

04/22/2004

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

RIGHT NUMBER: 25-4168
NAME AND ADDRESS: TODD H JOHNSON
2704 N 25 E
IDAHO FALLS ID 83401

TAMMI L JOHNSON
2704 N 25 E
IDAHO FALLS ID 83401

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.170 CFS
5.000 AFY

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

PRIORITY DATE: 12/31/1952

POINT OF DIVERSION:

T02N R38E S10 SWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.040 CFS 5.00 AFY
STOCKWATER	01/01 12/31	0.050 CFS
DOMESTIC	01/01 12/31	0.080 CFS

Domestic use is for 3 homes.

Stockwater use is for 150 range cattle.

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R38E S10 SWNW 2.0

STOCKWATER Within BONNEVILLE County

T02N R38E S10 SWNW

DOMESTIC Within BONNEVILLE County

T02N R38E S10 SWNW

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 25-4168

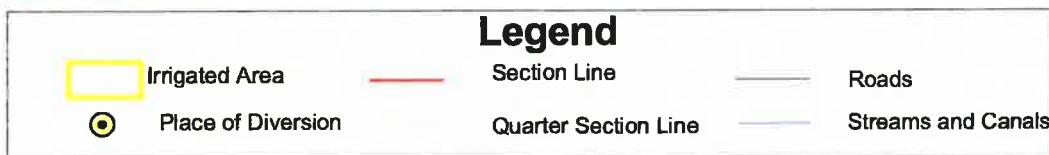
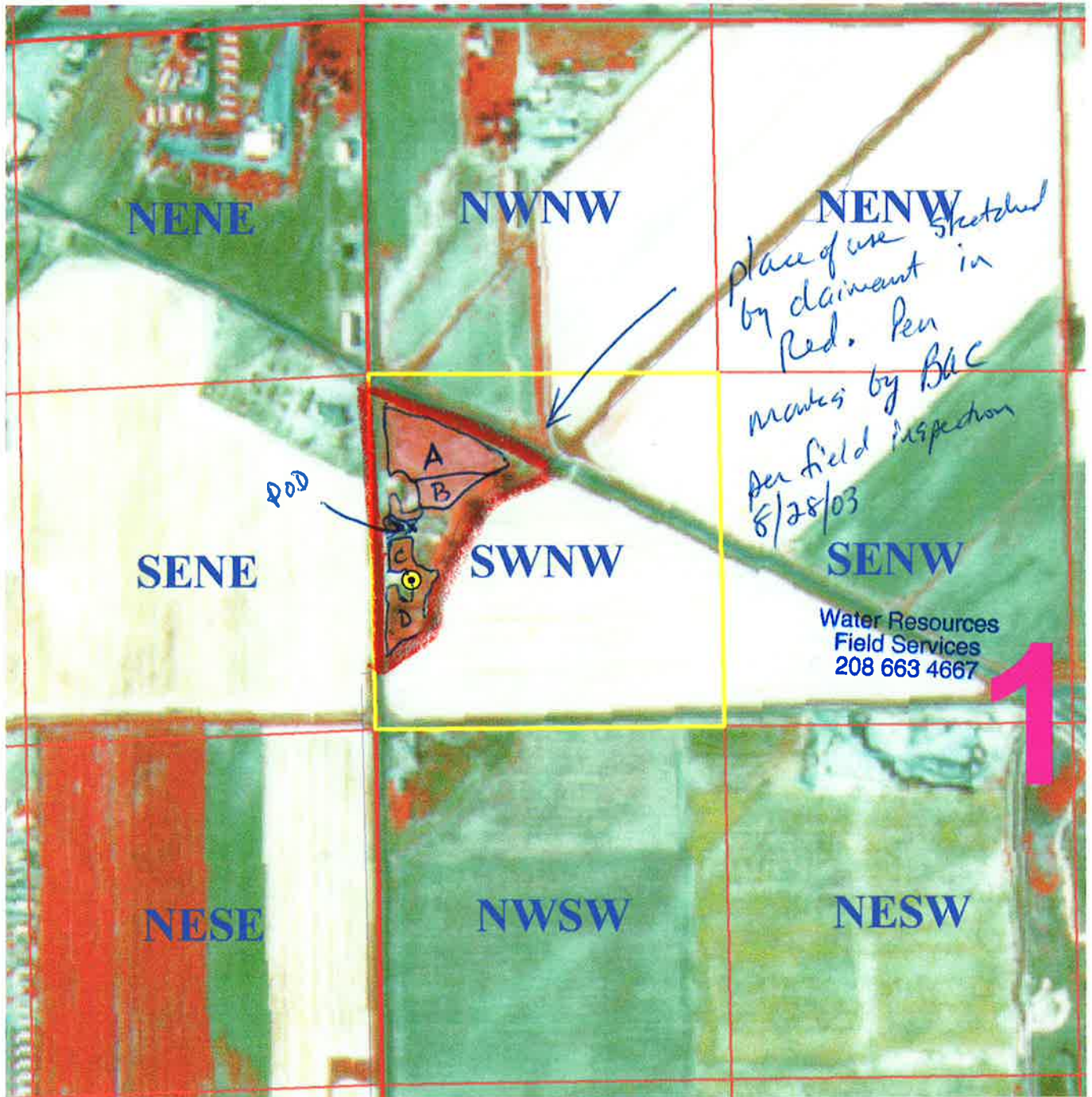
SCANNED

1

AUG 27 2004

Water Right Claim Number 25-04168
Township , 2N38E

12/04/2000



400 0 400 800 1200 Feet



SPATIAL
DYNAMICS

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AUG 27 2004



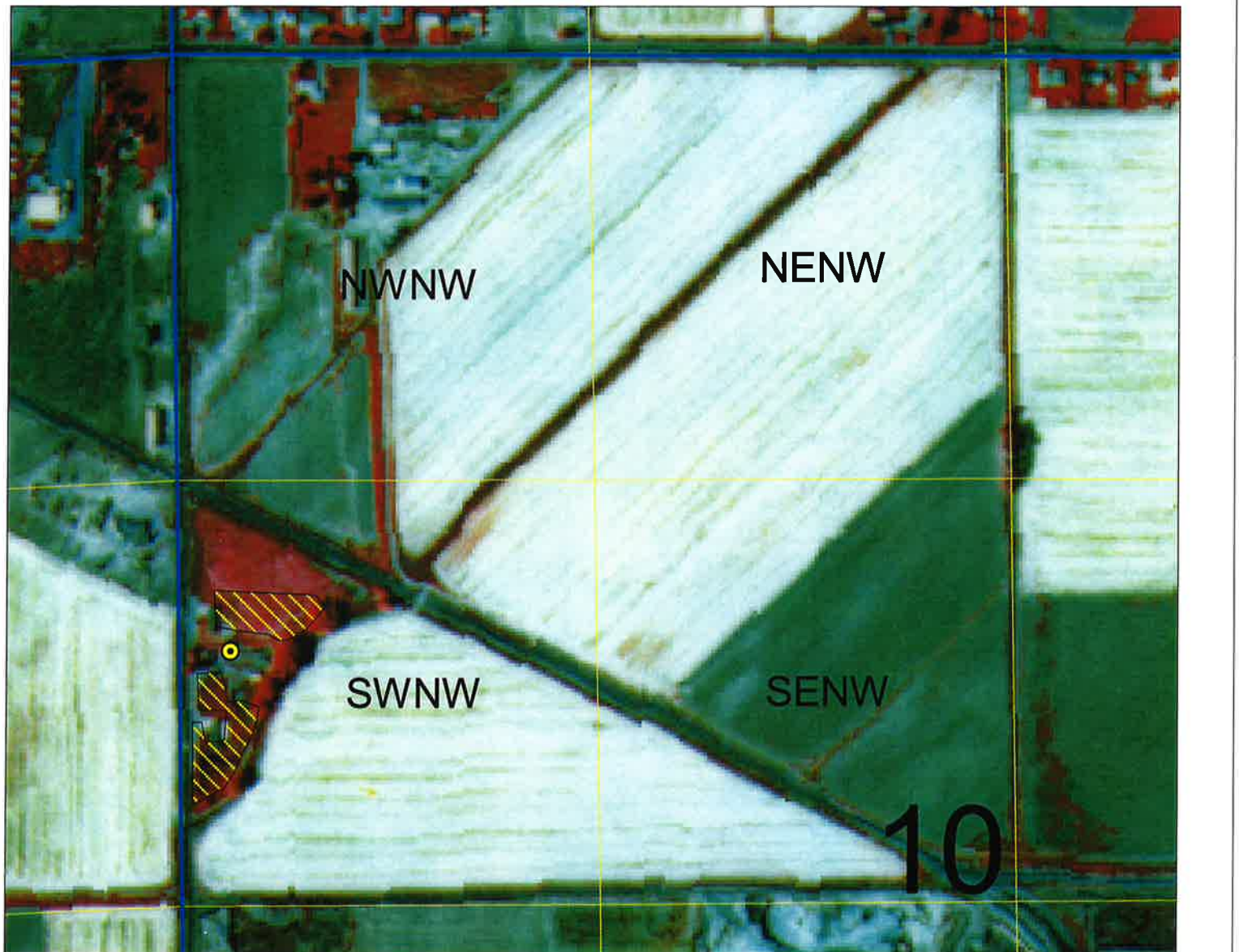


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-04168



1320 0 1320 Fe

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

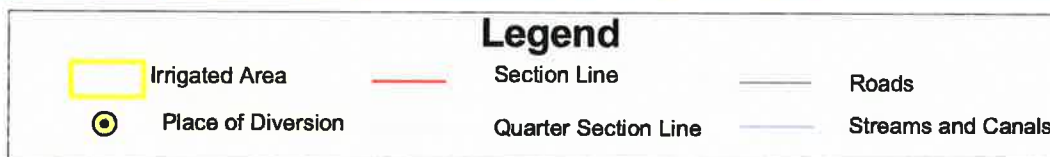
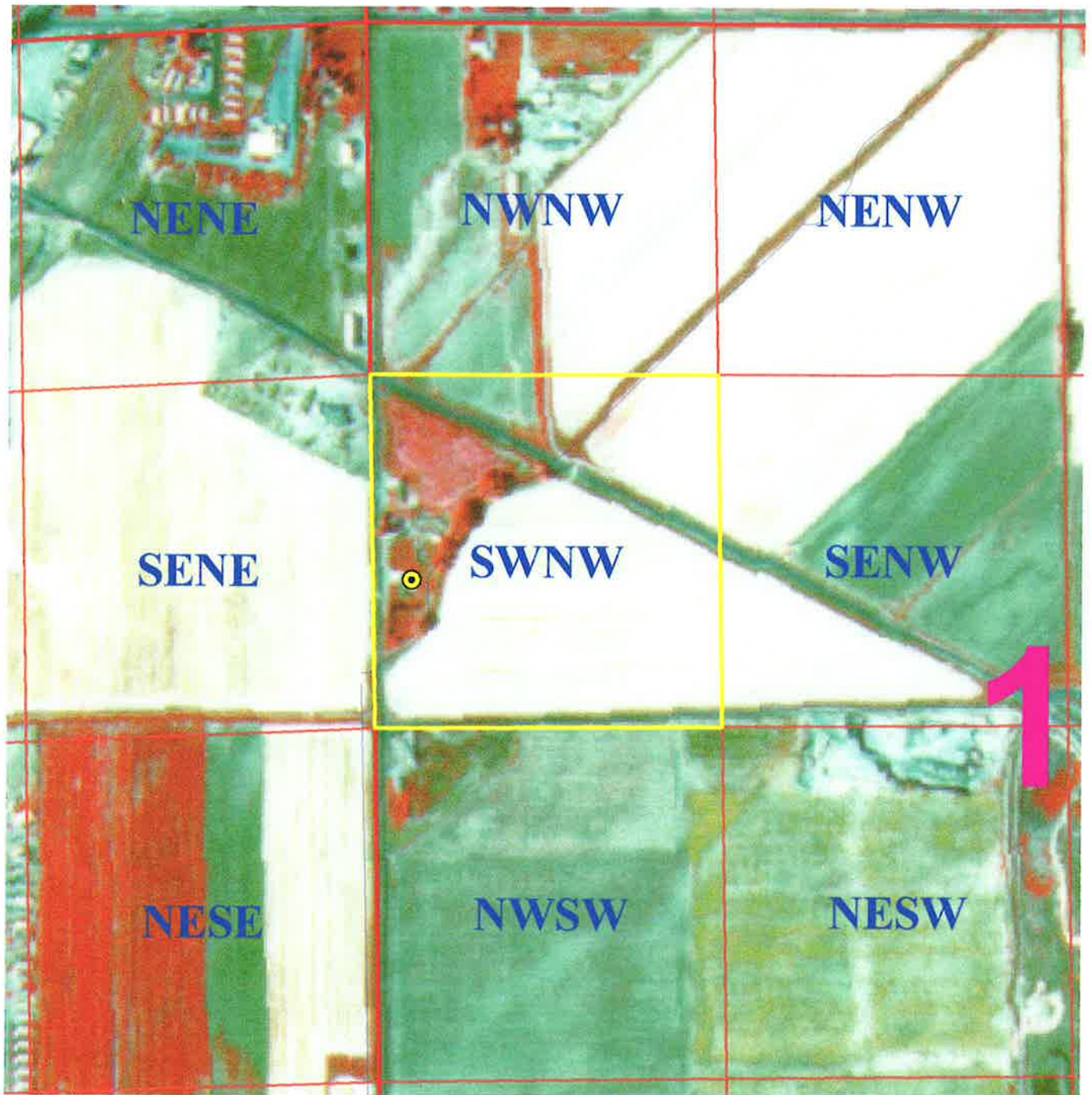
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AUG 27 2004



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: April 2004

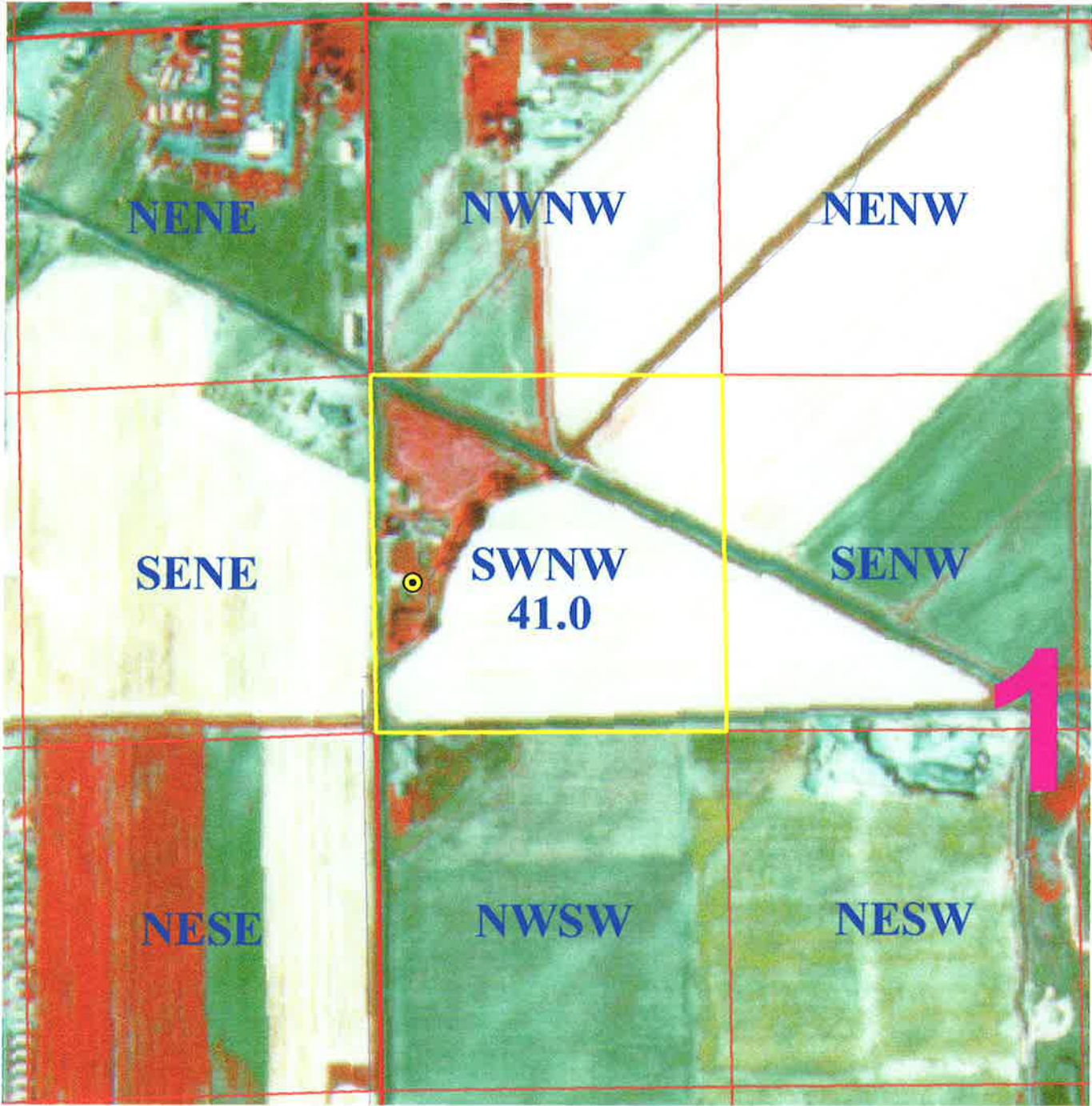
Water Right Claim Number 25-04168
Township , 2N38E

12/04/2000



 SPATIAL
DYNAMICS





Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 02 2002

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
25-4168	25-4168				

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2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) LIN H. JOHNSON
2704 N 25TH E IDAHO FALLS ID 83401
4. New Owner/Claimant(s) TODD H. JOHNSON TAMMI L. JOHNSON
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 2654 N 25TH E
- City, State and ZIP Code IDAHO FALLS ID 83401
- New Telephone Number (208) 529-2463
5. Date you acquired the property JULY 17, 2000

WARRANTY DEED

THIS INDENTURE is made this 17th day of July, 2000, by **LIN H. JOHNSON**, a married man dealing with his sole and separate property, the "Grantor", and **TODD JOHNSON and TAMMI JOHNSON**, husband and wife, whose mailing address is 2654 North 25th East, Idaho Falls, Idaho 83401, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's heirs and assigns forever, all of the following described property in the County of Bonneville, State of Idaho, to-wit:

Part of the NW1/4 of Section 10, Township 2 North, Range 38 EBM, Bonneville County, Idaho, described as:

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NOV 30 2004

Beginning at a point that is S.00°08'13"W. 1372.92 feet along the Section line from the Northwest corner of said Section 10, (said point being on the South right of way line of the Union Pacific Railroad) and running thence S.62°54'50"E. 723.55 feet along said right of way line; thence S.16°22'50"W. 976.59 feet to a point on the Eastwest centerline of said Section 10; thence N.89°42'29"W. 371.81 feet along said centerline to the West 1/4 corner of said Section 10; thence N.00°08'13"E. 1264.51 feet along the West line of said Section 10 to the point of beginning.

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Less and excepting the following parcel:

Beginning at a point that is S.0°08'05"W. 1640.68 feet along the section line from the Northwest corner of Section 10, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°08'05"W. 189.56 feet; thence S.89°51'55"E. 268.80 feet; thence N.0°08'05"E. 189.56 feet;

thence N.89°51'55"W. 268.80 feet to the point of beginning;
containing 1.17 acres more or less.

SUBJECT TO the existing county road right-of-way along
the West side and a 25 foot wide road and utility easement
along the North side of the above described tract.

SUBJECT to all existing easements or claims of easements, patent reservations,
rights of way, protective covenants, zoning ordinances, and applicable building codes,
laws and regulations, encroachments, overlaps, boundary line disputes and other matters
which would be disclosed by an accurate survey or inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, and any reversions, any remainders, rents, issues
and profits therefrom; and all estate, right, title and interest in and to the property, as well
in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee,
and to the Grantee's heirs and assigns forever. The Grantor and the Grantor's heirs shall
warrant and defend the premises in the quiet and peaceable possession of the Grantee and
the Grantee's heirs and assigns, against the Grantor and the Grantor's heirs, and against
every person whomsoever who lawfully holds (or who later lawfully claims to have held)
rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular
includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day
and year first above written.



LIN H. JOHNSON

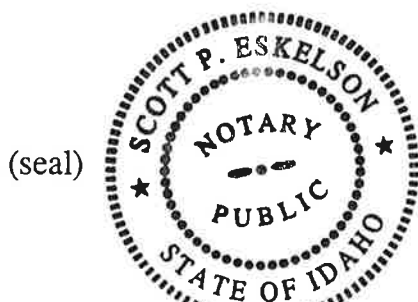
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NOV 30 2004

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STATE OF IDAHO)
) ss.
County of Bonneville)

On the this 17 day of July, 2000, before me, the undersigned, a notary public, in and for said State, personally appeared **LIN H. JOHNSON**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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.



C:\MyFiles\SPE.Clients\0986\WD.LIN H. JOHNSON.wpd



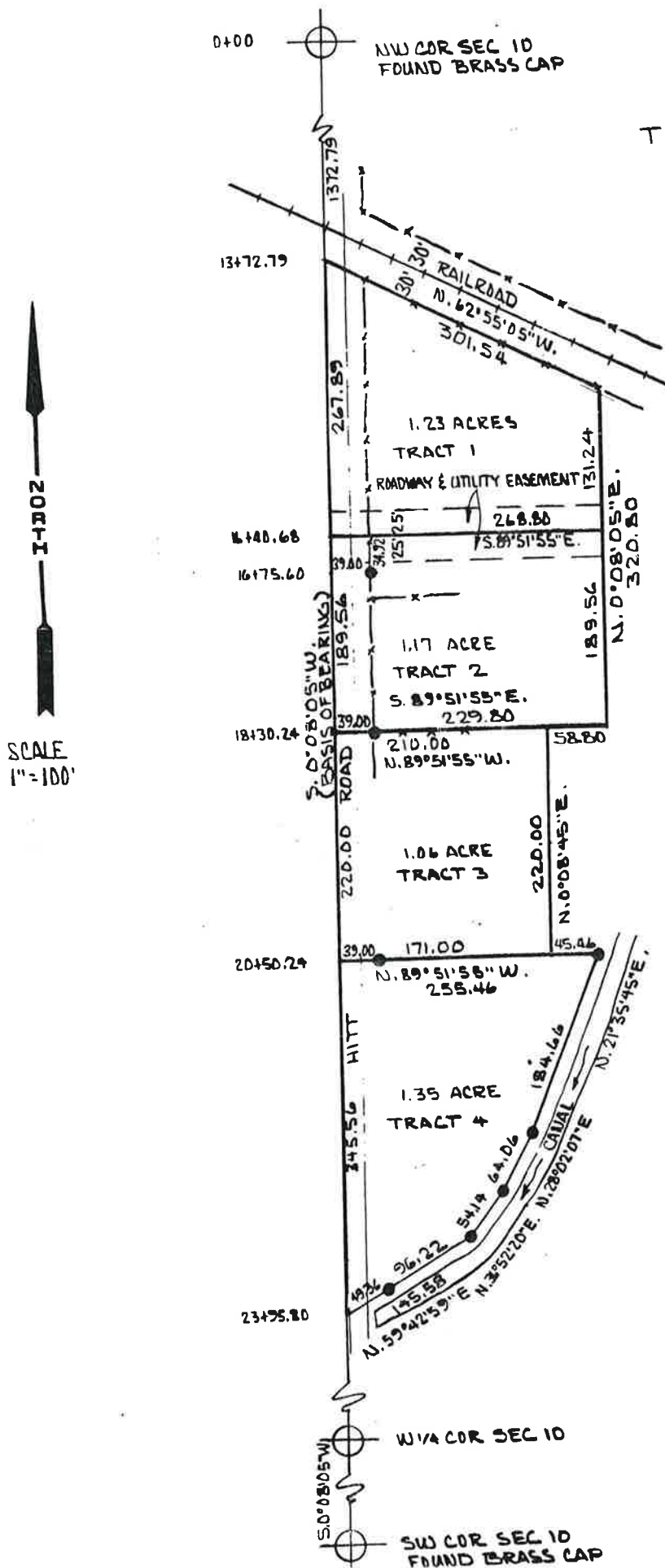
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 10-25-2004

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NOV 30 2004

PROFILED

RECORD OF SURVEY



T2N R38 EBM

SCANNED

NOV 30 2004

PROFILED

SURVEYOR'S CERTIFICATE

I, Garth R. Cunningham, a Land Surveyor licensed by the State of Idaho, hereby certify that the tract of land shown hereon was surveyed under my supervision and staked as shown hereon.

Garth R. Cunningham
March 7, 1984

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LEGAL DESCRIPTION

Tract 1

Beginning at a point that is S.0°08'05"W. 1372.79 feet along the section line from the Northwest corner of Section 10, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°08'05"W. 267.89 feet; thence S.89°51'55"E. 268.80 feet; thence N.0°08'05"E. 131.24 feet; thence N.62°55'05"W. 301.54 feet to the point of beginning; containing 1.23 acres more or less.
SUBJECT TO the existing county road right-of-way along the West side and a 25 foot wide road and utility easement along the South side of the above described tract.

Tract 2

Beginning at a point that is S.0°08'05"W. 1640.68 feet along the section line from the Northwest corner of Section 10, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°08'05"W. 189.56 feet; thence S.89°51'55"E. 268.80 feet; thence N.0°08'05"E. 189.56 feet; thence N.89°51'55"W. 268.80 feet to the point of beginning; containing 1.17 acres more or less.
SUBJECT TO the existing county road right-of-way along the West side and a 25 foot wide road and utility easement along the North side of the above described tract.

Tract 3

Beginning at a point that is S.0°08'05"W. 1830.24 feet along the section line from the Northwest corner of Section 10, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°08'05"W. 220.00 feet; thence S.89°51'55"E. 210.00 feet; thence N.0°08'05"E. 220.00 feet; thence N.89°51'55"W. 210.00 feet to the point of beginning; containing 1.06 acres more or less.
SUBJECT TO the existing county road right-of-way along the West side of above described tract.

Tract 4

Beginning at a point that is S.0°08'05"W. 2050.24 feet along the section line from the Northwest corner of Section 10, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°08'05"W. 345.56 feet; thence N.59°42'59"E. 145.58 feet; thence N.36°52'20"E. 54.14 feet; thence N.28°02'07"E. 64.06 feet; thence N.21°35'45"E. 184.66 feet; thence N.89°51'55"W. 255.46 feet to the point of beginning; containing 1.35 acres more or less.
SUBJECT TO the existing county road right-of-way along the West side of above described tract.



From Cor Perp. Form By Kent Marker
Signature Dated May 7, 1976.

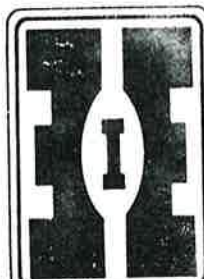
• Denotes Iron Rods

RECORD OF SURVEY

FOR

LIN JOHNSON

PART OF SECTION 10
T2N R38 E3M
BONNEVILLE COUNTY
IDAHO



ENGINEERS
SURVEYORS
PLANNERS

SCALE: 1" = 100'

DATE: JAN. 1984

DR. G.C.

ELLSWORTH ENGINEERING, INC.
CONSULTING ENGINEERS
RD. BOX 2336
IDAHO FALLS, IDAHO

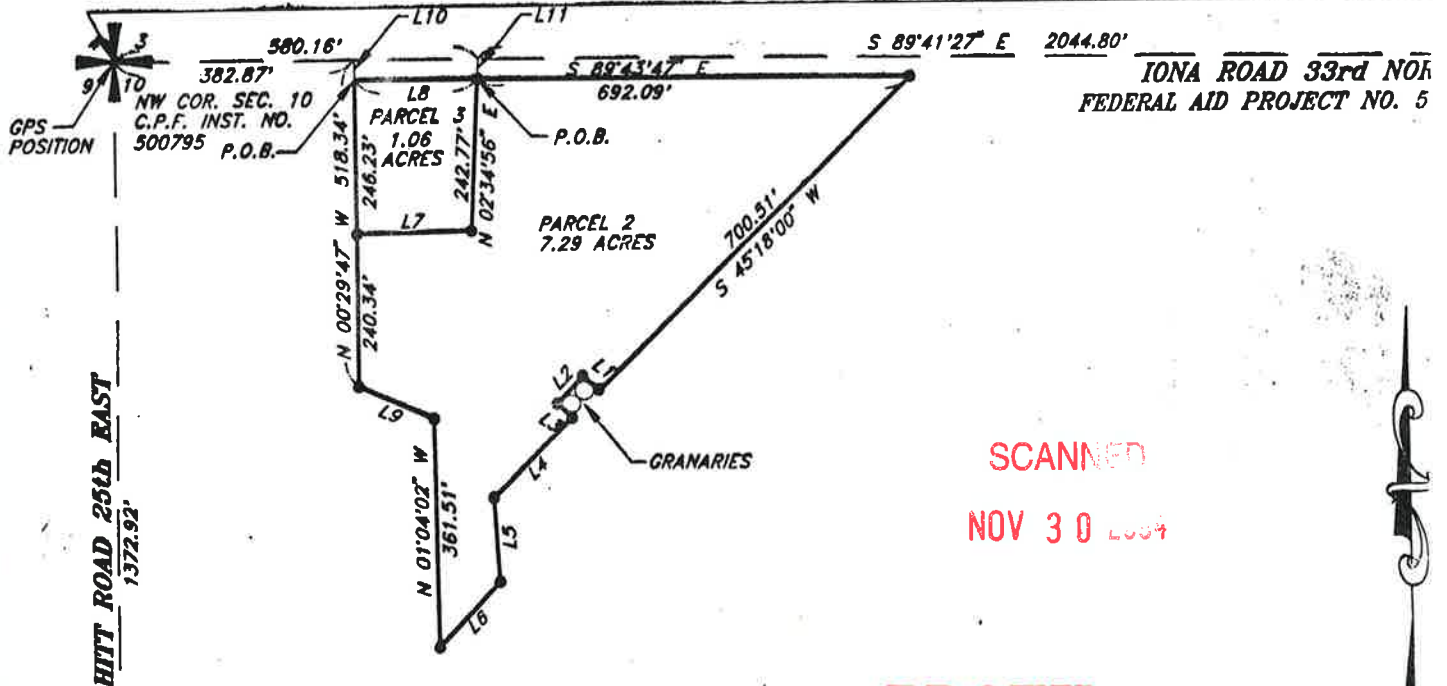
JOB NO.

2447

Part C

Section 10, T 2 N, R38 E, BM BONNEVILLE COUNTY, IDAHO

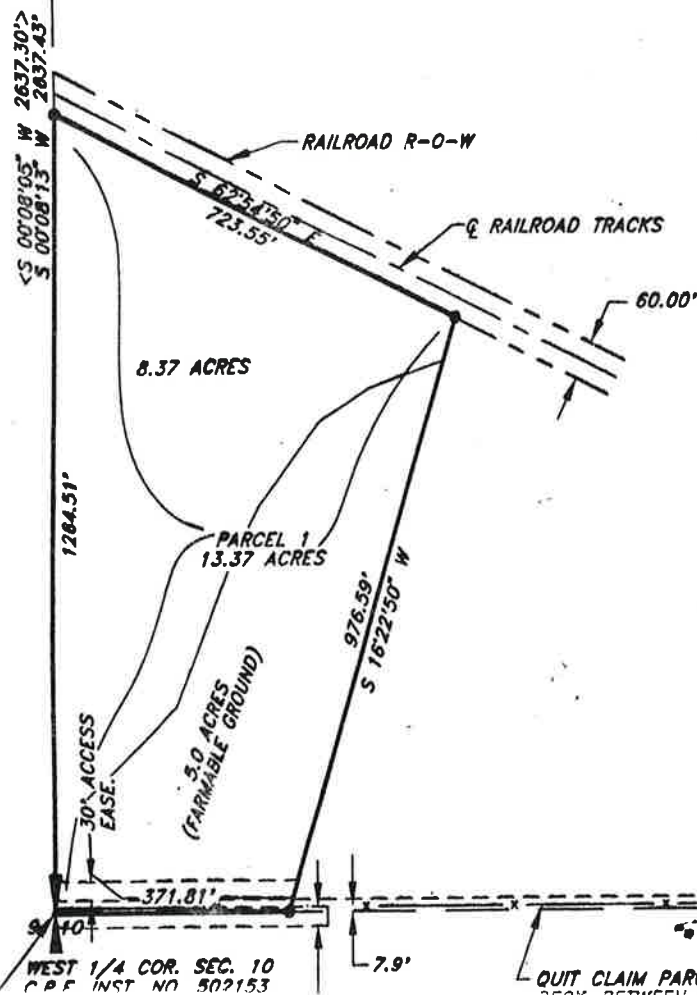
BASIS OF BEARING - CITY OF IDAHO FALLS
S 89°41'27" E 2624.96' <2624.75>



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NOV 30 2004

PROFIL

SCALE: 1"



LINE	DIRECTION	DIS.
L1	N 50°58'34" W	35
L2	S 43°04'53" W	58
L3	N 46°58'50" W	32
L4	S 45°18'00" W	18
L5	S 03°57'38" E	13
L6	S 43°23'02" W	14
L7	S 89°07'57" W	18
L8	N 89°43'47" W	19
L9	N 65°52'27" W	12
L10	S 00°29'47" E	31
L11	S 02°34'56" W	31

GPS POSITION
1/4 COR. SEC. 10
T. NO. 500794

Found 1/2" Iron Rod
Placed 1/2" X 24"
rod with cap marked
P.L.S. 4563
Fence line.
<N 89°47'08" W> Record bearing and distance

RECORDERS CERTIFICATE

Instrument No. 937849
Time of Day 11:08 AM
Date March 4, 1997
Recorded in Bonneville County, Idaho.

Ronald Longenecker
County Recorder

SURVEYORS CERTIFICATE

I, Kim H. Leavitt, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

Kim H. Leavitt 2-10-
Kim H. Leavitt License No. 4563 Date



BOUNDARY DESCRIPTION

Parcel #1

Part of the Northwest 1/4 of Section 10, Township 2 North Range 38 East B.M., Bonneville County, Idaho described as:

Beginning at a point that is S 00°08'13" W 1372.92 feet along the Section line from the Northwest corner of said Section 10, (said point being on the South right of way line of the Union Pacific Railroad) and running thence, S 62°54'50" E 723.55 feet along said right of way line; thence S 16°22'50" W 976.59 feet to a point on the Eastwest centerline of said Section 10; thence N 89°42'29" W 371.81 feet along said centerline to the West 1/4 corner of said section 10; thence N 00°08'13" E 1264.51 feet along the West line of said Section 10 to the point of beginning.

Parcel contains 13.37 acres and is subject to the county road right of way along the west side.

Parcel #2

Part of the Northwest 1/4 of Section 10, Township 2 North, Range 38 East, B.M., Bonneville County, Idaho described as:

Beginning at a point that is S 89°41'27" E 580.16 feet along the Section line and S 02°34'56" W 31.66 feet from the Northwest corner of said Section 10 and running thence S 89°43'47" E 692.09 feet along the South right of way line of Iona Road (F.A.P. S-6721 (3)); thence S 45°18'00" W 700.51 feet; thence N 50°58'34" W 35.35 feet; thence S 43°04'53" W 58.86 feet; thence S 46°58'50" E 32.89 feet; thence S 45°18'00" W 180.00 feet; thence S 03°57'38" E 131.14 feet; thence S 43°23'02" W 142.43 feet; thence N 1°04'02" W 361.51 feet; thence N 65°52'27" W 129.80 feet; thence N 00°29'47" W 240.34 feet; thence N 89°07'57" E 182.54 feet; thence N 02°34'56" E 242.77 feet to the point of beginning.

Parcel contains 7.29 acres.

Parcel #3

Part of the Northwest 1/4 of Section 10, Township 2 North, Range 38 East B.M., Bonneville County, Idaho described as:

Beginning at a point on the South right of way line of the Iona Road (FAP S-6721 (3)) that is S 89°41'27" E 382.87 feet along the Section line and S 0°29'47" E 31.77 feet from the Northwest corner of said Section 10 and running thence S 0°29'47" E 246.23 feet; thence N 89°07'57" E 182.54 feet; thence N 2°34'56" E 242.77 feet to said South right of way line of the Iona Road; thence N 89°43'47" W 195.59 feet along said right of way line to the point of beginning.

Parcel contains 1.06 acres.

CENTER SEC. 10
FOUND AL. CAP
L.S. 973
C.P.E. # 764157

6.5'

GPS POSITION



RECORD OF SURVEY

CROW CREEK FARMS
Sec. 10, T.2N., R.38E., B.M.

HARPER-LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

800 W. JUDICIAL ST., P.O. BOX 886, BLACKFOOT,
IDHO 83221 (208) 789-2977 OR 2980
808 N. CAPITAL AVE., P.O. BOX 50881, IDHO FALLS
IDHO 83403 (208) 524-0212

JOB NO. 1	83707	SHEET	1
DATE	12-18-95		
DRAWN BY	T.O.B.		
CHECKED BY	K.H.L.	OF	1
COPYRIGHT © 1991 H.E. ALL RIGHTS RESERVED.			





A25-4168 Summary 8/28/03

- 1) Ownership. See Δ ownership & be careful w/ deed descriptions - from interview w/ former owner Lin Johnson & current owner Tammi L. Johnson it appears that Tract 2 has different ownership.

from interview:

These are
occupants, possibly
owners.

Tract 1	- unspecified, I assume Todd & Tammi Johnson
Tract 2	- Canoll
Tract 3	- Lin Johnson
Tract 4	- Todd & Tammi Johnson

- 2) POD - claim description correct.
Site Tag A0009394
GPS 663053 E 270846 N
Waypoint 4168

- 3) IRR
POU - see photo of plat, description in notes, editing of Spatial Dynamics layout.

Tract 1 - Usually irrigated by surface water from Progressive but Lin Johnson insists well supplemental & has been

A25-04168 Summary p 2
watered from well.

Tract 2. Watered principally from ~~Producers~~
Progressive but watered fr. well
when canal not avail.

Tract 3. Too high for canal, watered
exclusively fr. well.

Tract 4. Mostly can be watered fr.
Progressive when water avail
but parts of east side behind
home are too high & must be
watered fr. well.

4) Other uses: Domestic 3 homes. No
livestock observed today but conal/
barn remnants indicate likely this
was a practice recently (at time of
clams fishing).

5) Priority: Affidavit appears adequate to
support 12/31/1952. I quizzed Lin
Johnson, this affidavit is from
personal knowledge.

A25-4168 Summary

- 6) Photos 1 of well, 3 of irrigated beans,
1 of survey plat.
- 7) Division rate - motor $1\frac{1}{2}$ hp, claim < 0.20.

Wayne A. Carter

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AUG 27 2004

A25-4168 Field Insp. 8/25/03

Photos - 1 of well, 3 of in. lams., 1 of survey platf (3 hours)

GPS 4168 663,053 E 270,846N
Tag A0009394

See photo of platf - well between tract 2 & tract 3
pen tip @ approx. location of well.
Average from map

tract 1 1.23 - Corn
tract 2 1.17 - Carroll House + lawn
tract 3 1.06 - Lila Johnson house,

groves, wells, lawn
This lawn always from well

tract 4 1.35 Todd Johnson house.

Other than lawn, all lawn. Part of lawn can only be watered from well.

All lands are watered fr. well when lawn Creek water not avail. (Preparation Canal shares)

Mr. Johnson drilled well in 1959. 1952
His affidavit is personal knowledge
AUG 27 2004
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A25-4168 Contact Log

8/25/03 14:08 529-2463

Mrs. Johnson - should be there but
if not, OK to inspect-

Does water flow from Canal when canal
water is available. Well is supplemental

Well is by grain bins, beside home of
Fathin-in-law next door. Home closest
to RR was ^{the house} Barn Johnson, Tony Carroll



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27

RIGHT ID
POD ID
Folder No.
Claim Status
IDTMEAST
IDTMNORTH
GPSID

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

GPS Accuracy (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

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

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

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

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ 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

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☒

New Contact Comments

Todd & Tammi Johnson
2654 E., 25th N.
(208) 529-2463

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FOLDER NO.

SCANNED

AUG 27 2004

August 18, 2003

Todd H. Johnson
2704 N 25th E
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-04168

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

Water Resources
Field Services
208 663 4667

SCANNED
AUG 27 2004

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.

SCANNED
AUG 27 2004

SCANNED

JUL 30 2001

Log for claim 25-04168

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02n38e	10	SWNW	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	04/01/1952	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	
CONSUMPTIVE USE:						5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

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

Place of use Legal Description for: IRRIGATION

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

Place of use Legal Description for: STOCKWATER

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

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
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: 06/18/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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

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

(Name of Claimant)

83401

Telephone No. 522-8168

(1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1952

(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. gnt. Δ Δ)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)	(Mo., Day)
------------	------------

Quantity 0.08 cfs

1598 Domestic

Period of Use From 1-1 To 12-31

Quantity 0.04 efs

The Irrigation

Period of Use From 4-1 To 11-1

Quantity 0.05 cfs

The Stockwater

Period of Use From 1-1 To 12-3

(c) *unusable*.

154

Period of Use From

Quantity 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040

Figure 1

Period of Use From

(a) 0.17 cfs TOTAL QUANTITY USED:

$$\{f(x, y(x)) : A \in \Lambda\}$$

151 A) Point of diversion* (Location of point where water is diverted from its source)

SW ¼ NW ¼, Sec. 10 Twp. 2N Rge. 38E B.M., County of Bonneville

Additional notes of degree are:

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. Well, pump, pressure tank with distribution line to two

Well, pump, pressure tank with distribution line to two domestic homes and stock troughs

(d) (i) Describe location of each existing 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.

[illegible]

No. of acres 2

2b) 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.

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

— **JOHNSON FARMS** —

2586 East Iona Road
Idaho Falls, Idaho 83401

State of Idaho
Dept of Water Resources
Dear Sirs:

June 6 - 91

In regard to right # A25-04168:

Erving Anderson was the owner of the land previous to our purchasing it. In the early 1950's (1952) a well was drilled by Kendle Drilling of Idaho Falls and a pump installed. I am trying to get a copy of his drilling log or other evidence.

Yours truly,

Lin H Johnson

Idaho Falls, ID
Bonnewille Co..
July 2, 91

Erving Anderson

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NOV 10 1992

25-04168

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.

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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

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NOV 10 1992

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 25-4168
Date Received: 9/14/1989
Receipt No: E010420
Received By:

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

1. Name of Claimant(s)

TODD H JOHNSON Phone: (208) 529-2463

2704 N 25 E
IDAHO FALLS ID USA 83401

TAMMI L JOHNSON Phone: (208) 529-2463

2704 N 25 E
IDAHO FALLS ID USA 83401

2. Date of Priority: 04/01/1952

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

WELL/PUMP/PRESSURE TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.04	
STOCKWATER	1/01	12/31	0.05	
DOMESTIC	1/01	12/31	0.08	

7. Total Quantity Appropriated is:
0.17 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
AUG 27 2004

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	38E	10	SW	NW	IRRIGATION	2
			SW	NW	STOCKWATER	
			SW	NW	DOMESTIC	
					Section Acres	2
					Total Acres	2

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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

SCANNED

AUG 27 2004

SCANNED

JUL 30 2001

\$52

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: A25-04168
Date Received: 9/14/1989
Receipt No: E010420
Received By: To

~~AMENDED~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~AMENDED~~

1. Name: LIN H. JOHNSON
Address: 2654 N. 25TH E.
IDAHO FALLS, ID

208-522-8168

83401

2. Date of Priority: APR 01, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

County
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

10. Place of Use:

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

A25-04168

Page 1

Date: 09/14/89

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NOV 10 1992

A2504168



10. Place of Use: Continued

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

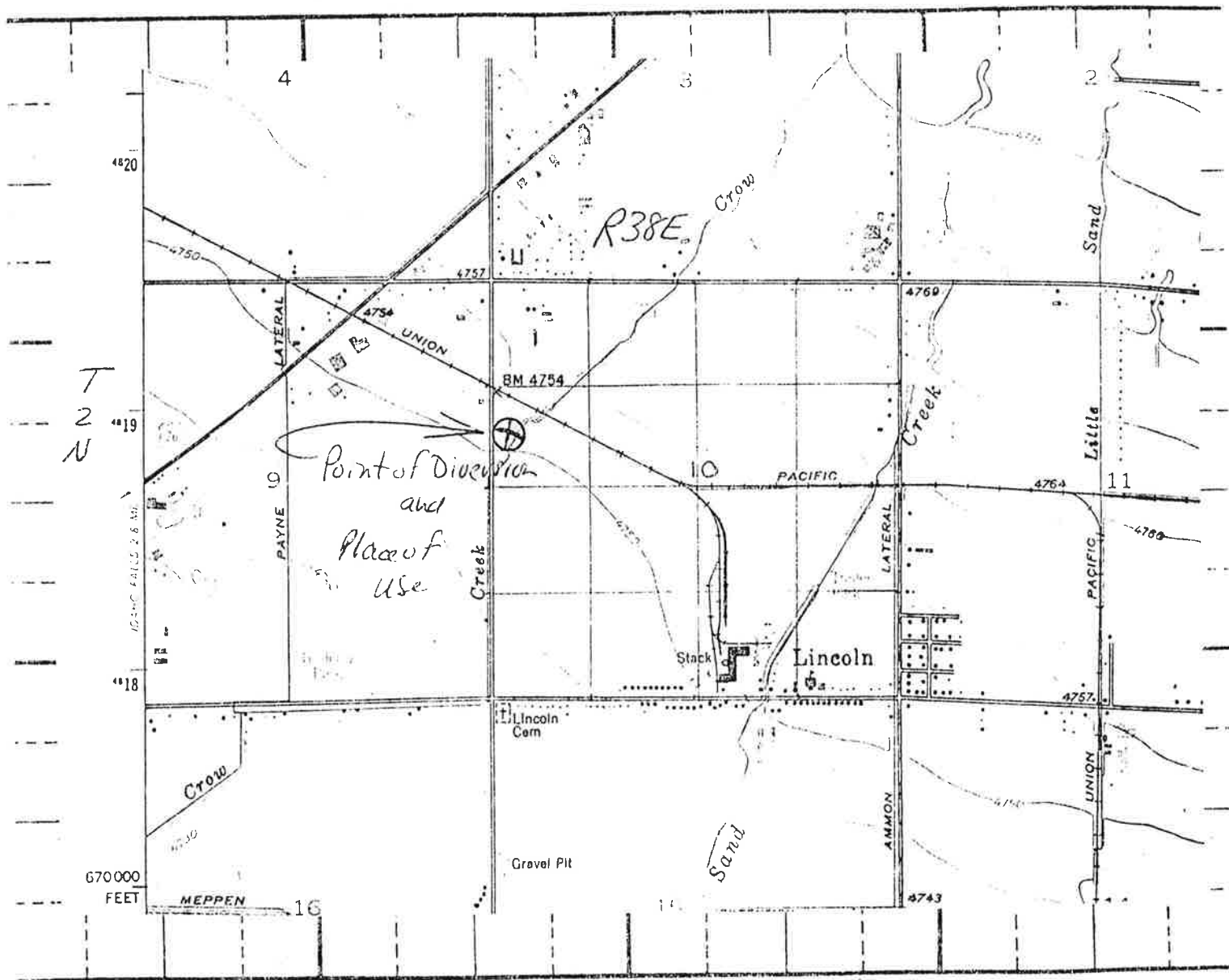
Anthony S. Olenski
Notary Public

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)

) ss.

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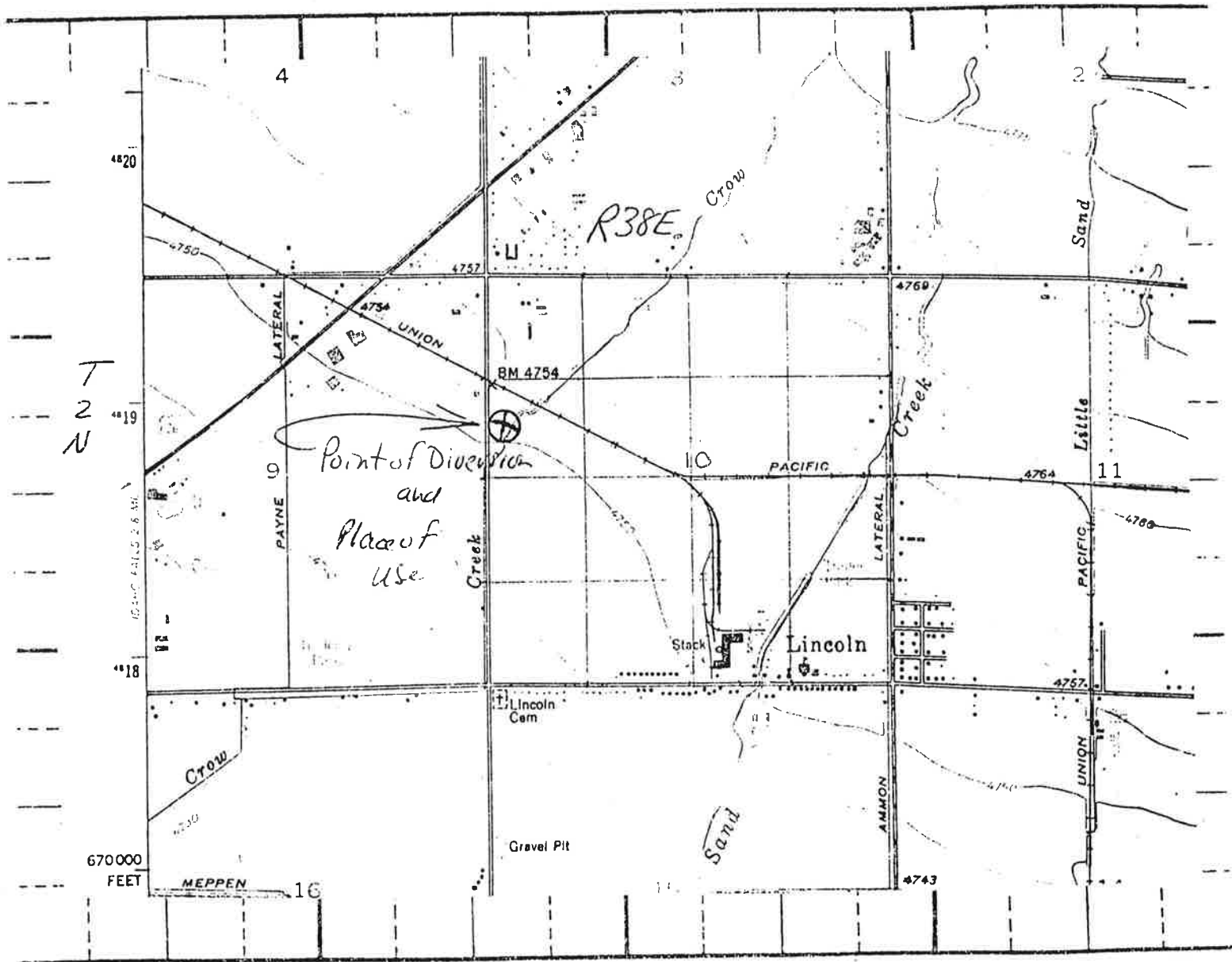
NOV 10 1992

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.

Lincoln Johnson
(Claimant)

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

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)

) ss.

County of Lincoln)

MICROFILMED

NOV 10 1992

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.

Jim H. Johnson
(Claimant)