0.640,	0.75
3, 20,	2.5,	1.80,	57,	40.2,	1.00,	.6,	16:00,	1.413,	0.900,	1.27
4, 40,	3.0,	1.70,	67,	40.3,	1.00,	.6,	16:01,	1.652,	0.850,	1.40
5, 40,	3.5,	2.00,	79,	40.3,	1.00,	.6,	16:02,	1.943,	0.800,	1.55
6, 00,	3.8,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00

```

      GAGE ID#, 0
      DATE, 7/20/06
      TRANSECT, 6
      USER ID#, 0
      STAFF HEIGHT, 0.00
      GAGE HEIGHT, 0.00
      METER ID#, 0
      AQUACALC ID#, 0
      METER TYPE, Pygmy ST1
METER CONST. C1, 0.9770
METER CONST. C2, 0.0280
METER CONST. C3, 0.9770
METER CONST. C4, 0.0280
METER CONST. C5, 1.0000
      MEAS. SYSTEM, S.A.E. (English)
      TOTAL STATIONS, 8
      TOTAL WIDTH, 3.40
      TOTAL AREA, 3.69
TOTAL DISCHARGE, 3.3269
      MEAN VELOCITY, 0.89

```

**E. G. JOHNSON EXAMS
SSI FARM
UNNAMED DRAIN
63-4535**

ST. Q)	,DIST	,DEPTH	,REVS	,TIME	,COS:VF	,LOC	,CLOCK	,VEL	,AREA	,FLOW(
1, 00,	2.5,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00
2, 98,	3.0,	1.20,	15,	41.3,	1.00,	.6,	16:32,	0.383,	0.600,	0.22
3, 91,	3.5,	1.30,	21,	44.3,	1.00,	.6,	16:35,	0.491,	0.650,	0.31
4, 60,	4.0,	1.30,	29,	41.1,	1.00,	.6,	16:37,	0.717,	0.650,	0.46
5, 55,	4.5,	1.30,	54,	40.0,	1.00,	.6,	16:39,	1.347,	0.650,	0.87
6, 64,	5.0,	1.20,	54,	40.1,	1.00,	.6,	16:40,	1.344,	0.600,	0.80
7, 01,	5.5,	1.20,	47,	40.3,	1.00,	.6,	16:43,	1.167,	0.540,	0.63
8, 00,	5.9,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 7/19/2006

FILE NUMBER 63-4535, 63-4536, 63-4537, & 63-5197



These are photos of the points of diversion. The top photo is the Big Pump diversion from Sandhollow Creek. The you can see that the pipeline goes both directions from the pump.

The second photo is of the unnamed drain diversion. The unnamed drain as you can see diverts directly into the cement irrigation ditch.



The third photos are of the main distribution pond for the irrigation of the lands north of Sandhollow Creek. The water comes into the pond through a pipe that goes under Highway 20/26/95 and the railroad tracks, and discharges in the middle of the pond. The water in the pond go leave the pond through headgates on the east and west side of the pond. Water from the Big Pump diversion and the Unnamed drain can also be sent to this pond through the same ditches (see page 2 of pictures)..

IRRIGATION WATER
EXITS HERE

KIESEL DRAIN WATER
ENTERS HERE

IRRIGATION WATER
EXITS HERE



PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 7/19/2006

FILE NUMBER 63-4535, 63-4536, 63-4537, & 63-5197



The picture above shows the place of use for the SSI farm from the bank of the distribution pond.

The picture below shows the ditch heading west from the unnamed drain diversion .



The picture to the right shows the water coming from the unnamed drain diversion. As you can see from this picture and the picture above, the ditches are built wide and deep, so they can move water in any direction by simply putting in a canvas dam. The water in both pictures is actually moving up gradient. All the drains flow toward the fences.

SEE 63-4535 FOR FIELD NOTES.

FIELD EXAM MEMO

DATE: 6/16/2006

TO: Dan Nelson

FR: Lori Graves

RE: A63-4534A, A63-4535, A63-4536, A63-4537, A63-5129F, A63-5130F, *A63-5197*

Dan, the above claims are currently in the name of SSI and Simplot, but the current owner is Johnson Research LLC (Ed Johnson). A change of ownership notice has been received by the department but has yet to be processed.

Items needed for each claim include:

1. Flow measurements
2. Acres irrigated
3. System diagram
4. Are there surface water shares used anywhere?

Notes

Claims A63-5129F & A63-5130F are not diverted per Ed's review and investigation. Please have Ed sign the attached Withdrawal Notice.

Claim A63-4534A is a split of the original statutory claim. The other portion is owned by Tree Top Ranch and filed as A63-4534, which you also have to examine. Tree Top's portion should not be represented by the whole original number and will probably be renumbered in the recommendation process. The original statutory claim listed two p/ds. Tree Top uses the NWNW S23 p/d and Johnson uses the SWNE S16 p/d.

Claim A63-5197 overlaps license 63-11390 (same source, same acres). The license lists Sand Run Gulch Creek as the source, with a condition stating that it is locally known as Sand Hollow Creek. Please have Ed confirm if he wants to pursue the claim, which will result in a licensed acre reduction or withdraw the claim and leave the license in tact. Note: the claim lists a different p/d than the license. Does Ed use both for the acres or has the claimed p/d been abandoned? I've included a withdrawal notice in the claim file and a copy of license 63-11390 with an associated photo.

Ed Johnson is the contact person for the above claims. His cell number is 250-1526.

Thanks Dan

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Region
C/O Lori Graves
2735 Airport Way, Boise ID 83705-5082

RE: Water Right No's. 63-4535, 63-4536, 63-4537 63-5197 63-4534A

Dear Ms. Graves:

Thank you for your letter dated June 14, 2006 regarding the above listed water rights. We appreciate the opportunity to utilize existing affidavits on file in your office as evidence of priority supporting a 1931 date on portions of the property located in section 15. Please note that this is basically one continuous field that encompasses property in sections 9, 15 and 16 and it appears quite evident that the fields in question were managed in this manner. As support of the water usage on this property, please find enclosed an affidavit from Mrs. Nola Yeakle that supports a claim as far back as 1941 on all of our property. We also offer as evidence the 1939 map that your office has on file.

In addition, you currently have in your files a statement written by Dencil Rippey supporting evidence of priority dating back to 1931. We have obtained an additional statement from Mr. Rippey in which he remembers how water was delivered to the remaining portion of the property from the south. Also that cattle ran on the property and that sod was grown on the property. This should add further evidence to the 1931 priority date for the remainder of the property.

Regarding claim 63-5197, in addition to Mrs. Yeakle's affidavit, my father Dr. E.G. Johnson has submitted a letter describing his knowledge of a changed point of diversion concerning this right that dates prior to 1987. As such, we are requesting that we retain the water rights on this right with a priority date as far back as the evidence that we have submitted will support (1931 via Mr. Rippey's statement). This will require an amendment to license number 63-11390 to 60 acres.

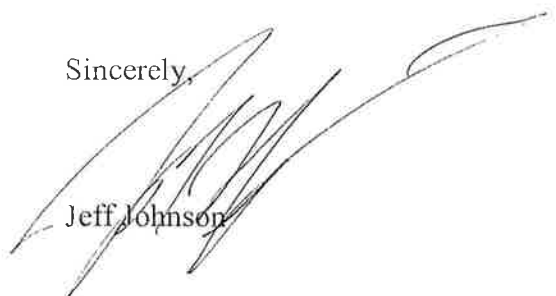
Upon a field exam conducted by Dan Nelson from your office it became apparent that the drains in this area are all somewhat interconnected and appear to be part of the Sand Hollow system. For example the Cole Slough.

We also appreciate the fact that you will process our change in ownership notice on claims 63-4535,36,37 and 97 in addition to license 63-7576 and 9432 and rights 63-20548 and 20549 as well.

Finally, regarding claims 63-5129F and 63-5130F, we do believe that there is some photographic evidence that the Parma Canal system did exist prior to 1939. However, it appears that we have adequate water supplied via other water rights that are also filed on this ground. As such, we will be willing to withdraw our claim to 63-5129F and 63-5130F pursuant to the successful decree of these other claims.

Should you need anything further, please don't hesitate to call.

Sincerely,



Jeff Johnson

My HUSBAND, Lester YEAKEL AND I, ^{AND his family} were
owners of the property located in sections
15, 16 + ~~18~~ 9 in Township 5N Range 5W.
I first became acquainted with the property
in 1941 when I helped Lester irrigate.
I am familiar with the sources of water
and that the fields in question were irrigated.

6-30-06

Dana Yeakel
NOLA YEAKEL

The water rights in question are

63-4534A

63-5197

63-4535

63-4536

63-4537

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

July 18, 2006

Water Right: 63-4534A, 63-5197, 63-4535, 63-4536, 63-4537
Priority Date:

My name is Dencil Rippey and I was raised in Parma Idaho and graduated from Parma High School in 1947. My father worked for Lester Yeakel who owned the property pertaining to Water Right Numbers listed above. We lived in a house owned by Lester when I was a small child (mid 1930's) that was located on the west end of the property. Lester ran cattle on the property at the time we lived there and they worked them in the corrals located near the home we lived in. I remember my dad building a sod shed at the time we lived there. They went out and plowed some of the ground to get the sod. I was too young at the time for me to remember the irrigation practices but it seems logical that feed was grown on the property through irrigation to support the cattle. When I was a teenager in the mid 40's I worked for Lester on the same place when they leveled it. As a teenager I remember the water that came to the north side came down a drain north of the rail road tracks. They used water to irrigate the south side that came through the old Hamilton Place.

Sincerely,

Dencil Rippey
2720 Sunflower Dr.
Nampa, ID. 83686-7118



July 18-06

This memo was prepared by E.G. Johnson following a conversation with Mr. Rippey and accurately reflects our conversation and his recollection. I personally remember, as a teenager, the Hamilton Place that lay south of the railroad tracks and east of the subject property. I believe Sand Hollow Creek either ran through it or just south of it.

E.G. Johnson



18Jul06

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

E.G. JOHNSON, D.V.M.

Johnson Research, LLC.

24007 Highway 20-26*Parma, ID 83660*(208) 722-5829*FAX (208) 722-5119

E-mail: egjohnson@frontiernet.net

June 21, 2006

Ms. Lori Graves
Sr. Water Resource Agent
Department of Water Resources
2735 Airport Way
Boise, ID. 83705-5082

Dr. Ms Graves:

This letter is in response to your letter dated June 16, 2006 concerning Claim Number A63-5197 for 44.6 acres and License 63-11390 for 100 acres of coverage on property previously owned by SSI Land & Cattle. Both claim and license are from waters supplied via Sand Hollow Creek and are for the same 100 acres. The point of diversion has changed as described on the claim, however, I am familiar with the irrigation that took place on the property from about 1970 until present. At least a portion of the property was owned by Lester and Nola Yekeal who sold to SSI. Lester was in the cow-calf business and I was his veterinarian from about 1970 thru 1980. I was on the property numerous times during those years and observed the irrigation practices and water sources. We would like to retain the 44.6 acre Right A63-5197 and amend the license, Number 63-11390. to 60 acres. Point of diversion for both claim and license is now as described on the license, SE1/4NE1/4SW1/4 Sec. 15, Twp 05N, Rge 05W, B.M. CANYON. County.

Sincerely,



E.G. Johnson D.V.M.

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

63-4536

I, Willard A. Bishop, was in the employ of the Fred J. Kiesel Estate and the Tri State Investment Corporation from the years 1931 through 1937.

My duties included taking care of the financial business of the Corporation.

This affidavit is to certify that I was, and am, familiar with the following described parcels of land and their water rights. The parcels were owned by the Fred J. Kiesel Estate and the Tri State Investment Corporation.

The descriptions are as follows:

The South West Quarter (SW $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) and all that of the East Half (E $\frac{1}{2}$) of the North West Quarter (NW $\frac{1}{4}$) laying and being South of the Oregon Short Line right of way, all in Section Fifteen (15) Township Five (5) North Range Five (5) West of Boise Meridian. Containing 69.37 acres, more or less, together with any water rights or ditch rights which now or may hereafter become incident or appertenant to said land. Also:

That part of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of Sec. 15. Township Five (5) North Range Five (5) West of the Boise Meridian, Canyon county, Idaho, lying South West of the right-of-way of the Oregon Short Line Railroad Company.

The water rights before and during my management of the described property was water that was developed by the Fred J. Kiesel Estate by means of drains, called Kiesel Drains, which were diverted to the above described property.

Willard A. Bishop

On this--24th-- day of Oct, 1977, before me a notary public in and for said State of Idaho, personally appeared: Willard a Bishop, known to be the person who name appears on this instrument.



Water Resources
Regional Office

Residing at Parma, Idaho
Comm. Expires 4-11-79

James D. [Signature]
Notary Public for the State
of Idaho

This affidavit is to certify that I have known Lester Yeakel for many years.

My Parents and I having lived on the Kiesel Estate property owned by Mr. Yeakel. This was in the early 1930's. Later our Family moved to the Village of Parma. We had contact during the years then in 1948 and 1949 I worked for Mr. Yeakel. Part of my duties was irrigating. I am familiar with his water system for the Kiesel Property which he owns. This was water which was diverted to his property by means of a check which was placed in the drain which was known at the time as the Kiesel Drain. The water was diverted at the check into an open ditch which ran north to south under the Highway and Railroad track and to his property. At this time there were no other party or parties using water from this Drain.

The descriptions for the property are as follows:

The South West Quarter (SW $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) and all that of the East Half (E $\frac{1}{2}$) of the North West Quarter (NW $\frac{1}{4}$) laying and being South of the Oregon Short Line right of way, all in Section Fifteen (15) Township Five (5) North Range Five (5) West of Boise Meridian. Containing 69.37 acres, more or less, together with any water rights or ditch rights which now or may hereafter become incident or appertenant to said land. Also

That part of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of Sec. 15 Township Five (5) North Range Five (5) West of the Boise Meridian, Canyon County, Idaho lying South West of the right-of-way of the Oregon Short Line Railroad Company.

General Ruppig

Paul J. Davis
Oct 8 1979

This affidavit is to certify that I was in the employ of Lester Yeakel for the years 1935 through 1937. At that time He and I replaced the old original diversion check, which was installed by the Kiesel Estate to divert water to the following property.

The descriptions are as follows:

The South West Quarter (SW $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) and all that of the East Half (E $\frac{1}{2}$) of the North West Quarter (NW $\frac{1}{4}$) laying and being South of the Oregon Short Line right of way, all in Section Fifteen (15) Township Five (5) North Range Five (5) West of Boise Meridian. Containing 69.37 acres, more or less, together with any water rights or ditch rights which now or may hereafter become incident or appurtenant to said land. Also

That part of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of Sec. 15. Township Five (5) North Range Five (5) West of the Boise Meridian, Canyon County, Idaho lying South West of the right-of-way of the Oregon Short Line Railroad Company.

I was well acquainted with the water system. At that time Mr. Yeakel was the only one using the water as it was developed for that purpose. This was the only available water for the property.

State of Idaho, County of Canyon ss.

On this 2nd day of Oct 1979

before me, a Notary Public in and for said State, personally appeared

Paul Applegate known to me to be the person whose name is

subscribed to the within instrument, and acknowledged to me that

he executed the same. --

Notary Public for Idaho

Residing at

My Commission expires

Paul Applegate
Residing at Park, Idaho
My Commission expires 1/1/80
Paul Applegate

This is to certify that I am personally acquainted with Lester Yeakel. My property joins the ditch which carries his irrigation water for the following described property.

The descriptions are as follows:

The South West Quarter (SW $\frac{1}{4}$) of the North West Quarter (NW $\frac{1}{4}$) and all that of the East Half (E $\frac{1}{2}$) of the North West Quarter (NW $\frac{1}{4}$) laying and being South of the Oregon Short Line right of way, all in Section Fifteen(15) Township Five (5) North Range Five (5) West of Boise Meridian. Containing 69.37 acres, more or less, together with any water rights or ditch rights which now or may hereafter become incident or appurtenant to said land. Also

That part of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of the North West $\frac{1}{4}$ (NW $\frac{1}{4}$) of Sec. 15, Township Five (5) North Range Five (5) West of the Boise Meridian, Canyon County, Idaho lying South West of the right-of-way of the Oregon Short Line Railroad Company.

I have owned and lived on my farm for the past 29 years. Mr. Yeakel has used and maintained the water system all of these years with no interference from any person or persons.

State of *Idaho*, County of *Canyon* ss. ~~ss.~~
ON this ~~Oct~~ *1st* day of *OCT*, 1979, before me, a
Notary Public in and for said State, personally appeared *FLOYD EASON*

known to me to be the person whose name *IS* subscribed to the within
instrument, and acknowledged to me that he executed the same.

Notary Public for *Idaho*

Residing at *Barma*
My Commission expires *4/1/80*

Floyd Eason



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 16, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JOHNSON RESEARCH LLC
C/O E G JOHNSON
24007 HWY 20-26
PARMA ID 83660

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No: A63-5197

Dear Mr. Johnson,

In the past, the above referenced claim was submitted during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim for your reference only, it is not necessary to return this print-out. This claim is based on a "Statutory Claim" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right if water availability problems arise in the future.

The claim is listed in the name of SSI Land & Cattle Co. The department has yet to process your change in ownership notice, which includes this claim and others, but will do so in the near future to allow the claim to be recommended in your name.

Please note that the same acres and source are also covered on license 63-11390, however, the license lists a different point of diversion closer to the claimed acres. We cannot recommend irrigation of the same acres from the same source on separate water rights. Please let me know if

Page 2

you want to pursue the statutory claim and have the subject acres deducted from the license or if you want to withdraw the statutory claim and keep the license in tact. I have included a copy of license 63-11390 and associated aerial photo for your reference.

You will be receiving a call from Dan Nelson to schedule an appointment for a field exam regarding verification of your water rights in the near future.

The above requested information needs to be submitted by July 7, 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in cursive script, appearing to read "Lori Graves".

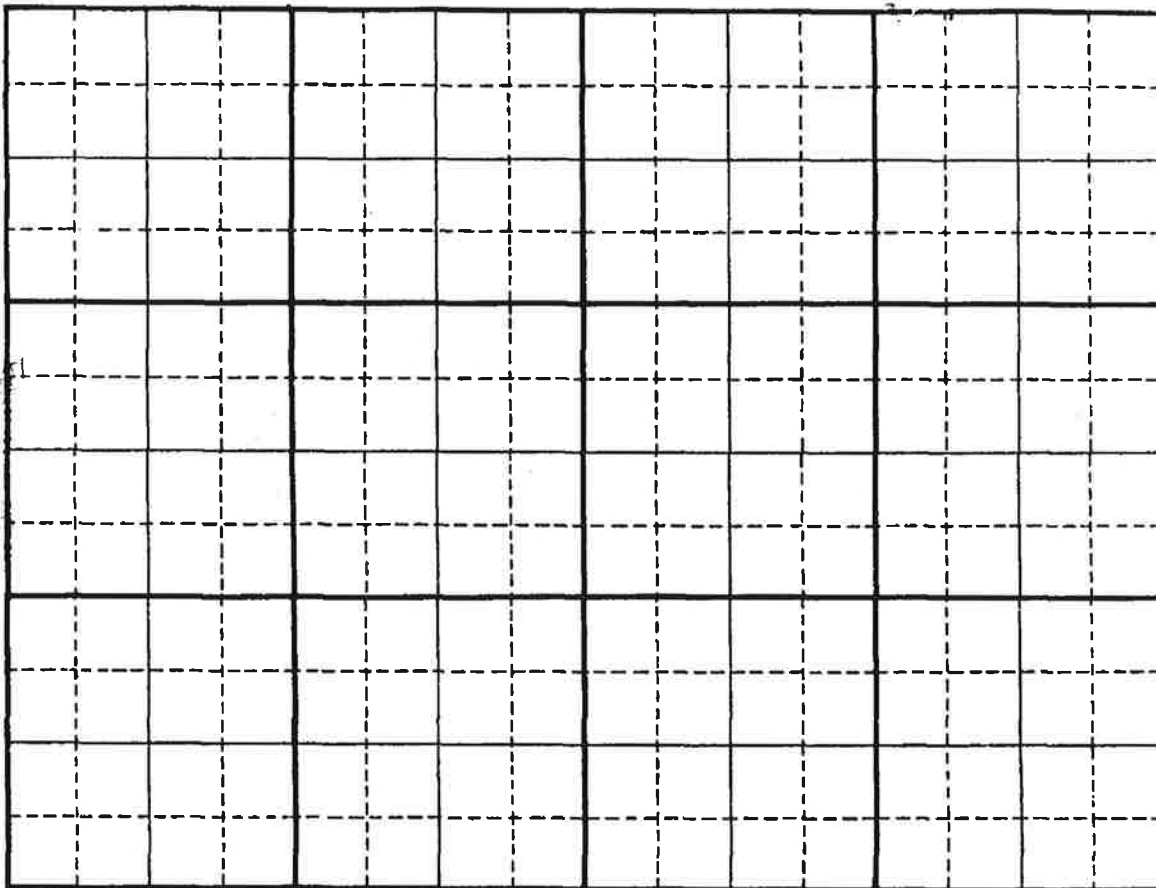
Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claim A63-5197
Aerial Photo
License 63-11390 & Aerial Photo

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks

See Attached Map



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Haron L. Tansley
John L. Tansley
(Claimant)

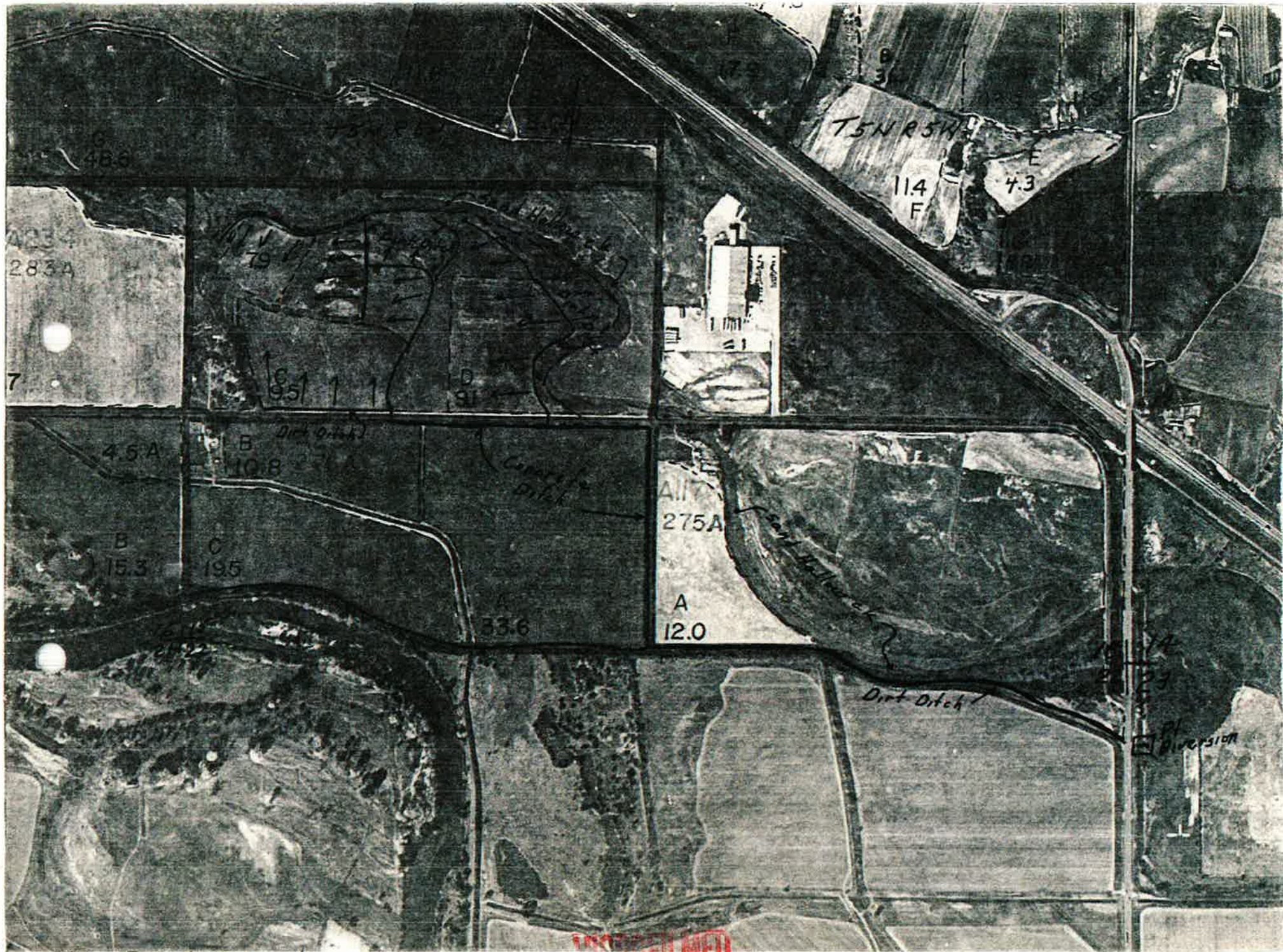
Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>CEB</u>	Date <u>30 June 83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LKS</u>	Date <u>11/16/83</u>		claimant by:	
\$30.00 fee received by <u>CEB</u>	Date <u>30 June 83</u>			
Published in <u>Idaho</u>				
Dates <u>11/23 + 12/1/83</u>				



John Towsley - c/o ... Acct # 52270

MICROFILMED

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-11390

Priority: June 06, 1990

Maximum Divers
Maximum Diversion Volume.

SKBA Claim
Not required

It is hereby certified that JOHNSON RESEARCH LLC
24007 HWY 20/26
PARMA ID 83660 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 06, 1990; and has
submitted Proof of Beneficial Use on December 24, 1990. An examination indicates that the works have
a diversion capacity of 1.69 cfs of water from:

SOURCE

SAND RUN GULCH CREEK

Tributary: BOISE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL</u>
			<u>DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	1.69 CFS	478.0 AF
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF

LOCATION OF POINT OF DIVERSION:

SAND RUN GULCH CREEK SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp 05N, Rge 05W, B.M., CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 05W 15							15.0	7.5	24.0	36.0							82.5
05N 05W 16			1.4	21.0									1.4				23.8
Total Acres: 106.3																	

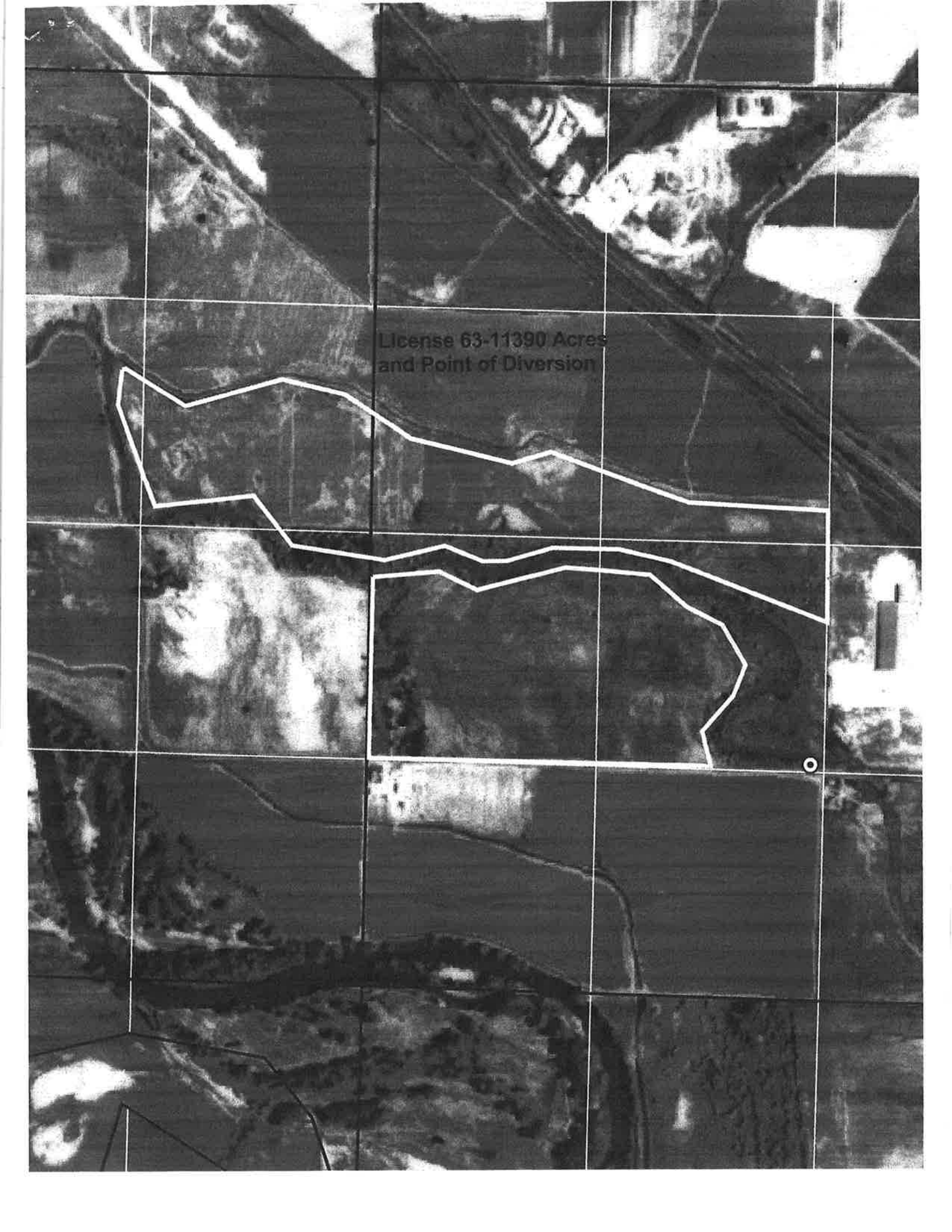
CONDITIONS OF APPROVAL

1. Source is known locally as Sand Hollow Creek.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 14th day of February, 2006.

for *David R Tuttle*
KARL J. DREHER
Director



This is a black and white aerial photograph of a river system. A white line is drawn across the image, following the course of the river and its tributaries. The line starts on the left side, follows the river's path, and then branches off to the right. A small white circle is located on the right side of the image, near the bottom. The background shows the river, surrounding land, and some structures. The text "License 63-11390 Acres and Point of Diversion" is overlaid on the image.

License 63-11390 Acres
and Point of Diversion

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Claim	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Claim	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Claim	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Claim	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Claim	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Claim	63 303A	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	40	40	32	40	12								18				182
Rec	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	X	X	X	X	X	X		X					X	X			0
Rec	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	X	X	X	X	X	X		X					X	X			0
Rec	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	X	X	X	X	X	X		X					X	X			0
Rec	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	X	X	X	X	X	X		X					X	X			0
Rec	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	X	X	X	X	X	X		X					X	X			0
Rec	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N05W15	X	X	X	X	X	X		X					X	X			0

Idaho Dept. of Water Resources Place of Use Comparison Report

Claim	63 4534	DEBBIE A WHITE, JAMES B WHITE, ROBERT WHITE,	COLE SLOUGH DRAIN	05N05W15												38	37					75
Rec	63 4534	DEBBIE A WHITE, JAMES B WHITE, ROBERT WHITE,	COLE SLOUGH DRAIN	05N05W15												38	37					75
Right	63 4534	LESTER S YEAKEL, NOLA F YEAKEL,	COLE SLOUGH DRAIN	05N05W15												27	37					64
Claim	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	05N05W15	40	40	32	40	12									18				182
Rec	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	05N05W15	X	X	X	X	X	X		X						X	X			0
Permit	63 31444	PARMA RURAL FIRE PROTECTION DIST,	GROUND WATER	05N05W15					X													0
Permit	63 31444	PARMA RURAL FIRE PROTECTION DIST,	GROUND WATER	05N05W15					X													0
Permit	63 32221	CITY OF PARMA,	GROUND WATER	05N05W15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Rec	63 10258	CITY OF PARMA,	GROUND WATER	05N05W15						X												0
Rec	63 21552	CITY OF PARMA,	GROUND WATER	05N05W15						X												0
Rec	63 3103	CITY OF PARMA,	GROUND WATER	05N05W15						X												0
Rec	63 9152	CITY OF PARMA,	GROUND WATER	05N05W15						X												0
Rec	63 9700	CITY OF PARMA,	GROUND WATER	05N05W15						X												0
Right	63 20548	JOHNSON RESEARCH LLC,	GROUND WATER	05N05W15									X									0
Right	63 20548	JOHNSON RESEARCH LLC,	GROUND WATER	05N05W15									X									0
Right	63 23949	ROBERT M WHITE, JAMES B WHITE,	GROUND WATER	05N05W15											X							0
Right	63 23949	ROBERT M WHITE, JAMES B WHITE,	GROUND WATER	05N05W15											X							0
Right	63 27541	J LESTER,	GROUND WATER	05N05W15														X				0

[illegible]

5/16/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

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[illegible]