

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-2358 V1

WATER RIGHT NUMBER: 29-2358 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BENNETT FARMS 3670 E RICHARDS RD DOWNEY, ID 83234 (208)897-5791
Original Owner	ROSCOE F HANCOCK DOWNEY, ID 83234
Original Owner	GRANT A JOHNSON 49 S 8TH E DOWNEY, ID 83234 (208)897-5760

Priority Date: 11/04/1954

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.470 CFS	200.00 AF
	<u>Total Diversion:</u>	0.470 CFS	200.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 16, Twp 11S, Rge 37E, B.M.
BANNOCK County		

Place of UseIRRIGATION Within BANNOCK County

T11S R37E S16 SWNE 27.0 T11S R37E S16 NESW 40.0

T11S R37E S16 NWSE 38.0

Total Acres: 105

Conditions of Approval:

1. USE OF THIS RIGHT IS COMBINED WITH WATER FROM PORTNEUF MARSH VALLEY CANAL CO.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-2358 V1

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: RECEIVED - RECOMMENDATION CHANGED
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

RIGHT NUMBER: 29-2358
NAME AND ADDRESS: GRANT A JOHNSON
49 S 8TH E
DOWNEY ID 83234

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.47 CFS
200.0 AFY

PRIORITY DATE: 11/04/1954

POINT OF DIVERSION:
T11S R37E S16 SWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.470 CFS 200.00 AFY

PLACE OF USE:

<u>IRRIGATION Within BANNOCK County</u>					
T11S R37E S16	SWNE	27.0	T11S R37E S16	NESW	40.0
T11S R37E S16	NWSE	38.0			

105 ACRES TOTAL

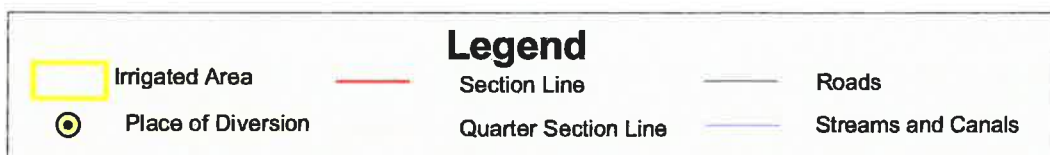
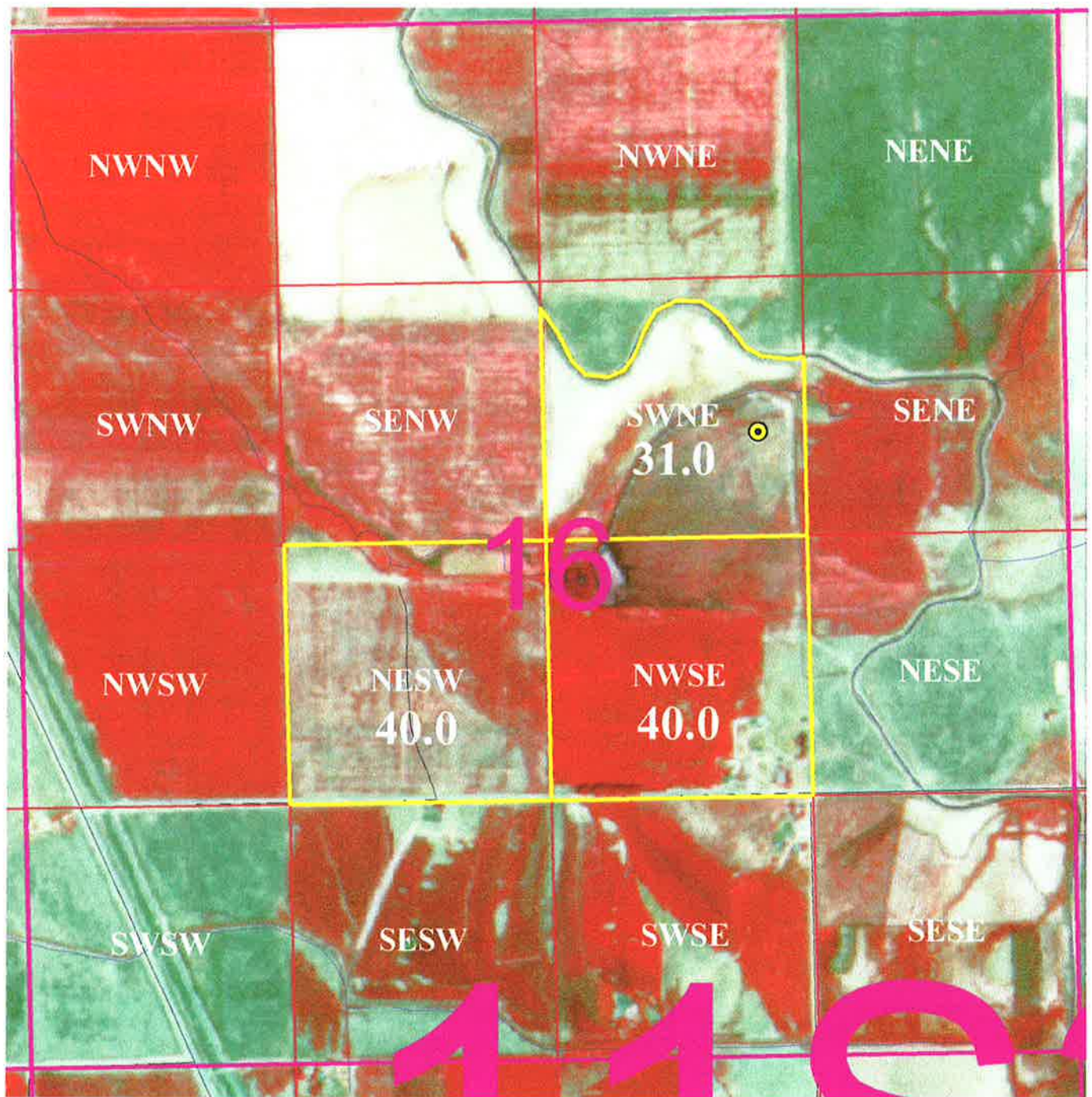
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

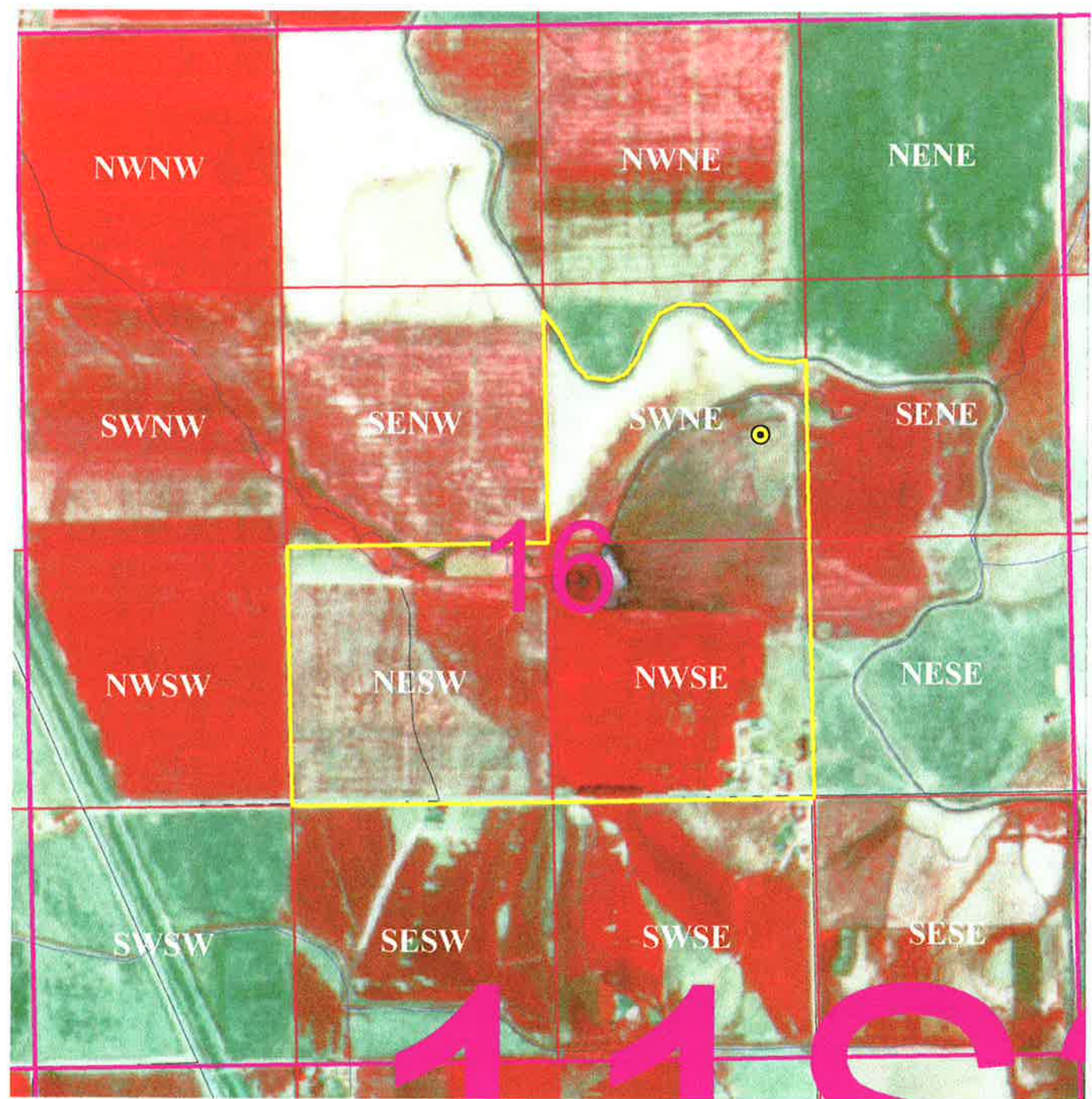
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM PORTNEUF MARSH
VALLEY CANAL CO.

Township , 11S37E



Township , 11S37E



 Irrigated Area

 Place of Diversion

Legend

 Section Line

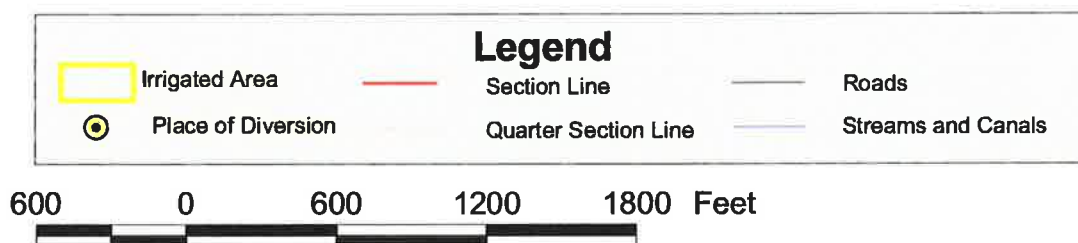
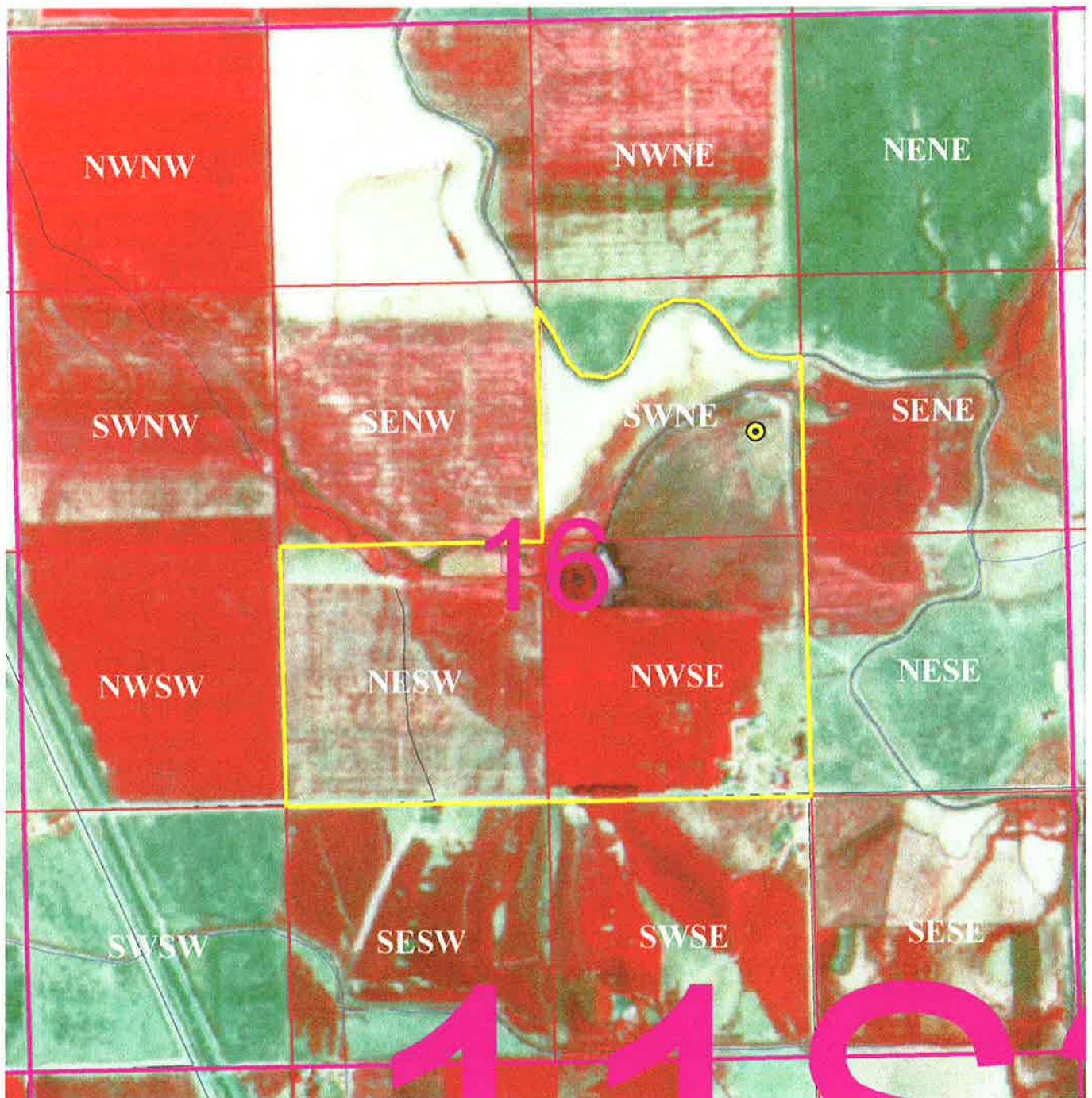
 Quarter Section Line

 Roads

 Streams and Canals



Township , 11S37E

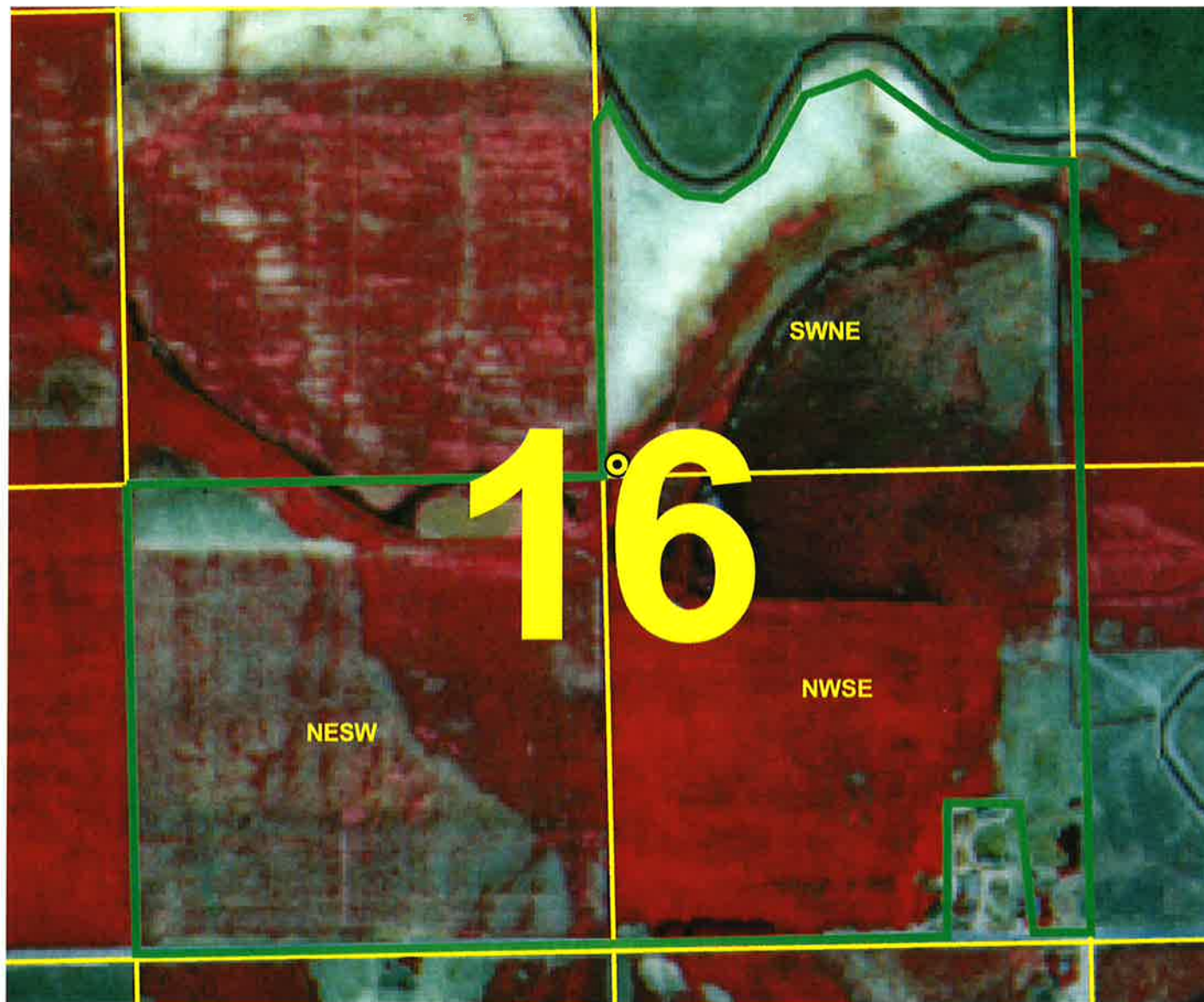


SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES

29-02358

T11S, R37E SEC 16



ACRES IRRIGATED- 105



POINT OF DIVERSION



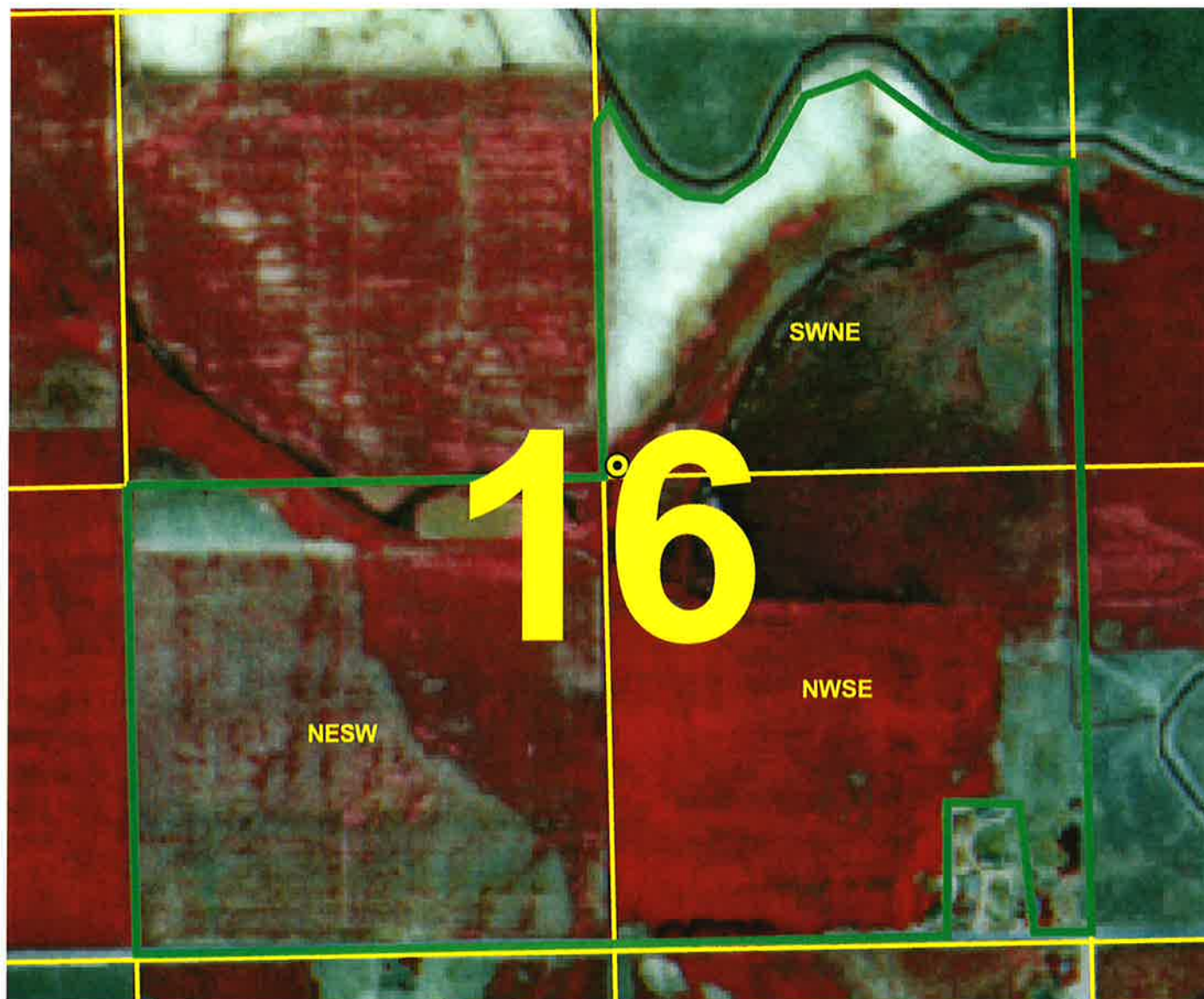
PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES

29-02358

T11S, R37E SEC 16



ACRES IRRIGATED- 105



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

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

delay
DC 4/30/03

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

1. Water Right or Adjudication Claim No(s): 29-02358
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 GRANT A. JOHNSON
49 S 8TH E, DOWNEY ID 83234
4. New Owner/Claimant(s) BENNETT FARMS
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 3670 E RICHARDS RD
City, State and ZIP Code DOWNEY, ID 83234
New Telephone Number (208) 897-5598
5. Date you acquired the property Feb. 20, 1992
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) Bennett Farms
Mark Bennett
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
APR 24 2003
Department of Water Resources
Eastern Region

PROFILE

SCANNED
JAN 27 2006

93000310

93000310

NO.
RECORDED AT REQUEST IN

AMERICAN LAND TITLE CO.

'93 JAN -8 P4:16

2-1

WARRANTY DEED

FOR VALUE RECEIVED

GRANT A. JOHNSON and CONNIE D. JOHNSON, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

KEITH W. BENNETT and MAXINE B. BENNETT, initial trustees, and their successors, in trust, of the KEITH W. BENNETT FAMILY TRUST, dated February 20, 1992, and as amended,

whose current address is: c/o Keith W. Bennett
3590 E. Richard Road
Downey, ID 83234

the grantees, the following described premises, in Bannock County, Idaho, to-wit:

Township 11 South, Range 37 East of the Boise Meridian, Bannock County, Idaho

Section 16: NE1/4SW1/4, E1/2NW1/4, NW1/4SE1/4, W1/2NE1/4

EXCEPT PORTION: Beginning at SE1/16 corner, then West along the 1/16 line 500 feet, thence North 1320 feet, more or less to the latitudinal center line, then East along the latitudinal center line 500 feet to the East 1/16 corner, then South 1320 feet, more or less to the point of beginning.

TOGETHER WITH: All water rights and water stock pertaining thereto, including all of JOHNSON'S water stock in Portneuf-Marsh Valley Canal Company.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 18th day of December, 1992.

RECEIVED

APR 24 2003

Department of Water Resources
Eastern Region

GRANT A. JOHNSON

CONNIE D. JOHNSON

OFFICIAL RECORD
BANNOCK COUNTY CLERK
LARRY L. HARRIS
EE 60 DEPUTY
579

JAN 27 2006

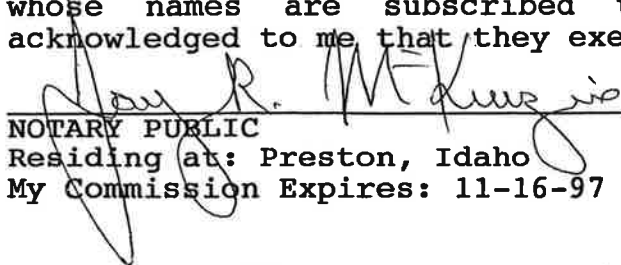
STATE OF IDAHO

COUNTY OF FRANKLIN

) ss. 2-2

93000310

On this 18th day of December, 1992, before me, a Notary Public in and for said State, personally appeared GRANT A. JOHNSON and CONNIE D. JOHNSON, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


NOTARY PUBLIC

Residing at: Preston, Idaho

My Commission Expires: 11-16-97

NOTARY SEAL

RECEIVED
APR 24 2003

Department of Water Resources
Eastern Region

SCANNED

JAN 27 2006

Dave

02/08/2003

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: April 21, 2003

Water right number: 29-2358

GRANT A JOHNSON

49 S 8TH E

DOWNEY ID 83234

Telephone Number: (208)897-5760

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:

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

DATE: April 16, 2003

SIGNATURE: Mark Bennett

Please print your name: Mark Bennett

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

SCANNED

JAN 27 2006

RECEIVED

APR 24 2003

Department of Water Resources
Eastern Region

PROFILED

MAY 24 2001

Log for claim A29-02358

Spatial Dynamics TWB

5/17/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s37e	16	SWNE	25	31	
11s37e	16	NESW	40	40	
11s37e	16	NWSE	40	40	
Totals:			105	111	

State of Idaho
License and Certificate of Water Right

Water License No. G-25256

Amount .47 c.f.s.

Water District No. _____

Priority Nov. 4, 1954

THIS IS TO CERTIFY that

ROSCOE F. HANCOCK

of Downey, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 4, 1954; that Permit No. G-25256 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .47 second feet, was issued thereunder on April 16, 1965, showing that said works were completed on the 30th day of October, 1959; and that on the 30th day of October, 1959,

ROSCOE F. HANCOCK

of Downey, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a trench well, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-25256 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8126, on the 16 day of April, 1965;

The right hereby confirmed dates from November 4, 1954;

The Point of Diversion is located

in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, Tp. 11 S., R. 37 E., B. M. Bannock County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .47 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	37 E.	16	SW $\frac{1}{4}$ NE $\frac{1}{4}$	25	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	38
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated:		118

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 16th day of April, 1965.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT
To Approve the Subterranean Water of The State of Idaho

Application No. G- 33102
Permit No. G- 25256
District No.

1. Name of Applicant: ROSCOE F. HANCOCK
Postoffice address: Downey County: Bannock State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. One or Idaho
Miners' inches 50 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow (By trenching or well)
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16
Twp. 11 S. , Rge. 37 E. , B.M., County of Bannock
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drainage ditch, pump and sprinkler system
8. Estimated cost of works: \$ 2,500.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five (5) years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 80 shares in the Portneuf-Marsh Valley Irrigating Company, 50 per cent loss in delivery.
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

ROSCOE F. HANCOCK

Applicant,

By

Agent.

Date of first receipt at Department of Reclamation: 10:30 A. M. November 4, 1954

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **G-25256**

Recorded in Book 89 Page 25256 Approved November 13, 1954

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before January 13, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 13, 1957

One-fifth of the work above specified to be completed on or before May 15, 1951
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before November 1

Witness my hand this 13th day of November, 1954.

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 13th
day of November, 19 54.

Countersigned:

STATE OF IDAHO

(SEAL)

By **LEN JORDAN**

Governor

By ...IRA H. MASTERS

Secretary of State.

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
11 S.	37 E.	16	25		40	40	105
✓ TO ALL WHOM IT MAY CONCERN:			Permit No. G-25256 ✓ CERTIFICATE OF COMPLETION OF WORKS				
This is to certify that ROSCOE F. HANCOCK of Downey, County of Bannock, and State of Idaho, the holder of Permit No. G-25256, issued upon Application No. G-33102, bearing date of priority of November 4, 1954, authorizing the diversion of 1.0 second feet of waters of a trench well, County of Bannock, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .47 second feet of the waters of a trench well from subterranean flow; that the point of diversion of said waters SW¼NE¼, Sec. 16, T. 11 S., R. 37 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:							
SW¼NE¼, NW¼SE¼, NE¼SW¼, Sec. 16, T. 11 S., R. 37 E., B. M.							
Witness my hand this 16th day of April, A. D. 1965.			s/ RALPH W. THOMAS Deputy State Reclamation Engineer				
Proof of Completion of Works Made: October 30, 1959			LICENSE ISSUED FOR .47 SEC. FT. LICENSE PAGE NO. 8126				

RECEIVED

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

INSTRUCTIONS TO EXAMINERS

80 shares Fortney-Murray Valley Canal Co
50% line in delivery

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

6/20/62
Dry since August
Best. to get in spring for
7/27/62
Dry since - 1961

Permit No. G-25256

Roscoe F. Hancock
Downey, Idaho

AC. 2775

Examination for Completion of Works & Beneficial Use

County Bannock

16-15-8-5

50 Wells (Kane)

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

100% = Nov. 13, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25256

REPORT ON PROOF OF Completion of Works & Beneficial Use
Roscoe F. Hancock
Downey, Idaho

DATE: 04/24/00
PAGE: 70

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	
Audit:	05/15/90 DCARLSON	06/23/94 COX	03/29/95 POST-STD

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: A29-02358
Date Received: 5/01/1990
Receipt No: 6014549
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GRANT A. JOHNSON 208-897-5760
Address: 49 S. 8TH EAST
DOWNEY, ID 83234

2. Date of Priority: NOV 04, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	37E	16	SW	NE			BANNOCK

5. Description of diverting works:
WELL/ PUMP/DITCHES TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.470		

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

8. Total consumptive use is 262.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	37E	16	SW	NE		IRR	25.0
			NE	SW		IRR	40.0
			NW	SE		IRR	40.0

A29-02358

Page 1

Date: 05/15/90

MICROFILMED

NOV 13 1992

A2902358



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	105.0
					Total Acres	105.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-00052, 53, 589, 4060

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 25256

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: _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-02358	11S	37E	16		SW	NE			BANNOCK		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-02358	11S	37E	16		SW	NE			BANNOCK		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 11S	RGE. 37E	SEC. 16	1/4	1/4 SW	1/4 NE	LOT	POD FLAG	COUNTY BANNOCK	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A29-02358

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11S	37E	16	SW	NE		JOHNSON, GRANT A	A29-02358 / 25.0	29-02358 / 40.0	34.0		
			SW	NE		PORTNEUF MARSH VALLEY CANAL COA29-00589	/ 20.0	- /			
			SW	NE		PORTNEUF MARSH VALLEY CANAL COA29-04060	/ 20.0	29-04060 /			
			SW	NE		PORTNEUF MARSH VALLEY CANAL COA29-00052	/ 20.0	- /			
			SW	NE		PORTNEUF MARSH VALLEY CANAL COA29-00053	/ 20.0	- /			
11S	37E	16	NE	SW		JOHNSON, GRANT A	A29-02358 / 40.0	29-02358 / 40.0	34.0		
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-00589	/ 40.0	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-04060	/ 40.0	29-04060 /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-00052	/ 40.0	- /			
			NE	SW		PORTNEUF MARSH VALLEY CANAL COA29-00053	/ 40.0	- /			
11S	37E	16	NW	SE		JOHNSON, GRANT A	A29-02358 / 40.0	29-02358 / 38.0	34.0		
			NW	SE		PORTNEUF MARSH VALLEY CANAL COA29-00589	/ 30.0	- /			
			NW	SE		PORTNEUF MARSH VALLEY CANAL COA29-00052	/ 30.0	- /			
			NW	SE		PORTNEUF MARSH VALLEY CANAL COA29-04060	/ 30.0	29-04060 /			
			NW	SE		PORTNEUF MARSH VALLEY CANAL COA29-00053	/ 30.0	- /			
			NW	SE		JOHNSON, GRANT A	29-12047 /	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A29-02358	105.00	118.00	102.00
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POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-02358	GROUNDWATER	JOHNSON, GRANT A	0.470	0.004		
A29-00052	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO	176.850	0.034		
A29-00053	TOPONCE CREEK	PORTNEUF MARSH VALLEY CANAL CO	164.430	0.032		
A29-00589	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			16410.00	3.23
	TOPONCE CREEK					
A29-04060	PORTNEUF RIVER	PORTNEUF MARSH VALLEY CANAL CO			21834.00	4.30

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
29-12047	DOMESTIC	JOHNSON, GRANT A	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 29-00052, 53, 589, 4060

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

[illegible]

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

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 A29-02358
Date Received 5/1/90
Receipt Number ED14549

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Grant A. Johnson Phone (208) 897-5760
Mailing Address 49⁵⁰ 8th East Downey Ida Zip 83234
2. Date of Priority (Only one (1) per claim) Nov 13 1954
3. Source of water supply (a) Subterranean Flow (By trenching or well)
which is tributary to (b) none
4. a. Location of existing point of diversion is: Township 11 S Range 37 E Section 16,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Drainage ditch,

pump and sprinkler system

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from should be 0.47 amount 1.0 or _____
For _____ purposes from cfs. amount _____ or _____
For _____ purposes from 29-0052 amount _____ or _____
For _____ purposes from -0053 amount _____ or _____
For _____ purposes from -589 amount _____ or _____
For _____ purposes from -4060 amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11.5</u>	<u>37E</u>	<u>16</u>			<u>25</u>						<u>40</u>					<u>40</u>			<u>105</u>

Total number of acres irrigated 105

11. In which county (ies) are lands listed above as place of use located? Bannock

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
120 shares Portneuf-Marsh Valley Irrigation or None ()

14. Remarks:

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Last Name Johnson Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

NOV 13 1992

Last Name

Johnson

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number G 25256
Court _____ Case Number _____ Decree Date Nov 13 1954
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robert A. Johnson Date 4-29-90
Connie B. Johnson Date 4-29-90

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 30th day of April 19 90

SEAL

Notary Public Lauretta M. Davis

Residing at Downey, Idaho

My Commission Expires 12-22-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Johnson Ident. Number _____

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Copies White-State, Yellow-Claimant