

BB 75 NW

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: A36-04114
Date Received: 12/08/1988
Receipt No: S004366
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD JOHNSON 208-825-5091
Address: RT. 1
EDEN, ID 83325

2. Date of Priority: JAN 01, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot
10S 19E 8 NE SE

County
JEROME

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		
DOMESTIC	01/01	12/31	0.110		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/6 HOMES

10. Place of Use:

Township Range Section 1/4 of 1/4 Lot Use Acres
10S 18E 8 NE SE IRR 1.0

Section Acres 1.0

A36-04114

Page 1

Date: 12/08/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	~~18E~~ 19E	9	NW	SW		IRR	1.0
Section Acres							1.0
Total Acres							2.0

19E 7868

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NONE

14. Remarks:
WELL FURNISHES WATER TO 6 OTHER HOMES.

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 Individuals:

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

Signature of Claimant(s): Howard Johnson Date: 12-8-1988

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Dec 19 88 Notary Public
Notary Public

Seal

Residing at TF
My Commission Expires 5/94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-04114
HOWARD JOHNSON
RT. 1

EDEN

TX 03025

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

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IN THE MATTER OF:

Notice of Claim

A36-04114

State of Idaho

County of Twin Falls

RECEIVED

AFFIDAVIT

OCT 12 1990

Department of Water Resources
Southern Region Office

Howard Johnson

being first duly sworn,

deposes and says:

I have personal Knowledge of the well since 1941. At that time Jack Matheney lived on the property in Sec. 8 T10S. R19E. and I was his friend and observed the well at that time. In 1949 I rented the place where the well is located and in 1963 I purchased the property. The well at the time I rented the property was being used for domestic water supply for 6 houses. Presently there is still six houses connected to the well. The well also supplies water for lawn irrigation and stockwater uses for the houses. All persons with Knowledge of the well dating back as far as 1949 have died, I am the only one left with Knowledge dating back that far.

(over)

Howard Johnson
(signature)

Subscribed and sworn to before me this 12th day of October 19 90.

[Signature]
(notary public)

Residing at

Kimberly, ID

My commission expires

6/30/90

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The well was deepened by Jim
Moore of Moore Well Drilling around
the 1960's

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

Howard Johnson

2. SUBJECT OF INQUIRY:

He just wanted to know what the report was.

3. RESPONSE TO INQUIRY:

I described the right as it read on the printout & he felt that it accurately described the system he has.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

11-5-92

Kelly K. Christensen

36-04114

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Log for claim 36-04114

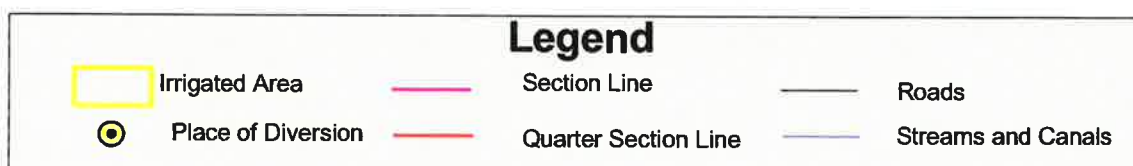
Spatial Dynamics LTD

9/13/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
10s18e	8	NESE	1	1.9	
10s18e	9	NWSW	1	1.3	
Totals:			2	3.2	

Water Right Number 36-04114
Township , 10S18E

09/13/2001



R PROOF



CVR



MAPS



PHOTOS



MISC

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Water Right Number - R36-04114

Prefix Translation: RESEARCH

Old (D) Number -

VERIFIED ADM

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

JOHNSON

HOWARD

1 - RT. 1

2 -

3 -

City- EDEN

Phone - 208-825-5091

State- ID Zip- 83325

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
01/01/1949 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

10S 19E 8 NE NE SE (53) JEROME

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.050	8.00
43 - DOMESTIC		01/01	12/31	0.110	3.60
04 - STOCKWATER		01/01	12/31	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.180 11.60 6.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10S	18E	8	NE SE		1.0	01	IRRIGATION	(53) JEROME
10S	18E	9	NW SW		1.0	01	IRRIGATION	(53) JEROME
10S	18E	8	NE SE			04	STOCKWATER	(53) JEROME
10S	18E	9	NW SW			04	STOCKWATER	(53) JEROME
10S	18E	8	NE SE			43	DOMESTIC	(53) JEROME
10S	18E	9	NW SW			43	DOMESTIC	(53) JEROME

Total Acres: 2.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC/ 6 HOMES; STOCKWATER/ 50 MIXED

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
No Remarks found.MICROFILMED
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Water right number - R36-04114

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 01/16/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

+ - - Audit Fields - - +

10/25/91 MERRITT

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 12/08/1988

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 10/25/1991
Last Amended Date - 00/00/0000
Receipt Number - S004366
POU Ownership Flag - Y
Name Connector -

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:20:28
09/08/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04114

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N				
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES	Y			X	6			
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS				N				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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not
2 shown
X/KC
by
2-91
Changed
Stage

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:20:28
09/08/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-04114

LAST: JOHNSON
ADDRESS: RT. 1
CITY: EDEN
PHONE NUMBER: 208-825-5091

FIRST: HOWARD
STATE: ID ZIP: 83325

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
N

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FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

DATE OF FIELD EXAM: 11/19/90

ACCOMPANIED BY: no one

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: (____) ____-____

TIME: ____:____ A(____) P(____)

PHONE NUMBER: (____) ____-____

A. AJ CLAIM: # A36-04114 PRIORITY DATE: 01-01-1949 STAGE: S

B. WR RECORD: # 36-04114 PRIORITY DATE: 01-01-1949 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

*priority supported by an affidavit from the owner Howard Johnson.
The statements therein are sufficient barring further evidence.
KKC*

=====

RECOMMENDED PRIORITY DATE:
01-01-1949

REVIEWED BY

NOB

DATE

11/19/90

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-04114	10S	19E	8	NE	NE	SE		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-14653 NONE
A36-14656

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-04114	10S	19E	8	NE	NE	SE		JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-14653 NONE
A36-14656

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
		Y	<u> N </u>
		N	<u> N </u>

REMARKS:

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>10S</u>	<u>19E</u>	<u>8</u>	<u>NE</u>	<u>NE</u>	<u>SE</u>	<u>---</u>	<u>Jerome</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

[Signature]

DATE:

11/19/90

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A. ROOT WATER RIGHT NUMBERS: A36-04114

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	18E	9	NW	SW		JOHNSON , HOWARD LOWE , LESLIE LARGE CLAIM	A36-04114 / 1.0 A47-04153 / A01-00209Z3/40.0	36-04114 / 1.0 47-04153 / -	40.0		
10S	18E	8	NE	SE		JOHNSON , HOWARD BULCHER , MARK C. LARGE CLAIM	A36-04114 / 1.0 A47-11305 / A01-00209Z3/40.0	36-04114 / 1.0 - / -	41.0		
TOTAL ACRES							A36-04114	2.00	2.00	81.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

"Other Irrigated tracts" are not related to this claim.

RECOMMENDATIONS:

TOTAL ACRES: 2

REVIEWED BY: [Signature]

DATE: 11/19/90

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-04114 IRRIGATION	FROM 03-15 TO 11-15	.050 CFS
A36-04114 DOMESTIC	FROM 01-01 TO 12-31	.110 CFS
A36-04114 STOCKWATER	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.160 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-04114 IRRIGATION	FROM 03-15 TO 11-15	.050 CFS
36-04114 DOMESTIC	FROM 01-01 TO 12-31	.110 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.160 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

- 1 - Irrigation use can be for 0.03 CFS on small parcels ($2a \times 0.03 = 0.06$) (amount claimed does not exceed this quantity) Ref. Adm Memo N°17 10-79
 - 2 - Domestic use for saving^(?) homes needs field review of claim. (5-6 households qualify for 0.110 CFS) * There are seven homes at site. 1/10/91 NDBS
 - 3 - Stockwatering use needs verification of number of livestock (26-50 head range cattle okay at 0.02 cfs) OKAYED 1/10/91 NDBS
Corrals etc observed for up to 150 head at P.O. use. Not originally in statutory claim but has been done thru Kemp. use for many years.
- * 1/10/91 on site inspection of above items done NDBS team

limiting factor = claimed rates.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.160 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FIELD
DATABASE EXAMINER

N

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B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-04114	GROUNDWATER	JOHNSON , HOWARD	0.160	0.080		
A01-00209Z3	LARGE CLAIM	LARGE CLAIM	999999.000	28.736	999999.00	28.73

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-04114	DOMESTIC	JOHNSON , HOWARD	FROM 01-01 TO 12-31	.110 CFS	☒
A36-04114	STOCKWATER	JOHNSON , HOWARD	FROM 01-01 TO 12-31	.020 CFS	☒
A47-04153	STOCKWATER	LOWE , LESLIE	FROM 12-01 TO 04-01	.020 CFS	
A47-04153	DOMESTIC	LOWE , LESLIE	FROM 01-01 TO 12-31	.040 CFS	
A47-11305	DOMESTIC	BULCHER , MARK C.	FROM 01-01 TO 12-31	.040 CFS	
A47-11305	STOCKWATER	BULCHER , MARK C.	FROM 01-01 TO 12-31	.020 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 x ^{0.03}0.02 CFS/ACRE = ^{0.06}0.04 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED ^{0.03}0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(☒) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 6.0 AF/A
ACRES 2 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 6 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 2 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 8 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

0.03 cfs approved on small acreage as above. MBS
By. Adm Memo #17

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>irrigation</u>	<u>3/15 - 11/15</u>	<u>0.050</u>	<u>8</u>	<u>6</u>
<u>domestic</u>	<u>1/1 - 12/31</u>	<u>0.110</u>	<u>0</u>	<u>0</u>
<u>stockwater</u>	<u>1/1 - 12/31</u>	<u>0.020</u>	<u>0</u>	<u>0</u>
TOTAL FOR THIS RIGHT		<u>0.180</u>	<u>8</u>	<u>6</u>

REVIEWED BY:

N. D. Brown

DATE:

1/8/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-04114

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.160

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-04114	0.160	-		36-04114	0.160
TOTAL CFS		0.160				0.160

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

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