

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04534A
Date Received: 2/02/1990
Receipt No: C015638
Received By: gs



Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 01, 1919

3. Source: COLE SLOUGH DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	16	SE	SW	NE		CANYON

5. Description of diverting works:
PUMP IN SLOUGH, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.680		

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

8. Total consumptive use is 81.6 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	16	SW	NE		IRR	23.3

Section Acres 23.3

Total Acres 23.3

A63-04534A

Page 1

Date: 02/02/90

MICROFILMED

AUG 20 1992

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
YEAHEL PLACE

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Title
SSI Land & Cattle Co., Inc. that I have signed the foregoing
Organization
document in the space below as President of
Title
SSI Land & Cattle Co., Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Pres., SSI Land & Cattle Co., Inc.
Title and Organization

3-14-90
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of March 19 90

Seal

Kathryn H. Jennings
Notary Public

Residing at 2615 E Cleveland Ave
My Commission Expires 8/26/95



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 63-4534A
Date Received: 3/15/1990
Receipt No: C015638
Received By:

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

1. Name of Claimant(s)

JOHNSON RESEARCH LLC Phone: (208) 722-5829
24007 HWY 20/26
PARMA ID USA 83660

2. Date of Priority: 06/01/1919

3. Source: COLE SLOUGH DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	16	SE SW NE	CANYON	

5. Description of diverting works:

PUMP IN SLOUGH, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.68	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	05W	16	SW NE	IRRIGATION	23.3
Section Acres					23.3

Total Acres 23.3

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

YEAHEL PLACE

Ownership change received 12/22/2003.

15. Basis of Claim: Statutory Claim

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing

Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the

Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED

DEC 22 2003

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

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

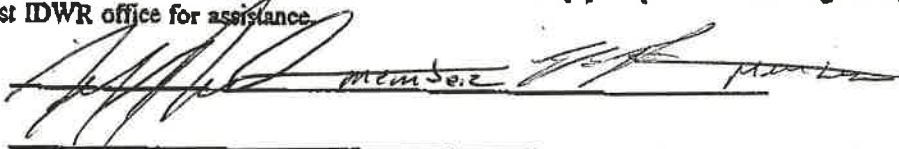
RECEIVED

from W.A.

JUN 2 2005

ADJ. P

Department of Water Resources

1. **Water Right No(s):** See Exhibit "A" attached hereto.
- Adjudication Claim No(s):** See Exhibit "A" attached hereto.
2. **The following REQUIRED information must be submitted with this form:**
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. **Name and Address of Former Owner/Claimant** J.R. Simplot Company, a Nevada corporation
999 Main St., One Capital Center, Boise, ID 83702
4. **New Owner/Claimant(s)** Johnson Research, L.L.C., an Idaho limited liability
New Mailing Address 24007 Hwy. 20/26
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or company
City, State and ZIP Code Parma, ID 83660
New Telephone Number (208) 722-5829
5. **Date you acquired the property** December 5, 2003
6. **If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.**
Number of acres you irrigate _____ **Number and type of stock** _____
Diversion rate in CFS _____ **Number of homes** _____ **Other uses** _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. **Signature of New Owner or Claimant(s)** 
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. **For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..**

RECEIVED

JUN 03 2005

WATER RESOURCES
WESTERN REGION

Exhibit 'A'

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

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

Pending Permit

				Permit
*63-11390	June 6, 1990	Irrigation and Stockwater	Sand Run Gulch	

* An assignment of this permit is required to update the current permit holder, J. R. Simplot Company. This assignment will be filed with the IDWR on or before November 21, 2003. *Simplot agrees to transfer the assignment to Johnson R. Island. TB. 11-10-03*

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

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

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

Buyer's initials JS Seller's initials TB

11

2015-05-15

6201

CANYON CITY RECORDER

PIONEER-CALDWELL

REQUEST.

TYPE/200X FEEZ/1-000

BARGAIN AND SALE DEED

GRANTOR, **J.R. SIMPLOT COMPANY**, whose principal address is 999 Main Street, Suite 1300, Boise ID 83702, for Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sell and convey unto **JOHNSON RESEARCH, L.L.C., an Idaho limited liability company**, whose principal address is 24607 Highway 20/26, Parma ID 83660, as GRANTEE, and to Grantee's successors and assigns forever, all of the following described real estate located in Canyon County, State of Idaho:

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

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

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

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

J.R. SIMPLOT COMPANY

By 
Lawrence S. Hlobik, President & CEO

ATTEST:

By Ronald N. Graves
Ronald N. Graves, Secretary

STATE OF IDAHO)
) ss.
County of ADA)

On this 4th day of December, 2003, before me, a Notary Public in and for said State, personally appeared Lawrence S. Hlobik and Ronald N. Graves, known to me to be the President & CEO and Secretary, respectively, of J.R. Simplot Company, the corporation that executed the within instrument, and acknowledged to me that said corporation executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



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

Exhibit A

PARCEL I

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

PARCEL II

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

PARCEL III

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

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

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE FOLLOWING:

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

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

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

PARCEL IV

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

AND

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, B.M., CANYON COUNTY, IDAHO.

EXCEPTING THEREFROM:

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

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

ALSO EXCEPTING THEREFROM:

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

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

AND FURTHER EXCEPTING THEREFROM:

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

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

PARCEL V

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

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

PARCEL VI

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

PARCEL VII

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

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

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

Pending Permit

63-11390	June 6, 1990	Irrigation and Stockwater	Sand Run Gulch	Permit
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09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-4534A

JOHNSON RESEARCH LLC
24007 HWY 20/26
PARMA ID 83660
Telephone Number: (208) 722-5829

RECEIVED
NOV 01 2006
WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g., priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

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

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

DATE: 10/16/06

SIGNATURE: 

Please print your name: Jeff Johnson, member

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

09/27/2006

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

RIGHT NUMBER: 63-4534A

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

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.460 CFS

PRIORITY DATE: 03/01/1931

POINT OF DIVERSION:

T05N R05W S16 SESWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.460 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S16 SWNE 23.00

23 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: BASIS OF CLAIM - Beneficial Use

Source is also known as Cole Slough Drain.



Idaho Department of Water Resources

63-4534A

05N 05W Sections 16



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 23

1000 0 1000 Feet



IDWR
Prepared by: Lori Graves
Date: 08-14-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4534A V1

WATER RIGHT NUMBER: 63-4534A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NOLA F YEAKEL 30511 HWY 95 PARMA, ID 83660 (208)722-5910
Original Owner	LESTER S YEAKEL 30511 HWY 95 PARMA, ID 83660 (208)722-5910
Original Owner	SSI LAND & CATTLE CO INC 2615 E CLEVELAND BLVD CALDWELL, ID 83605 (208)459-0734
Current Owner	JOHNSON RESEARCH LLC 24007 HWY 20/26 PARMA, ID 83660 (208) 722-5829

Priority Date: 03/01/1931

Basis: Beneficial Use

Status: Active

Source

SAND HOLLOW CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.460 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

SAND HOLLOW CREEK	SE1/4SW1/4NE1/4	Sec. 16, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	16				23.0													23.0

Total Acres: 23

Conditions of Approval:

1. B01 Source is also known as Cole Slough Drain.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4534A V1

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. Igraves 8/14/2006 Source/Tributary

Comment: Source and tributary were clarified to Sand Hollow Creek tributary to the Snake River per exam findings, department analysis and topo maps.

2. Igraves 8/14/2006 Parcel No.

Comment: Irrigation is for Parcel No. R3893000000.

3. Igraves 8/14/2006 P/U

Comment: Property aka the Yeakel Place.

4. Igraves 8/14/2006 Priority Date

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

5. Igraves 8/14/2006 Flow Rate

Comment: Flow rate was measured at 1.54 cfs. This right is limited to .46 cfs.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

Adjudication Claim Report 63-4534A

WATER RIGHT NUMBER: 63-4534A

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NOLA F YEAKEL 30511 HWY 95 PARMA, ID 83660 (208)722-5910
Original Owner	LESTER S YEAKEL 30511 HWY 95 PARMA, ID 83660 (208)722-5910
Original Owner	SSI LAND & CATTLE CO INC 2615 E CLEVELAND BLVD CALDWELL, ID 83605 (208)459-0734
Current Owner	JOHNSON RESEARCH LLC 24007 HWY 20/26 PARMA, ID 83660 (208) 722-5829

Priority Date: ~~06/04/1919~~ 3/1/1931
Basis: ~~Statutory Claim~~ B/U
Status: Active

Tributary

BOISE RIVER

Annual Volume

~~0.680 CFS~~

Total Diversion: ~~0.080~~ CFS

46

GOLE SLOUGH DRAIN
CANYON County

SE1/4SW1/4NE1/4

Sec. 16, Twp 05N, Rge 05W, B.M.

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	16			~~23.0~~														20.0
Total Acres 32.0			23																23

Total Acres: 23.3

Conditions of Approval:

- ~~1. Ownership change received 12/22/2003.~~
2. YEAKEL PLACE

comment

Dates and Other Information:

Claim Received Date: 3/15/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

changes per field
exam + affidavits

add BOI - Source AKA
Parcel No in comments

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

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

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

Dear Ms. Graves:

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

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

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

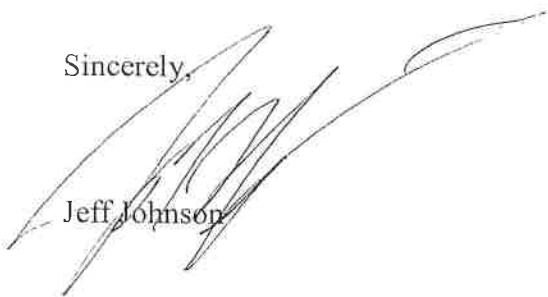
Upon a field exam conducted by Dan Nelson from your office it became apparent that the drains in this area are all somewhat interconnected and appear to be part of the Sand Hollow system. For example the Cole Slough.

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

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

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

Sincerely,



Jeff Johnson

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

6-30-06

Nola Yeakel
NOLA YEAKEL

The water rights in question are

63-4534A

63-5197

63-4535

63-4536

63-4537

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

July 18, 2006

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

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

Sincerely,

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



July 18-06

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

E.G. Johnson



18 JUL 06

RECEIVED
JUL 27 2006
WATER RESOURCES
WESTERN REGION

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

Johnson Research, LLC.

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

E-mail: egjohnson@frontiernet.net

June 21, 2006

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

Dr. Ms Graves:

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

Sincerely,



E.G. Johnson D.V.M.

RECEIVED

JUL 27 2006

WATER RESOURCES
WESTERN REGION

- 63-4536

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

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

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

The descriptions are as follows:

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

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

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

W. A. Bishop

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



Water Resources
Regional Office

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

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

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

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

The descriptions for the property are as follows:

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

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

Daniel Ruppig

Paul Davis
Oct 8/1979

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

The descriptions are as follows:

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

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

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

/ State of Idaho, County of Canyon ss.

On this 2nd day of Oct 1979

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

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

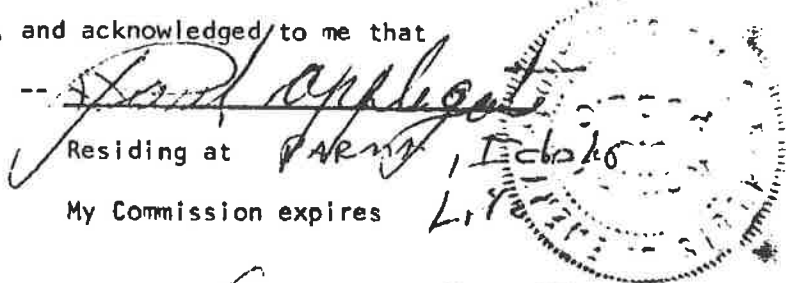
subscribed to the within instrument, and acknowledged to me that

he executed the same. --

Notary Public for Idaho

Residing at

My Commission expires



Paul Applegate

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

The descriptions are as follows:

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

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

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

State of *Idaho*, County of *Canyon* ss. ~~ss.~~
ON this ~~Oct~~ *15* day of *OCT*, 1979, before me, a
Notary Public in and for said State, personally appeared *Floyd Eason*

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

Notary Public for *Idaho*

Residing at *Parma*
My Commission expires *2/18*

Floyd Eason

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

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

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

1.) Pump information:

4534A
63-~~4534~~

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Small Pump	US Elect	5Hp	3A0213 AK 202B	Alpha	01-2153

2.) Lift (distance from pump to water) 5 FT

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

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) -0- Partial Dip Flow

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

6.) What type of measurement device was used? Pygmy meter / Aquacalc.

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

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

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

Cement Ditch.

9.) Please outline all acres irrigated on attached aerial photo. ☒ DONE

10.) Please clearly mark all points of diversion on map and GPS. ☒ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

☒ DONE

12.) Pictures taken of place of use and point of diversion. ☒ DONE

13.) Please show where and how water from other sources are diverted into the irrigation system.

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

This is a VERY simple system
The Parma Pump LIFTS WATER
FROM DRAIN TO CEMENT DITCH
THAT IRRIGATES 23 acre Field.
The DRAIN was called THE COLEMAN
SLOUGH DRAIN, BUT IT ACTUALLY
APPEARS TO BE SAND HOLLOW CREEK.

measured - 1.54 CFS
max allowable = $23 \times .02 \text{ CFS} = 0.46 \text{ CFS}$
Allow - 0.46 CFS
Volume = $4.5 \times 23 = 103.5 \text{ AFY.}$

irrig. , From 3-1 TO 11-15, FOR 0.46 CFS; 103.5 AFY.

DATE EXAM CONDUCTED 7-20-06

FIELD EXAMINER Daniel A. Nelson



**T5N R5W S16 SWNE
23 ACRES**

**SMALL PUMP DIVERSION
SANDHOLLOW CREEK
63-4534A**



**T5N R5W S16 SWNE
23 ACRES**

DITCH

**SMALL PUMP DIVERSION
SANDHOLLOW CREEK
63-4534A**

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

```
GAGE ID#, 0
DATE, 7/20/06
TRANSECT, 3
USER ID#, 0
STAFF HEIGHT, 0.00
GAGE HEIGHT, 0.00
METER ID#, 0
AQUACALC ID#, 0
METER TYPE, Pygmy ST1
METER CONST. C1, 0.9770
METER CONST. C2, 0.0280
METER CONST. C3, 0.9770
METER CONST. C4, 0.0280
METER CONST. C5, 1.0000
MEAS. SYSTEM, S.A.E. (English)
TOTAL STATIONS, 8
TOTAL WIDTH, 3.30
TOTAL AREA, 2.61
TOTAL DISCHARGE, 1.5421
MEAN VELOCITY, 0.59
```

MEASUREMENT 63-4534A
EG JOHNSON
SMALL PUMP DIVERSION
SANDHOLLOW DRAIN (COLE SLOUGH DRAIN)

ST. Q)	,DIST	,DEPTH	,REVS	,TIME	,COS:VF	,LOC	,CLOCK	,VEL	,AREA	,FLOW(
1, 00,	1.5,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00
2, 57,	2.0,	0.90,	30,	40.8,	1.00,	.6,	9:39,	0.746,	0.450,	0.33
3, 06,	2.5,	0.90,	22,	40.6,	1.00,	.6,	9:40,	0.557,	0.450,	0.25
4, 08,	3.0,	0.90,	21,	42.3,	1.00,	.6,	9:42,	0.513,	0.450,	0.23
5, 92,	3.5,	0.90,	23,	41.0,	1.00,	.6,	9:44,	0.576,	0.450,	0.25
6, 90,	4.0,	0.90,	20,	40.6,	1.00,	.6,	9:46,	0.509,	0.450,	0.22
7, 68,	4.5,	0.90,	26,	40.3,	1.00,	.6,	9:47,	0.658,	0.360,	0.23
8, 00,	4.8,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 7/20/2006

FILE NUMBER 63-4534A



These are photos of the pump, ditch and fields associated with this water right. The pump is a 5 Hp Parma Pump. The pump discharges into a cement ditch. I measured the diversion in the cement ditch, since the pipeline from the pump was not full.



An aerial photograph of a landscape, likely agricultural, showing a network of ditches. A yellow grid is overlaid on the image. A specific ditch is highlighted with a white line. The text "Ditch System" is overlaid in white. A small yellow circle is located at the intersection of a grid line and a ditch.

Ditch System

FIELD EXAM MEMO

DATE: 6/16/2006

TO: Dan Nelson

FR: Lori Graves

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

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

Items needed for each claim include:

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

Notes

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

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

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

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

Thanks Dan



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 14, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

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

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim Nos: A63-4036A, A63-4534A, A63-4535, A63-4536, A63-4537

Dear Mr. Johnson,

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

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

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

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

Please note that I did find an affidavit in the file for claim A63-4537 (Kiesel Drain) supporting a 1931 priority date. The claim lists a 1928 priority date. Let me know if 1931 is satisfactory or submit supporting documentation for 1928.

Claims A63-4534A, A63-4535, A63-4536 and A63-4537 are listed in the name of SSI Land & Cattle Co. The department has yet to process your change in ownership notice, but will do so in the near future to allow the claims to be recommended in your name.

Page 2

Claim A63-4036A is the right we discussed on the telephone that lists 100 acres irrigated from Sand Hollow Creek and a 1930 priority date. I have previously sent you information regarding this right and still need supporting documentation for the priority date.

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

The above requested information needs to be submitted by July 5, 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

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

Lori Graves
Sr. Water Resource Agent

Enclosures: "Evidence of Priority" Pamphlet/Affidavit
Notices of Claim A63-4036A, A63-4534A, A63-4535, A63-4536, A63-4537
Aerial Photos for all except A63-4036A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that LESTER S. &/or NOLA YEAKEL
(name of claimant)

of Route 2, Parma, Idaho 83660, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Cole Slough Drain
, tributary to, Boise River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>3.0</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>Apr 1</u>	To	<u>Oct 31</u>
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 3.0 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1919

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 23 Twp. 5N Rge. 5W B. M. County of Canyon
 Additional points of diversion: SW ¼ NE ¼, Sec 16, T5N-R5W

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. Large concrete check box into gravity ditch and also a 5 h.p. pump located at SW₄NE₄, Sec 16.

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

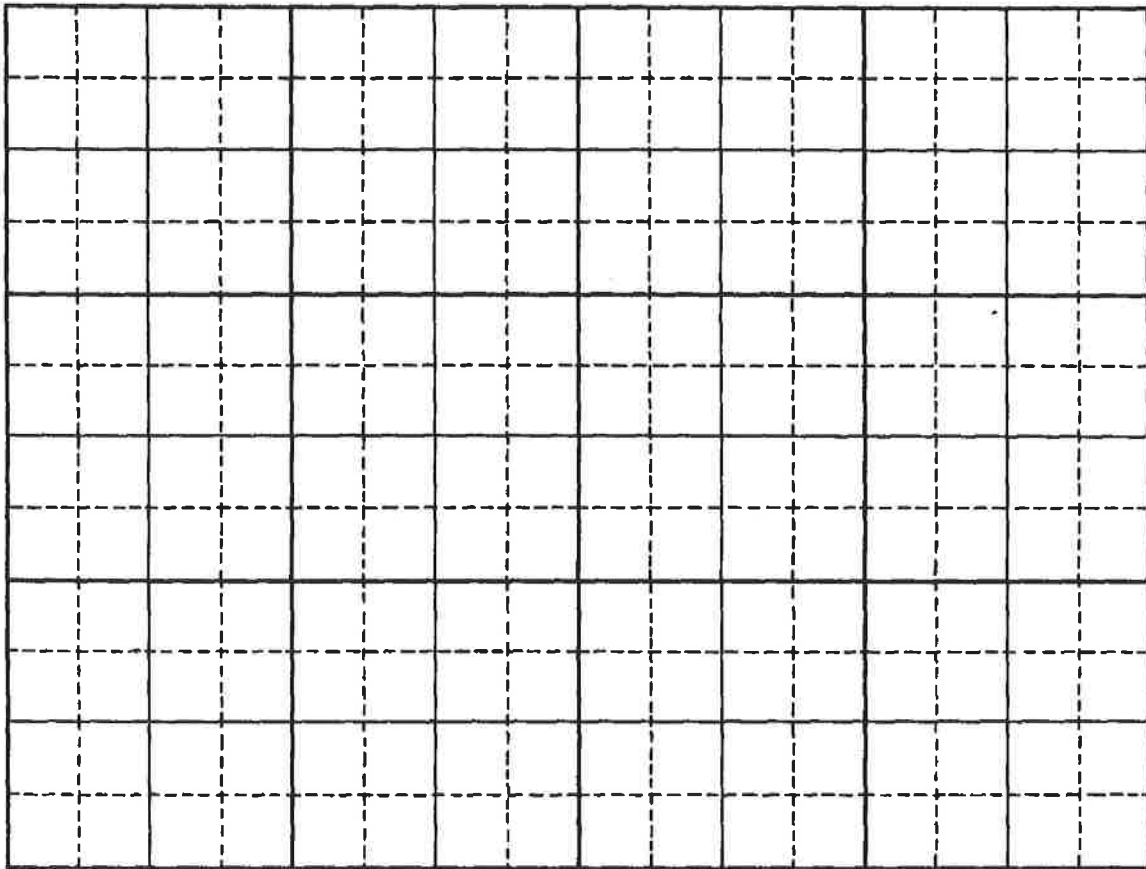
[illegible]

Total No. of acres 102.6

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

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

(8) 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 Ada) ss.

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

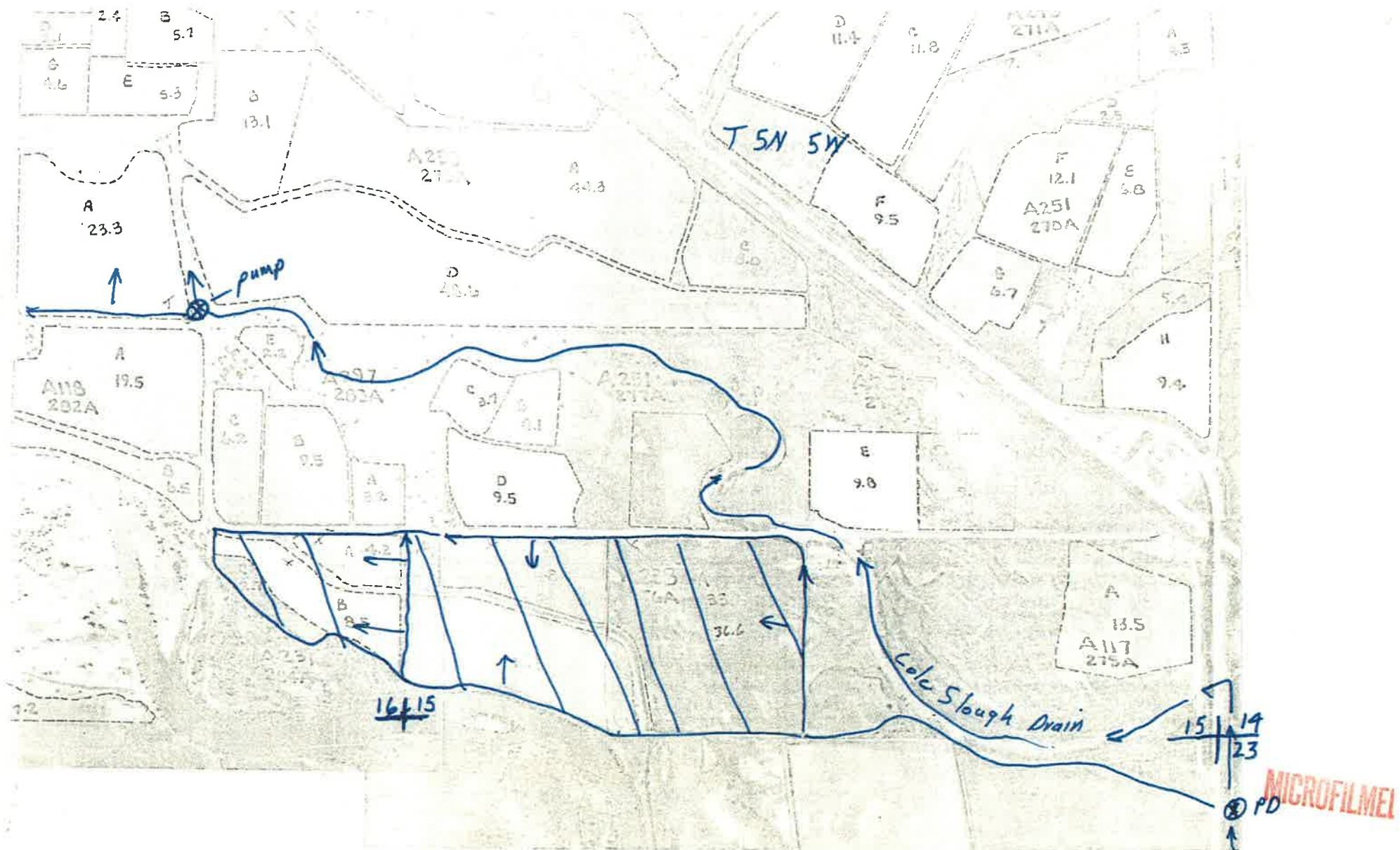
Sworn to before me this 19th day of July

Lester J. Spackel
(Claimant)
Peter Bendable
Notary Public
Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>665</u>	Date <u>7/19/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WMM</u>	Date <u>7-20-77</u>		claimant by:	
\$10.00 fee received by	Date			
Approved for publication by				
Published in <u>Newspaper</u>				
Dates <u>July 28 + Aug 4</u>				



[illegible]

Idaho Dept. of Water Resources

Place of Use Comparison Report

Right	63 4913	DILLEY FARMS,	BOISE RIVER	05N05W16										27	40						67
Right	63 5129	PARMA IRRIGATION DIST,	BOISE RIVER	05N05W16		40	20			40	32	31									163
Right	63 5344	PHILIP R BRESHEARS,	BOISE RIVER	05N05W16													35				35
Claim	63 4534	DEBBIE A WHITE, JAMES B WHITE, ROBERT WHITE,	COLE SLOUGH DRAIN	05N05W16																28	28
Claim	63 4534A	SSI LAND & CATTLE CO INC,	SLOUGH DRAIN	05N05W16			23.3														23.3
Rec	63 4534	DEBBIE A WHITE, JAMES B WHITE, ROBERT WHITE,	COLE SLOUGH DRAIN	05N05W16																28	28
Right	63 4534	LESTER S YEAKEL, NOLA F YEAKEL,	SLOUGH DRAIN	05N05W16			23													15	38
Permit	63 32221	CITY OF PARMA,	GROUND WATER	05N05W16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Rec	63 10258	CITY OF PARMA,	GROUND WATER	05N05W16	X	X			X												0
Rec	63 21552	CITY OF PARMA,	GROUND WATER	05N05W16	X	X			X												0
Rec	63 3103	CITY OF PARMA,	GROUND WATER	05N05W16	X	X			X												0
Rec	63 9152	CITY OF PARMA,	GROUND WATER	05N05W16	X	X			X												0
Rec	63 9700	CITY OF PARMA,	GROUND WATER	05N05W16	X	X			X												0
Right	63 19370	RUTH L LE FAVE, JOHN R LE FAVE,	GROUND WATER	05N05W16								X									0
Right	63 19370	RUTH L LE FAVE, JOHN R LE FAVE,	GROUND WATER	05N05W16								X									0
Right	63 20549	JOHNSON RESEARCH LLC,	GROUND WATER	05N05W16			X														0
Right	63 23459	JOHN HURLEY, LOIS HURLEY,	GROUND WATER	05N05W16					X												0
Right	63 27073	GERALDINE L SHETLER CAIN,	GROUND WATER	05N05W16														X			0
Right	63 27688	PAUL E BOOHER, R PAULINE BOOHER,	GROUND WATER	05N05W16														X			0
Right	63 27688	PAUL E BOOHER, R PAULINE BOOHER,	GROUND WATER	05N05W16														X			0

[illegible]

5/16/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

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Right	63 2223	Z DAVIDSON,	UNNAMED STREAM	05N05W16		38														38
Claim	63 5130B	KENNETH H MC NALL,	WATER	05N05W16						32										32
Claim	63 5130F	J R SIMPLOT CO,	WATER	05N05W16		20														20
Rec	63 5130B	KENNETH H MC NALL,	WATER	05N05W16						32										32
Rec	63 5130F	J R SIMPLOT CO,	WATER	05N05W16		20														20
Right	63 5130	PARMA IRRIGATION DIST,	WASTE WATER	05N05W16		40	20			40	32	31								163