

04/21/2004

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

RIGHT NUMBER: 25-4167
NAME AND ADDRESS: TEBBIN G JOHNSON
2590 E IONA RD
IDAHO FALLS ID 83401

LIN H JOHNSON
2654 N 25TH E
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.170 CFS
8.000 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1929

POINT OF DIVERSION:

T02N R38E S10 NWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
STOCKWATER	01/01 12/31	0.050 CFS
IRRIGATION	04/01 11/01	0.040 CFS 8.00 AFY

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T02N R38E S10 NWNW

STOCKWATER Within BONNEVILLE County

T02N R38E S10 NWNW

IRRIGATION Within BONNEVILLE County

T02N R38E S10 NWNW 2.0

2 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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 25-4167

SCANNED

AUG 27 2004

04/21/2004

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

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2590 E IONA RD
IDAHO FALLS ID 83401
LIN H JOHNSON
2654 N 25TH E
IDAHO FALLS ID 83401

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.170 CFS
8.00 AFY
The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1929

POINT OF DIVERSION:
T02N R38E S10 NWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
STOCKWATER	01/01 12/31	0.050 CFS
IRRIGATION	04/01 11/01	0.040 CFS 8.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T02N R38E S10 NWNW 2.0
STOCKWATER Within BONNEVILLE County
T02N R38E S10 NWNW
DOMESTIC Within BONNEVILLE County
T02N R38E S10 NWNW

2 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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PROFILED
SCANNED
OCT 01 2004

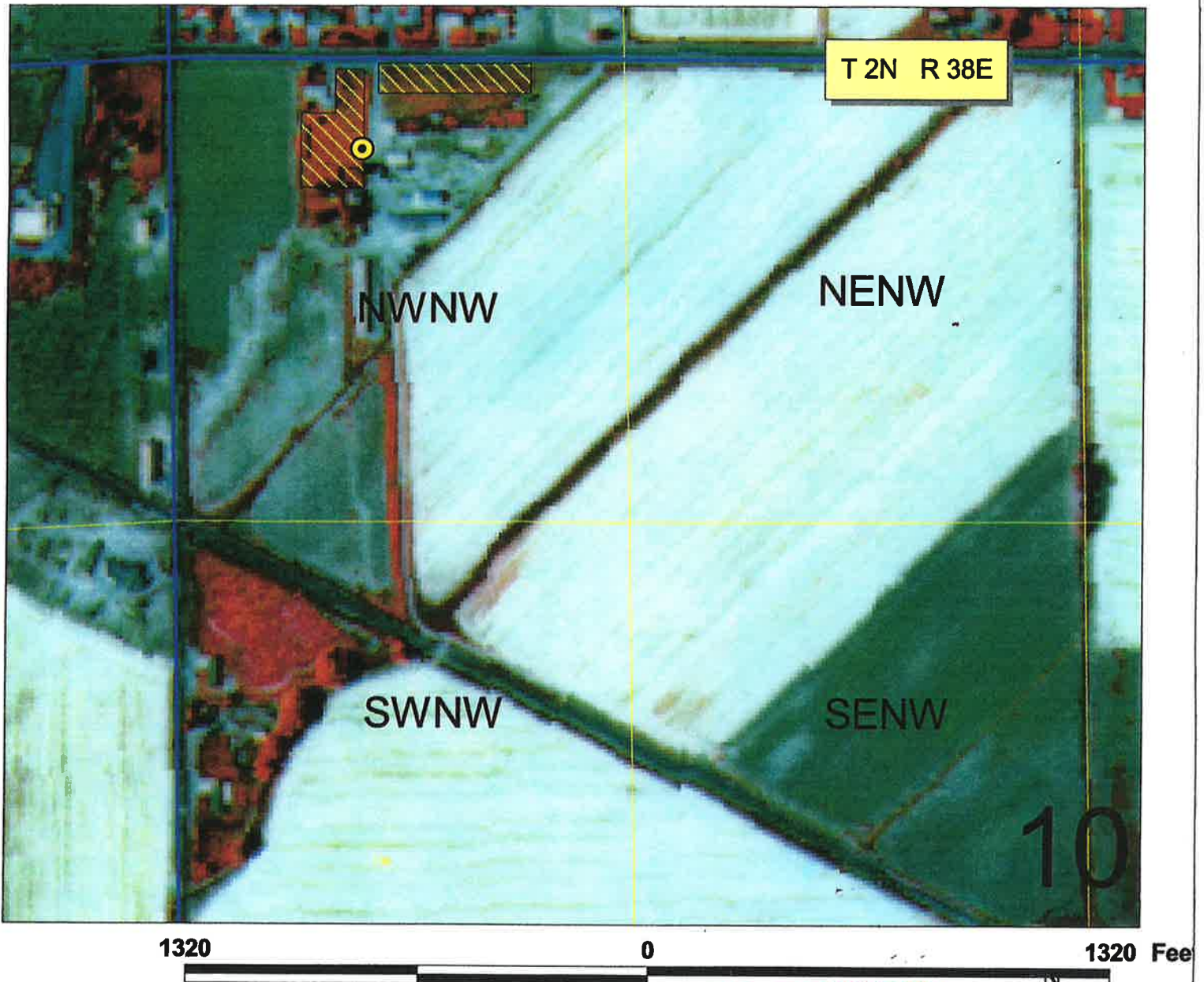


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-04167



PROFILED

SCANNED

OCT 01 2004

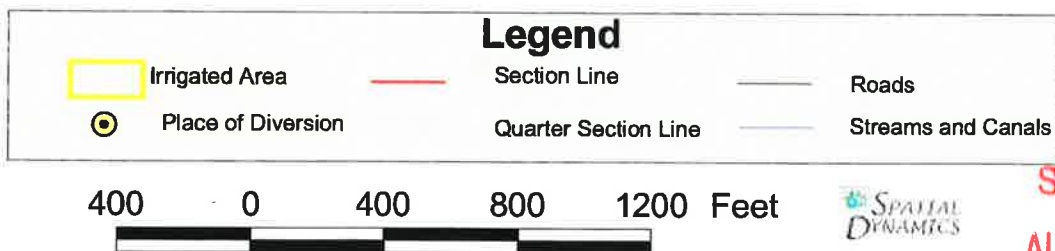
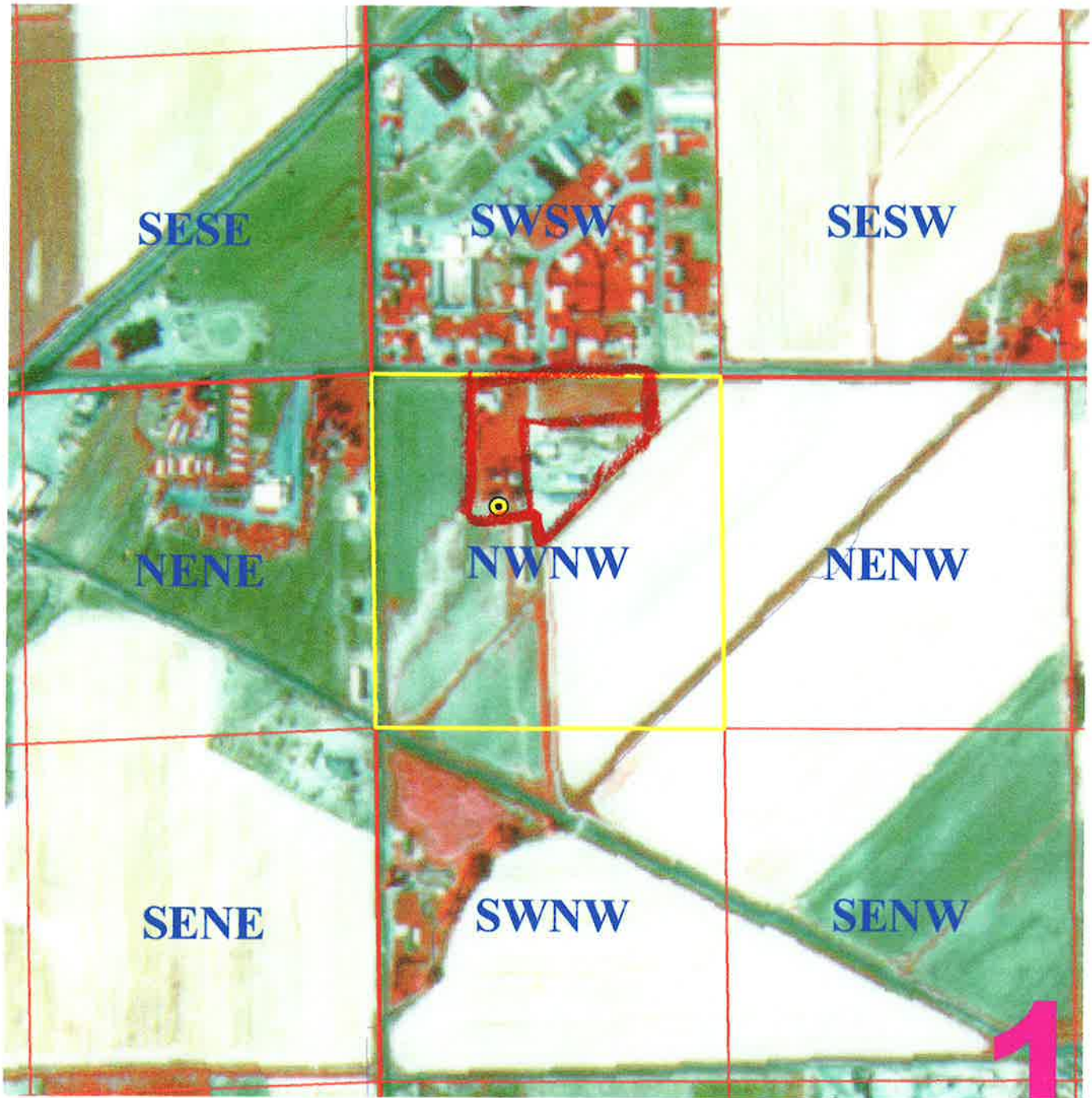


GIS Place of Use Illustration
1987/1988 NAPP photography

- Point of Diversion
- Place of Use
- Sections
- QQ

Water Right Claim Number 25-04167
Township , 2N38E

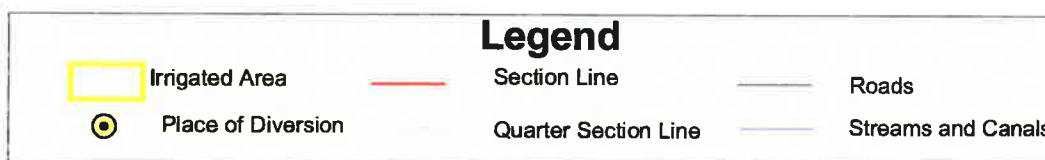
12/04/2000



SCANNED
AUG 27 2004

Water Right Claim Number 25-04167
Township , 2N38E

12/04/2000



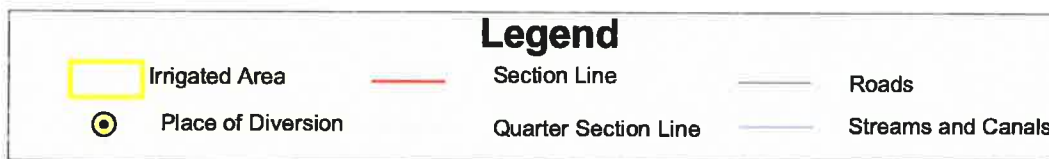
SPATIAL DYNAMICS



SCANNED
AUG 27 2004

Water Right Claim Number 25-04167
Township , 2N38E

12/04/2000



400 0 400 800 1200 Feet

SPATIAL DYNAMICS



Rm

04/21/2004

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-4167

TEBBIN G JOHNSON
2590 E IONA RD
IDAHO FALLS ID 83401
Telephone Number: (208)524-2788

LIN H JOHNSON
2654 N 25TH E
IDAHO FALLS ID 83401
Telephone Number: (208)522-8168

RECEIVED
SEP 27 2004
Department of Water Resources
Eastern 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:

Sept. 19, 2004

SIGNATURE:

Tebbin G. Johnson

Please print your name:

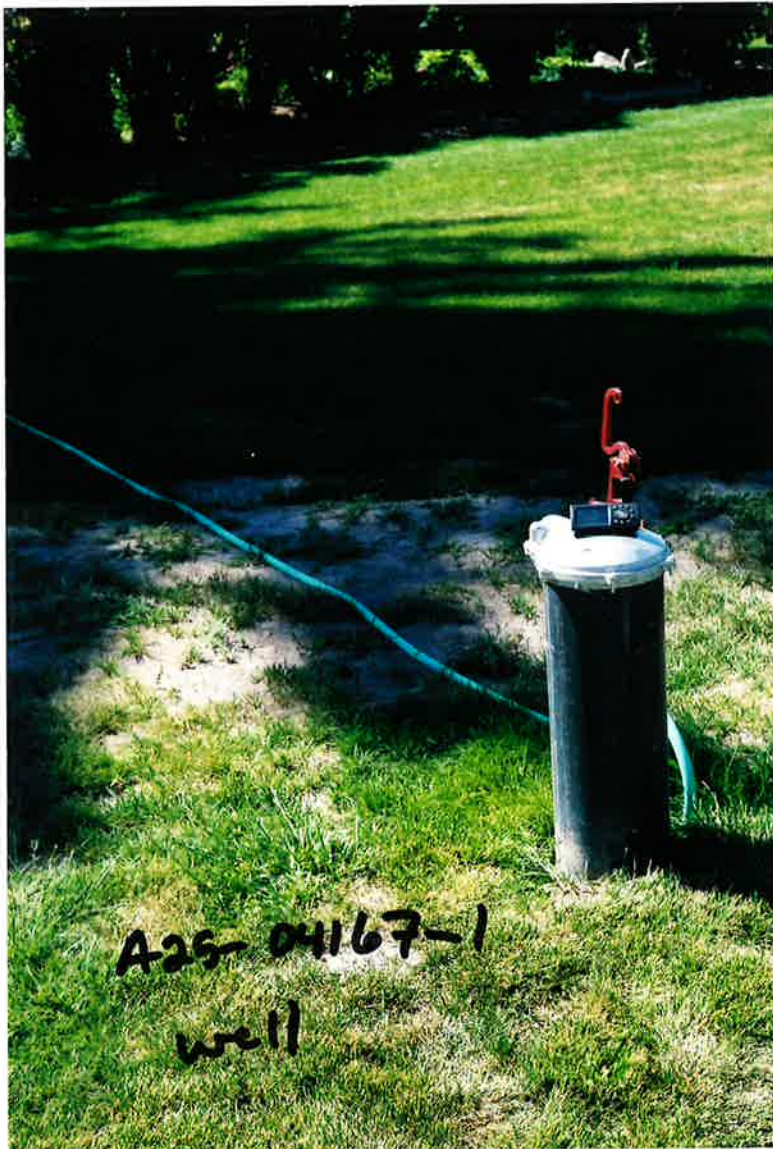
Tebbin G. Johnson

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

PROFILED
SCANNED
OCT 01 2004



A25-04167-2 Lawn irr. from well.



A25-04167-1
well

A25-04167 Summary 8/28/03

- 1) Ownership: Appears to be correct. Claimant Tebbin Johnson is resident.
- 2) POB - See sketch on layout. Claim description appears to be correct. GPS 663164 E, 271340 N, way point 4167. This is a replacement well, drillers' tag D0026658.
- 3) POB - See sketch on layout. Per Mrs. Tebbin Johnson, the back part of the North home lawn and the lawn around the middle home are watered from the well, the rest is flooded from the canal. Mrs. Johnson was in a hurry I didn't mention the trees but since the trees are drip irrigated I presume they are in from the well.
- 4) Use of Water - 4 homes, shop & cellar, Corbals not currently in use but probably were at time of **SCANNED**

AUG 27 2004

A25-04167 Summary p 2

5) Priority. Affidavit Supports 12/31/1929.

6) Capacity. Did not find motor controller - Mrs. Johnson had to leave. Claim < 0.20 cfs.

7) Photos 1 of well, 1 of lawn. Photo of trees failed.

Shirley A. Conter

A25-04167 Field Insp. 8/25/03

Visited w/ Mrs. Tebbin Johnson.

GPS 663,164 E 271,340 N Waypoint 4167
replacement well, drilled; tag D0026658

Photos - 1 of well, 1 of barn behind brick house,
1 of trees w/ drip in.

Per Mrs. Johnson most lawn is in front
caned. Around the middle house 1 behind
the brick (North) house is too high 3 there
are watered from well. Mrs. Johnson
didn't mention trees but because of
drip I assume they are watered from
well.

Mrs. Johnson states water use is 2 hours
year round, 2 hours summer time only,
slip 1 potato cellar. Cornalls at PDU
indicate historical usage for stockwater,
probably stockwater use was current as
of claim date. Besides documentation
in file, Lin Johnson confirmed this (4/167)
water use during interview for A25-4168.

Contact Log A25-04167

8/25/03 13:38 522-8168 (Lin Johnson #)

Mr. Johnson - Thursday

Accus fr. Cheryl Glass 1/4 mile S.

just S. of RR. Branch - Double-wide -

Appointment late AM or early afternoon

8/28/03 524-2788 (Tebbin Johnson)

phone call got a FAX machine.

field inspection w/ Lin Johnson was for A25-4168.

Tebbin is who I need to contact for A25-4167

SCANNED

AUG 27 2004



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 25 4167

POD ID 174580

Folder No. A2504167

Claim Status In Use

IDTMEAST 663190

IDTMNORTH 271324

GPSID A0009395

Diversion Description

WELL/PUMP/PRESSURE TANK.

Assumptions

Horse power, pressure head, and elevation head.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)

Phase-I (Ready to Go to Field)

Phase-II (Site Visit - Data Missing)

Phase-III (Complete w/Issues)

Linked

Photos\25-4167-001.JPG

Photos

Photos\25-4167-002.JPG

GPS Accuracy (ft)

17 Feet

Date (M/D/Y)

07-25-02

Time

17:15

Flow Rate (CFS)

0.16

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

☐ Less than half full

☐ Half full

☐ More than half full

☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined .016
Smooth earth .025
Earth .033
Rough bed, weeds on sides .04
Smooth natural stream .033
Rough natural stream .1

Pumped System

☒

HP 3

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

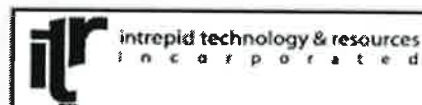
Pump Serial#

New Contact Information

☐

New Contact Comments

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FOLDER NO. A2504167

August 18, 2003

Lin H. Johnson
2654 N 25th E
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-04167

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.

This is a follow-up to the inspection made by Intrepid Technology and Resources in 2002. The main purpose of this visit will be to photograph the place of use you sketched on the map, and the well.

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
AUG 27 2004

August 18, 2003

Tebbin G. Johnson
2590 E Iona Rd.
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-04167

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Sincerely,

Bryce A. Contor

SCANNED
AUG 27 2004

SCANNED

JUL 3 2002

Log for claim 25-04167

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02n38e	10	NWNW	2	41	POD placement? / Indiscernible
Totals:			2	41	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LIN H JOHNSON 2654 N 25TH E IDAHO FALLS ID 83401 (208) 522-8168	03/15/1929	IRRIGATION STOCKWATER DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	0.040 CFS 0.050 CFS 0.080 CFS	
TOTAL DIVERSION:					0.170 CFS	
C	TEBBIN G JOHNSON 2590 E IONA RD IDAHO FALLS ID 83401 (208) 524-2788			CONSUMPTIVE USE:		5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T02N R38E S10 NWNW BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM
T	R	S		T	R	S		T	R	S		T	R	S		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	38E	10	:	:	02	:	:	:	:	:	:	:	:	:	:	2.0
TOTAL ACRES																2.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				SUM
T	R	S		T	R	S		T	R	S		T	R	S		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	38E	10	:	:	S	:	:	:	:	:	:	:	:	:	:	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				SUM
T	R	S		T	R	S		T	R	S		T	R	S		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	38E	10	:	:	D	:	:	:	:	:	:	:	:	:	:	

POU County: BONNEVILLE

Non-Irrigation Uses: S/150 RANGE D/2 HOMES.

Other Water Rights Listing Overlapping Place(s) of Use:
A25-1338820

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A25-04167

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 98

=====

Audit: 09/14/89 OLENICHA 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-213, 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 Lin H. or Tebbin G. Johnson
(Name of Claimant)
Rt. 1, Box 475, Idaho Falls, Idaho 83401 Telephone No. 522-8168
(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) March 15, 1929

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)
Groundwater tributary to _____

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

	(cfs, gpd, AF, A)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.08 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.05 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.04 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity		Use _____	Period of Use From _____	To _____
Quantity		Use _____	Period of Use From _____	To _____

(4) 0.17 cfs TOTAL QUANTITY USED.
(cfs, gpd, AF, A)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 10 Twp. 2N Rge. 38E B.M., County of Bonneville
Additional points of diversion: _____

(6) 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. Well, pump pressure tank with distribution line to two domestic homes and stock troughs.

(7) 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2N</u>	<u>38E</u>	<u>10</u>					<u>2</u>												<u>2</u>

No. of acres 2

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

NOTE: Include here the type and number of stock watered: 150 head range cattle

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

To Whom it may concern
In Regards to the well on Oscar

Johnson place on the Iowa Rd. 9

Associated with Carl Anderson in 1928 or 1929
and they had a well at that time. He (Carl)

was the son of George Anderson.

Oscar Johnson bought the place from
George Anderson - in 1942 or 1943 - 9 from
lived ~~then~~ ^{within} 1 mile of that place - since 1916

meant Johnson said his father dug the
well - Henry Johnson well drilling co.

7/1/91

Allen C Ball

4530 N Armon Rd
Starks Falls, Ida.

IDWR

Claim no.

A 95-04167

MICROFILMED
NOV 10 1992

25-04167

May 6, 1991

LIN H JOHNSON
2654 N 25 E
IDAHO FALLS ID 83401

RE: **Evidence of Priority**

Dear Mr. Johnson:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices indicates the water usage are based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notices and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the 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 our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority dates by **June 6, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED

NOV 10 1992

Lin H. Johnson

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04168
LIN H. JOHNSON
2654 N. 25TH E.

IDAHO FALLS ID 83401

A25-04167
LIN H. JOHNSON
2654 N. 25TH E.

IDAHO FALLS ID 83401

MICROFILMED

NOV 10 1952

SCANNED

JUL 7 2000

X

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: A25-04167
Date Received: 9/14/1989
Receipt No: E010418
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LIN H. JOHNSON 208-522-8168
Address: 2654 N. 25TH E.
IDAHO FALLS, ID 83401
OR
Name: TEBBIN G. JOHNSON 208-524-2788
Address: 2590 E. IONA RD.
IDAHO FALLS, ID 83401

A2504167



2. Date of Priority: MAR 15, 1929

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	38E	10	NW	NW			BONNEVILLE

5. Description of diverting works:
WELL/PUMP/PRESSURE TANK, 120' DEEP, 8" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE D/2 HOMES.

A25-04167

Page 1

Date: 09/14/89

MICROFILMED
NOV 10 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	38E	10	NW		NW		IRR	2.0
			NW		NW		DOMEST	
			NW		NW		STOCK	

Section Acres 2.0

Total Acres 2.0

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:

14. Remarks:

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): *Lin H Johnson* Date: 9-14-89
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of September 19 89

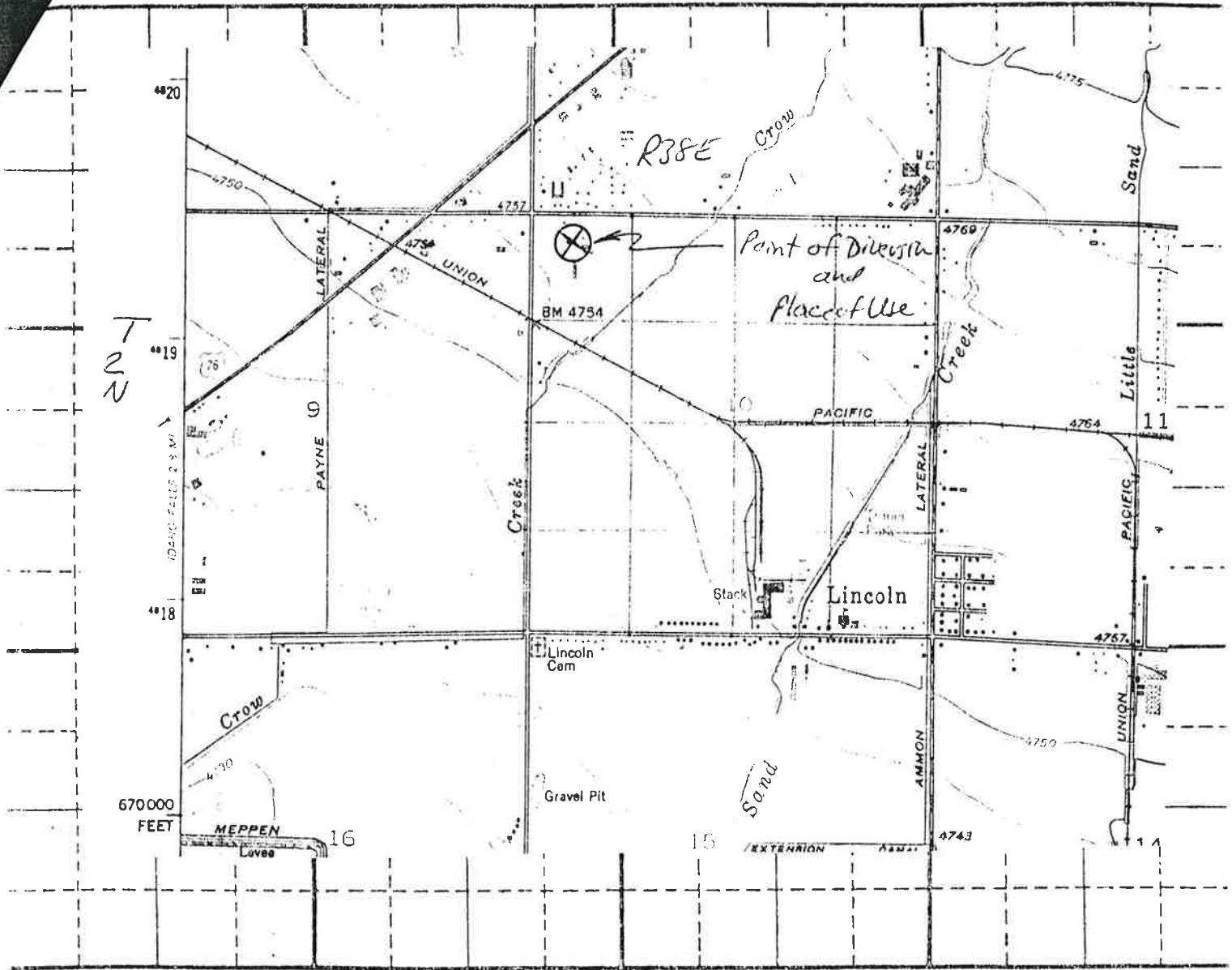
Anthony S. Olmstead
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires 9/12/1994

Remarks



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 Lincoln

MICROFILMED

NOV 10 1952

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.

Lin H. Johnson
(Claimant)

Sworn to before me this 17th day of March

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