

08/12/2004

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

RIGHT NUMBER: 25-80
NAME AND ADDRESS: ALTA L JOHNSON
8461 N 55TH E
IDAHO FALLS ID 83401

BURTON E JOHNSON
8461 N 55TH E
IDAHO FALLS ID 83401

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.100 CFS
PRIORITY DATE: 04/01/1883
POINT OF DIVERSION:

T03N R39E S20 NENESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.100 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R38E S24	SWSE	39.0	T03N R38E S24	SESE	33.0
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72 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Decreed

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

Use of this right is combined with water from Enterprize Canal Co.

Water is delivered through W & O Cooper Ditch.

PROFILED

SCANNED

SEP 17 2004

RECEIVED

SEP 14 2004

08/12/2004

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-80

ALTA L JOHNSON
8461 N 55TH E
IDAHO FALLS ID 83401
Telephone Number: (208)522-2004

BURTON E JOHNSON
8461 N 55TH E
IDAHO FALLS ID 83401
Telephone Number: (208)522-2004

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:

9-14-04

SIGNATURE:

Burton Johnson

Please print your name:

BURTON E JOHNSON

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

PROFILED

SCANNED

SEP 15 2004



Department of Water Resources

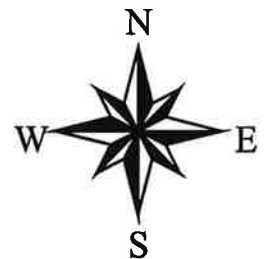
Claim No.: 25-00080



0 1320 2640 3960 5280 6600 7920 Feet



PROFILED



- Point of diversion
- Place of use
- Sections
- QQ

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: August 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 25-80

WATER RIGHT NUMBER: 25-80

Owner Type Name and Address
 Current Owner JOHN RICHIE

, ID

Priority Date: 04/01/1883 ✓

Basis: Decreed

Status: Active

Source Tributary

WILLOW CREEK ✓

SNAKE RIVER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	/ to /		
DOMESTIC	/ to /		
IRRIGATION ✓	/ to /	1.100 CFS	
<u>Total Diversion:</u>		1.100 CFS ✓	

Location of Point(s) of Diversion

WILLOW CREEK

SW1/4SW1/4

Sec. 19, Twp 03N, Rge 39E, B.M.

BONNEVILLE 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	
03N	38E	25					X	X	X	X									

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General P/D NOT GIVEN IN DECREE. SOURCE WD01.
P/U INCOMPLETE IRR. AC. NOT STATED.

Comments:

SCANNED

SEP 17 2004

PROFILED

A25-00080

Summary

9/18/03

- 1) POD is in section 21 per map, but we GPS to identify correct quarter-quarter. It may be in SW NW? GPS reading 670,037 E 277,021 N waypoint 80

- 2) POA appears correct on layout, claimant agreed w/ layout. Layout includes county road on south, claimant acknowledged road should be out. Note claimed reference to accomplished change in POA.

3) Overlap. Ditch & headgate should with other users Gilbert, Gilbert, & Mayers. Other users convey Progressive & perhaps Farmers Field with through the ditch. This claim is overlapped by claimant's Enterprise canal with also carried by this ditch. Locally the diversion ditch are known as the "Orville Cooper Ditch."

- 4) Photos - 1 of POA from SE corner, 1 of POD, 1 of ditch at POD.

Ownership is correct

Water Resources
Field Services
208 663 4667

PROTECTED

By: O. Carter

SCANNED
SEP 17 2004

Ag5-0050 contact log

522-2004 9/11/03 13:28 - Mrs. Johnson -
Monday - Home 8461 N 55 E
2 mile E of Beekun corner -
At Thurst light @ Beekun corner -
2 miles - large ~~water~~ channel -
1/2 mile N of Pine Hwy
Full blue silos.
8-8:30 am

9/15/03 - interview

Three users on dth

Scott Gilbert - Cooper rights (Orville Cooper)

This is the upper user

Allan Gilbert - 60-70 acre lower (Orville Cooper rights)

Johnsons are lower owner

Ken Meyers has 6-7 acre 10 acre -

Butterpans water rights delivers water -
Fertigpans water? Perhaps Farmers friend
also share convergence.

SCANNED SEP 17 2004 Johnsons also have Butterpans share

used on same land -

Photos - 1/2 pou. fr. SE corner

log P.O.D

1/2 dth @ P.O.D - Orville Cooper Dth

GPS 670033 E 277021 N Daypoint 82

PROFILED

August 18, 2003

Burton E. Johnson
8461 N 55th E
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-00080

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose of the visit will be to photograph the headgate, ditches, and place of use.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

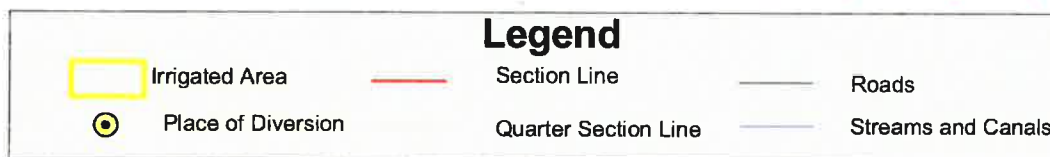
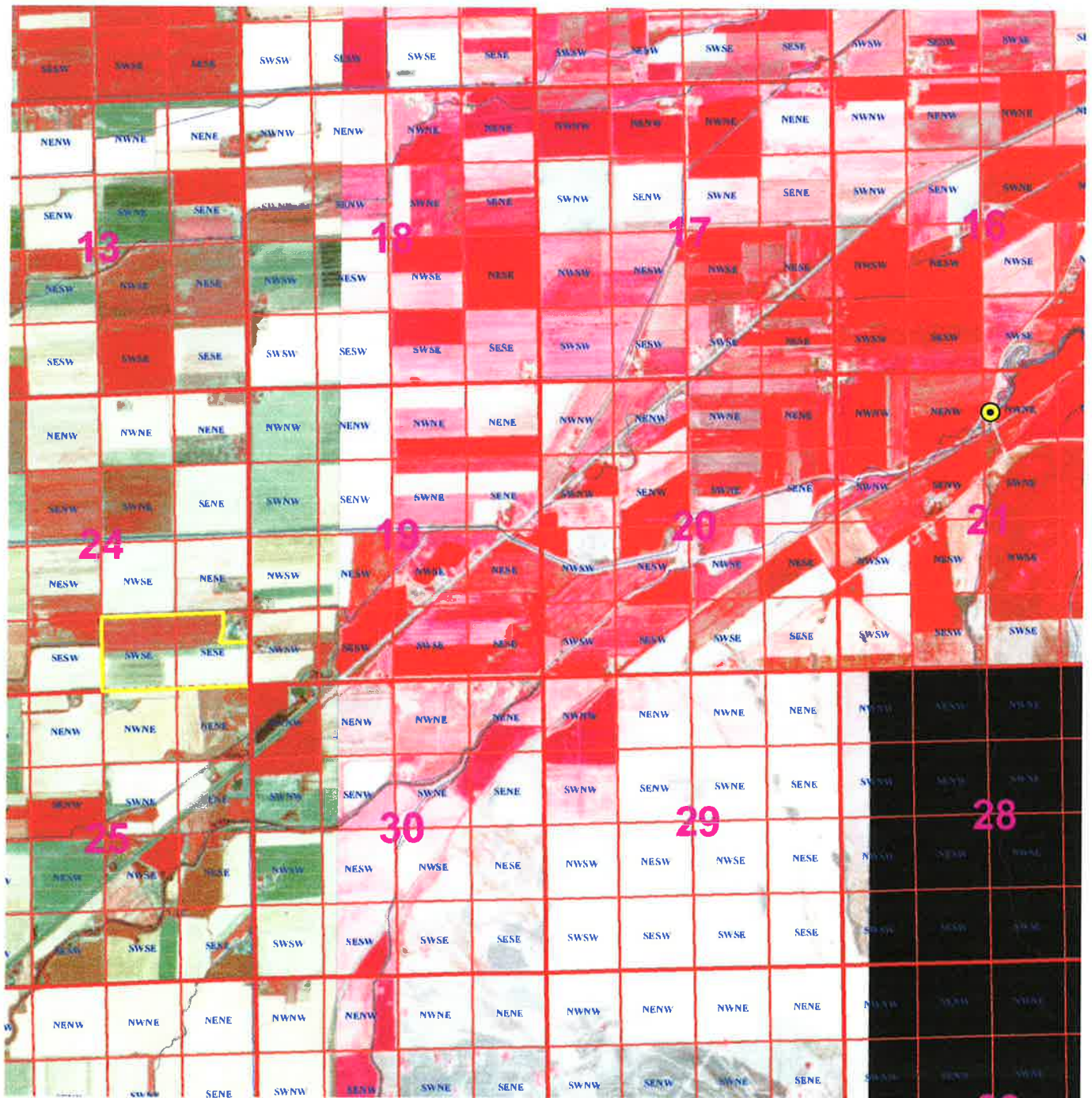
SCANNED

SEP 17 2004

PROFILED

Water Right Claim Number 25-00080
Townships , 3N39E, 3N38E

11/27/2000

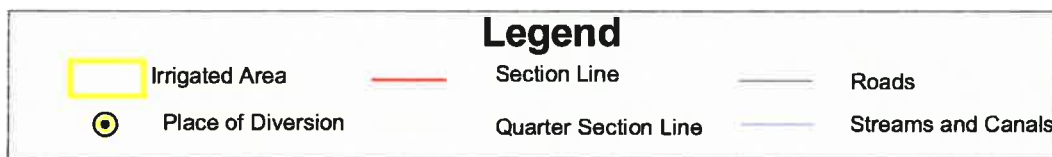
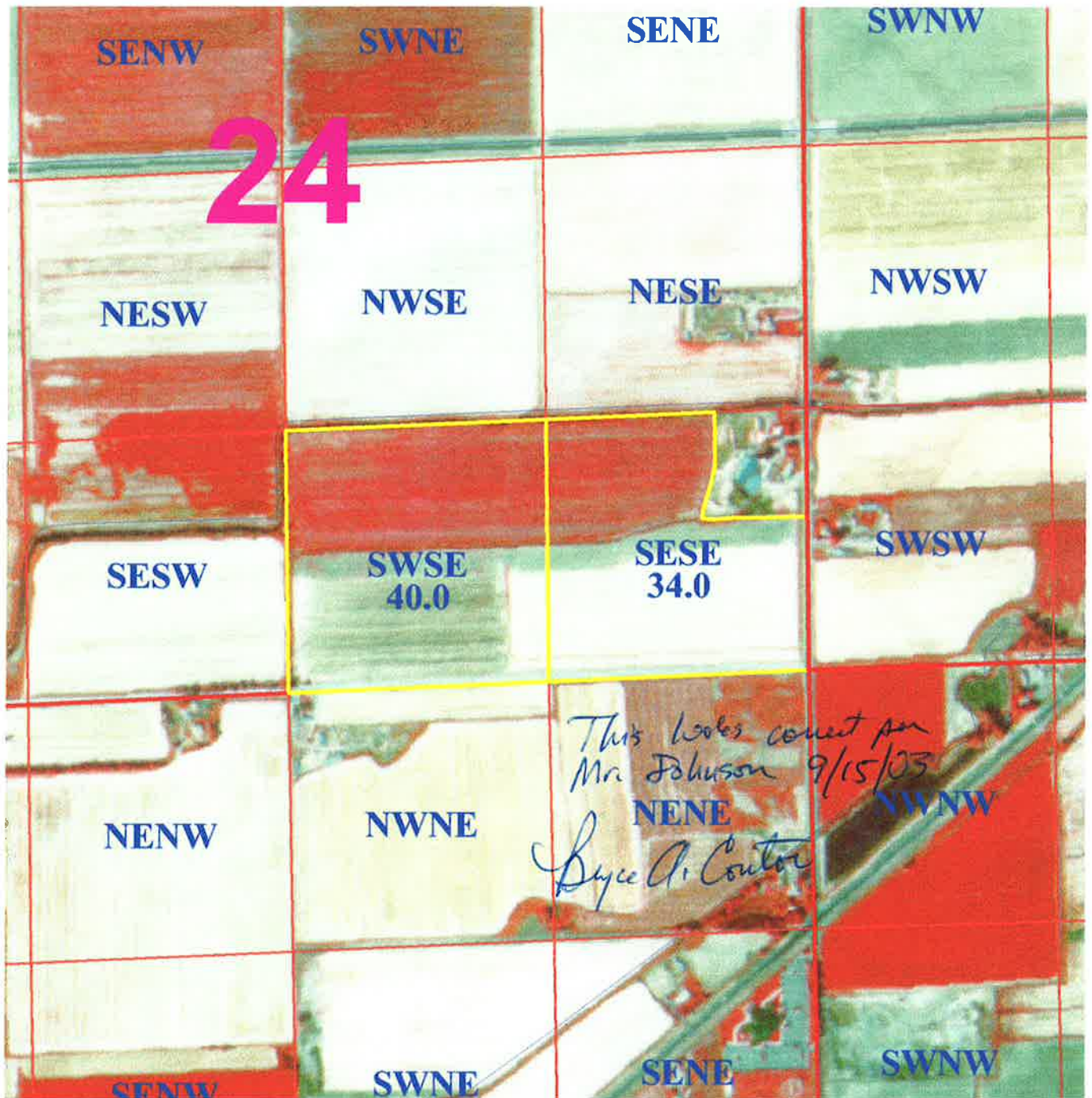


SPATIAL
DYNAMICS



Water Right Claim Number 25-00080
Townships , 3N39E, 3N38E

11/27/2000



SPATIAL
DYNAMICS



Water Rights

WILLOW CREEK AND SAND CREEK WATERSHED

OWNER	DESCRIPTION OF LAND SUBDIVISION	Sec.	Twp.	Rge.	Water R. sec. ft. & priority	Sec. ft.	Total cost
H. C. Frew	$\frac{1}{2}$ NE $\frac{1}{4}$	32	3N	38E	1.00-1884	60	\$ 51.82
Rt. 2, Idaho Falls, Idaho							
Byron C. Telford	SW $\frac{1}{4}$ less Highway	32	3N	38E	3.00-1884	180	17.47
1198 Canal Ave							
Idaho Falls, Idaho							
Herbert Jensen	E $\frac{1}{2}$ NE $\frac{1}{4}$	34	3N	38E	.50-1884	30	2.91
Rt. 1, Idaho Falls, Idaho							
Arnel Haroldson	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34	3N	38E	.50-1884	30	2.91
Rt. 2, Idaho Falls, Idaho							
Dearold J. Ferguson	$\frac{1}{2}$ SE $\frac{1}{4}$	11	3N	39E	2.90-1884	174	16.88
Star Rt., Idaho Falls, Idaho							
Wallace Reed	$\frac{1}{2}$ NW $\frac{1}{4}$ S. of R.R. and	14	3N	39E	.94-1884	56	5.43
Star Rt., Idaho Falls, Idaho	SW $\frac{1}{4}$ NE $\frac{1}{4}$						
Carl S. McCord	NW $\frac{1}{4}$ N. of Willow Creek	14	3N	39E	1.38-1884	83	8.05
Star Rt., Idaho Falls, Idaho							
Wallace Reed, et ux	Part of NW $\frac{1}{4}$ lying N. of R.R. &	14	3N	39E	.48-1884	29	2.81
Star Rt., Idaho Falls, Idaho	S. of Willow Creek						
John Sperry	SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ S. of canal	15	3N	39E	1.60-1884	96	9.32
Buck School							
Idaho Falls, Idaho							
Arval G. Cooper	$\frac{1}{2}$ SW $\frac{1}{4}$ N. & W. of Highway	19	3N	39E	.86-1884	52	5.05
Rt. 1, Idaho Falls, Idaho							
Lenore S. Cooper	Tract #2 less 2.84 A. Highway	19	3N	39E	1.04-1884	62	6.02
Rt. 1, Idaho Falls, Idaho							
Wayne C. Cooper	Tract 1 less 1 A, 1 E, 1 C,	19	3N	39E	.60-1884	36	3.47
Rt. 1, Idaho Falls, Idaho	and Highway						
Alvin Campbell	Tract 2 less 6.35 A. Highway	20	3N	39E	1.40-1884	84	8.15
Rt. 1, Idaho Falls, Idaho							
George W. Robison	$\frac{1}{2}$ NE $\frac{1}{4}$ E. of Slough less 6 $\frac{1}{2}$ A.	16	3N	38E	.30-1884	18	1.75
Rt. 1, Idaho Falls, Idaho	in NW corner						
Ray S. Robison	$\frac{1}{2}$ NW $\frac{1}{4}$	26	3N	38E	.60-1884	36	3.49
Rt. 1, Idaho Falls							

CUT OFF 1884 RIGHT JULY 20, 1968, RESTORED on AUGUST 15, 1968 to 31st, 1968 60 days of delivery Total 2289 Sec. ft.

George Haroldson	Tract 1, 2, 3, 11	5	2N	38E	1.00-1883	120	11.64
Rt. 2, Idaho Falls, Idaho							
Keith Contor	$\frac{1}{2}$ less 9.47 acres in SE corner	14	2N	38E	1.00-1883	120	11.64
Rt. 1, Idaho Falls, Idaho	SW $\frac{1}{4}$ SW $\frac{1}{4}$ less mobile home estates						
Oral Curtis	$\frac{1}{2}$ SE $\frac{1}{4}$	24	3N	38E	1.10-1883	132	12.81
4 59 S. Fisher Ave							
Blackfoot, Idaho							

NOV 06 1992

150 Shoup Ave

SCANNED

\$177⁰⁰

JUL 25 2001

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: A25-00080
Date Received: 9/25/1989
Receipt No: E010821/90
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BURTON E. JOHNSON 208-522-2004
Address: 8461 N. 55TH E.
IDAHO FALLS, ID 83401

Name: ALTA L. JOHNSON 208-522-2004
Address: 8461 N. 55TH E.
IDAHO FALLS, ID 83401

2. Date of Priority: APR 01, 1883

3. Source: WILLOW CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	21	SW	NW	NE		BONNEVILLE

5. Description of diverting works:
HEADGATE TO DITCH TO PLACE OF USE FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.100		

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

8. Total consumptive use is 192.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A2500080



A25-00080

Page 1

Date: 09/25/89

MICROFILMED
NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	38E	24	SW	SE		IRR	40.0
			SE	SE		IRR	37.0
					Section Acres		77.0
					Total Acres		77.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
N/A

14. Remarks:

PLACE OF USE ORIGINALLY RECORDED AS NW 1/4 OF SEC 25, T3N, R38E.
THIS CLAIM IS BASED ON WATERMASTER RECORDS ATTACHED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

EAGLE ROCK & WILLOW CR WATER C
Decree Plaintiff

vs

HENRY KIEFER ET AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Surton E. Johnson* Date: 9/25/89
_____ Date: _____

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of SEPT 19 89

[Signature]
Notary Public

Seal

Residing at IDAHO FALLS

My Commission Expires 9-12-94

A25-00080

T3N
R39E

35'

PAD
2

4827

4826

4825

4824

4823



MICROFILMED
NOV 06 1992

NOV 9 1992
UNCLASSIFIED

Creek

A28-00080

3N
R38E

FARMERS

MORILL

DITCH

Sand

UNION

Willow

40

37

29

4817

4818

24

4835

4832

4832

Gravel pit