

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

06/18/2001

RIGHT NUMBER: 29-2371

NAME AND ADDRESS: MOUNTAIN VIEW FARMS INC
C/O GERALD JOHNSON
9112 W TWO & A HALF MILE RD
POCATELLO, ID 83202

SOURCE: GROUND WATER

QUANTITY: 3.6 CFS
910 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-13180 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.60 CFS.

PRIORITY DATE: 10/21/1955

POINT OF DIVERSION: T05S R35E S30 NESWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
3.60 CFS
910.00 AFY

1040

PLACE OF USE:

IRRIGATION Within BANNOCK County

T05S R35E S30	NENE	24	T05S R35E S30	NWNE	40
T05S R35E S30	SWNE	40	T05S R35E S30	SENE	10
T05S R35E S30	NENW	40	T05S R35E S30	NWNW	31
T05S R35E S30	LOT 2 SWNW	35	T05S R35E S30	SENE	40

260 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-2049 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE
IRRIGATION SEASON.

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

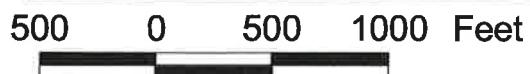
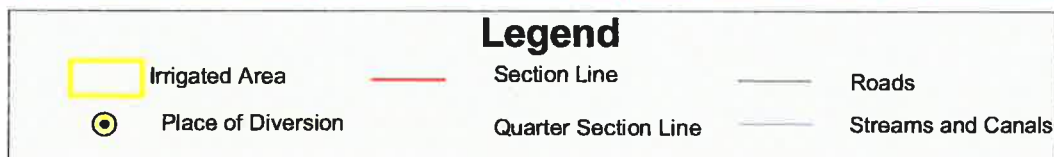
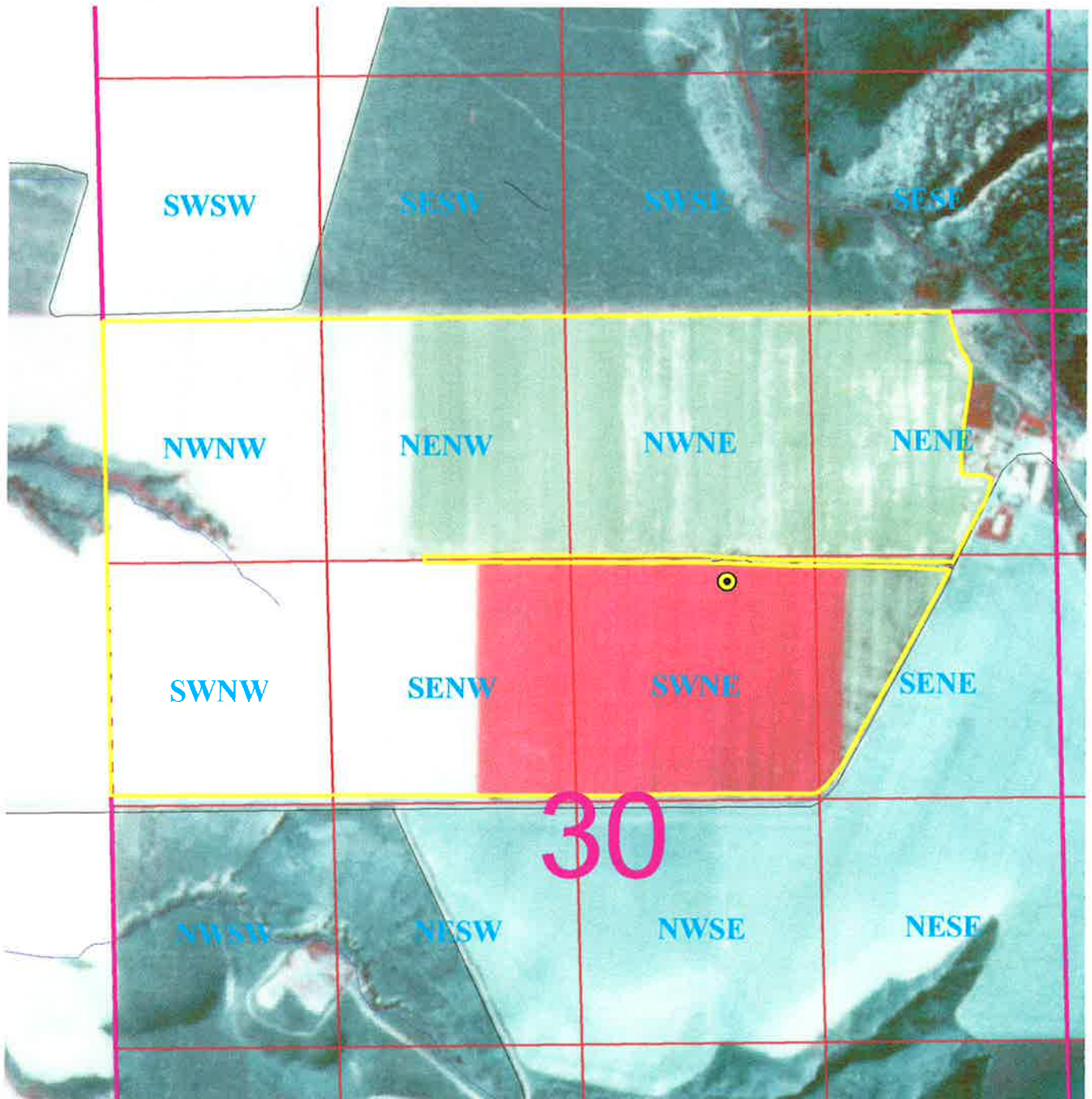
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 29-13180 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

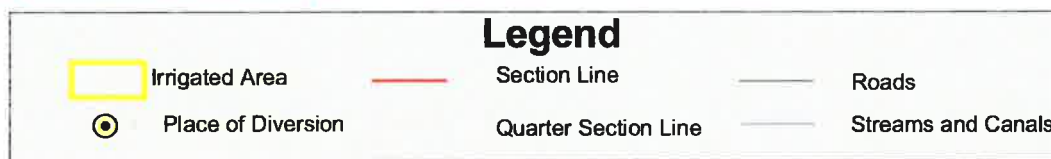
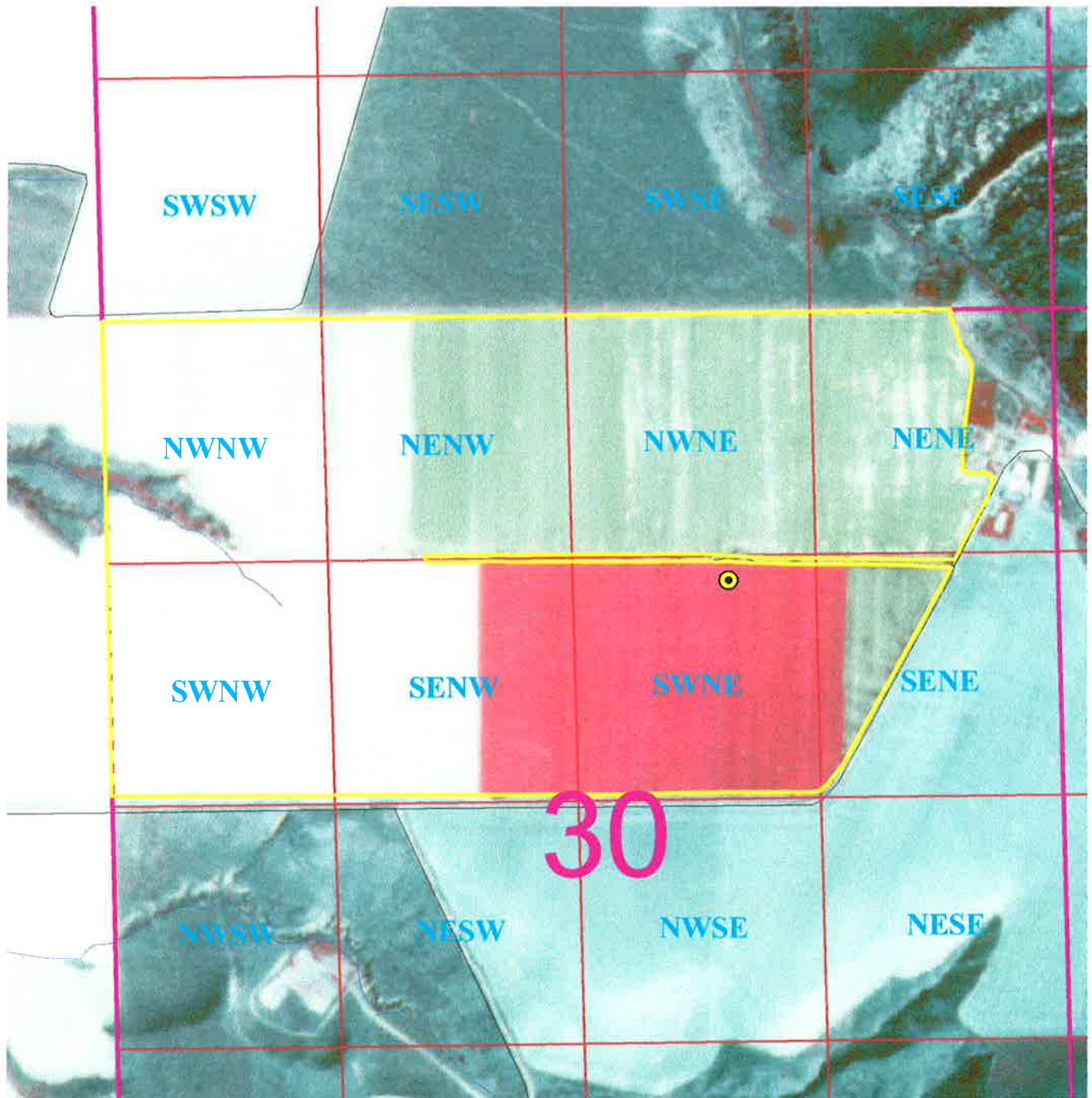
Water Right Claim Number A29-02371
Townships , 5S35E, 5S34E

09/19/2000



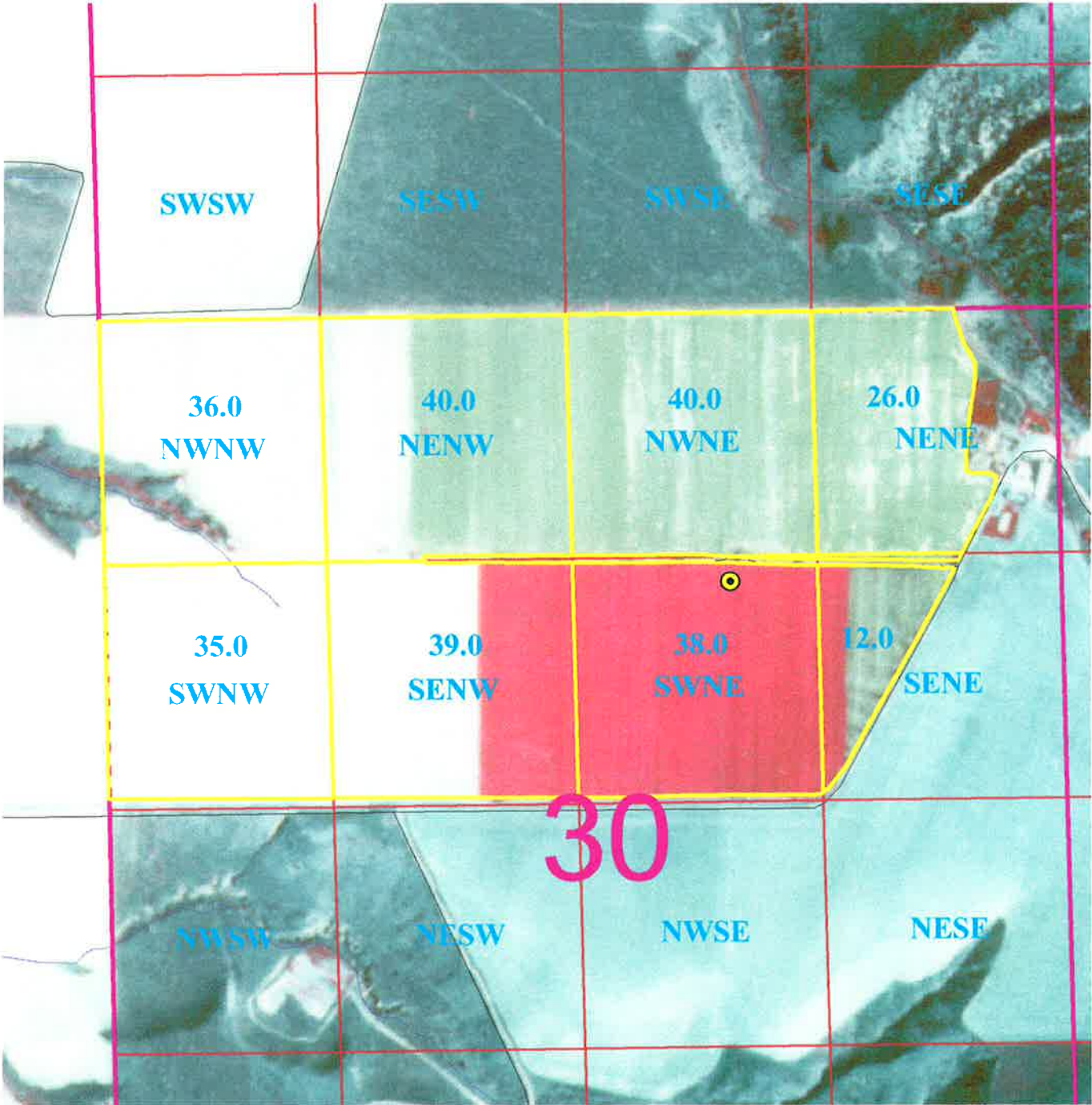
Water Right Claim Number A29-02371
Townships , 5S35E, 5S34E

09/19/2000



Water Right Claim Number A29-02371
Townships , 5S35E, 5S34E

09/19/2000



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

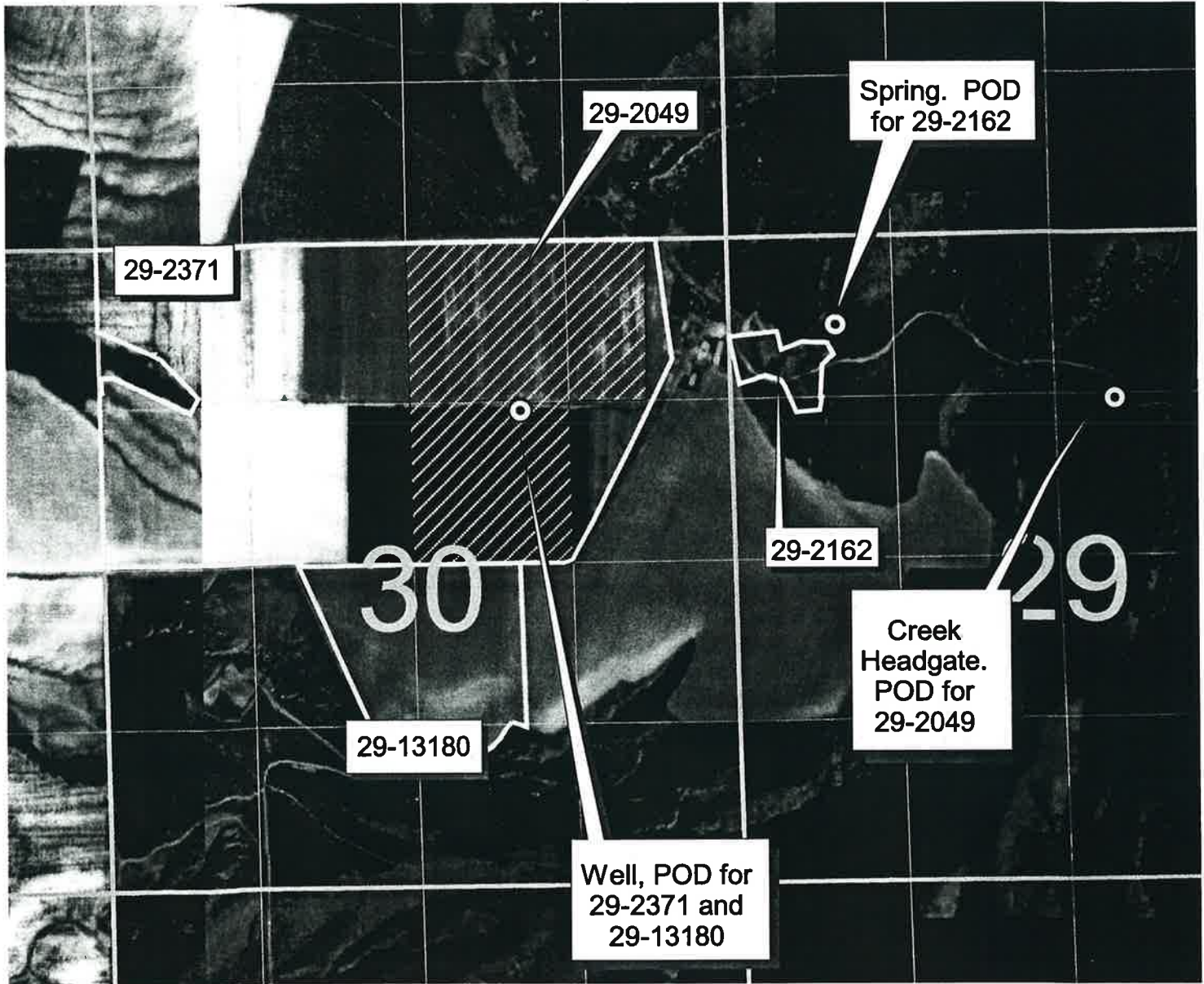
Quarter Section Line

 Streams and Canals



Idaho Department of Water Resources

Water Right 29-2049, 29-2162, 29-2371, 29-13180



- ⊙ Point of Diversion - This Right
- Point of Diversion - Other Rights
- Place of Use - This Right
- ▤ Place of Use - Other Rights
- ▭ Township
- ▨ Section
- ▩ Quarter-quarter Section

Township 5S Range 35E

1320 0 1320 Feet

Place of Use 29-2049
overlaps Place of Use
29-2371.

SCANNED

FEB 01 2006

PROFILED



Paul

02/18/2003

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: 29-2371

MOUNTAIN VIEW FARMS INC
C/O GERALD JOHNSON
9112 W 2 1/2 MILE RD
POCATELLO ID 83202-5206
Telephone Number: (208)237-1885

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:

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

DATE: 3-7-03 SIGNATURE: Gerald Johnson
Please print your name: Gerald Johnson

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

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SCANNED
FEB 01 2006

MEMORANDUM

To: 29-2049
29-2162
29-2371
29-13180
Fr: Bryce A. Contor
Date: 6/18/2001



Re: Phone conversation with Mr. Johnson

Today I talked with Mr. Johnson on the phone about several issues:

1. Transfer of POD. Harold Jones indicates that this transfer application has completed the advertising period without protest and has been sent to Boise for processing. He expects it to be considered within six months.
2. POU for 29-2162. This water is used uphill (east) of the ranch buildings, as claimed and licensed.
3. Permissible Place of Use for 29-2049 and 29-2371. Mr. Johnson indicates this would not be appropriate, as there is no common distribution system. The GW can be applied to the entire place as licensed and claimed, but the SW only is applied where licensed on the approximately 100 acres.
4. Continued use of enlargement 29-13180. This practice continues, though not every year.

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SCANNED
FEB 01 2006

http://wenet/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit

Address http://wenet/appsWorkflow/Framebuild.asp Go Links

Information Search (WR/AJ)

Basin	Seque...	Suffix	Versio...	Basis	Status	Priority	Date	Di...	Source List	Water Use List	Owner List	Source Table	Applic...
29	2049			License	Active	1906-07-28	2.00		TWO AND A H...	IRRIGATION	JAMES J WEA...	wrAdjudication...	
29	2074			License	Active	1908-08-24	0.04		SPRING	STOCKWATER	DAVID R MC C...	wrAdjudication...	
29	2158			License	Active	1913-01-09	0.04		BUFFALO CRE...	STOCKWATER	MOUNTAIN VI...	wrAdjudication...	
29	2162			License	Active	1913-03-24	0.20		SPRING	IRRIGATION	JAMES J WEA...	wrAdjudication...	
29	2371			License	Active	1955-10-21	3.60		GROUND WA...	IRRIGATION	MOUNTAIN VI...	wrAdjudication...	
29	11181			Beneficial...	Active	1965-05-01	0.07		GROUND WA...	DOMESTIC, S...	MOUNTAIN VI...	wrAdjudication...	

The number of records is 6

Parameters Results

Print

Hide References Next Step Previous Steps Screen ID 424

Done Start Microsoft Excel - Book1 http://wenet/appsWork... Inbox - Microsoft Outlook RE: Tribal question - Me... http://wenet/apps... Local intranet 4:26 PM

Query B29 Organization = Mountain View

SCANNED

FEB 01 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-2371

Owner Type Name and Address
Current Owner MOUNTAIN VIEW FARMS INC
C/O GERALD JOHNSON
9112 W TWO & A HALF MILE RD
POCATELLO, ID 83202
(208)237-1885

Original Owner S A JOHNSON
POCATELLO, ID

Priority Date: 10/21/1955
Basis: License
Status: Active

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	3.6 CFS	910 AFA	
Total Diversion			3.6 CFS	910 AFA	

*connected per map
6/26/01
BAC*

Location of Point(s) of Diversion:

GROUND WATER NESWNE Sec. 30 Township 05S Range 35E BANNOCK County

IRRIGATION Use:
Acre Limit: 260

Place(s) of use:

Place of Use Legal Description: IRRIGATION

BANNOCK County

<u>Townshi</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05S	35E	30		NENE	24		NWNE	40		SWNE	40		SENE	10
				NENW	40	1	NWNW	31	2	SWNW	35		SENE	10
													SENE	10
													SENE	10

Total Acres: 260

Conditions of Approval:

- 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:

- Explanatory RIGHT NO. 29-13180 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
- Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-13180 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.60 CFS.

3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-2049 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

Author	Date	Subject	Comment
bcontor	6/18/2001	recommendation	Per license, as claimed, as verified by GIS.
bcontor	6/18/2001	Enlargment	See 29-13180. Note that combined diversion rate per acre with enlargement is quite low but as this soil type and elevation are suitable for dry farm, any additional irrigation can be beneficially used even if in a fashion of supplemented dry farm.
bcontor	6/18/2001	PPU	Enlargement is not claimed on PPU basis, so combined acreage limitations and K06 not coded.
bcontor	6/18/2001	Combined volume	3.6 cfs x 1.9835 x 214 days = 1528.1 acre feet. Combined acre limit of this right and enlargement (on acre basis) would be $(260 + 53.1) \times 3.5 = 1095.9$ acre feet. As capacity is not limiting and rights are not PPU, no combined volume coded.

Dates:

Licensed Date: 08/14/1979
 Claim Received Date: 04/09/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Summary	6/18/2001 4:35:49 PM		6/18/2001 4:35:49 PM	bcontor	Complete

Other Information:

Receipt Number(s): E012980
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
POD	6/18/2001 4:26:55 PM	bcontor	Edited point location
POU	6/18/2001 4:28:11 PM	bcontor	Edited PLS
POU	6/18/2001 4:27:40 PM	bcontor	Edited shape boundary
Summary	6/18/2001 4:35:47 PM	bcontor	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (YES) General remark was required. 6. (NO) Explanatory remark was not required.

7. (NO) Additional condition was not required.
8. (YES) Wanted to view the recommended right.
9. (NO) This is not a split right.
10. (NO) This is not a combined right.
11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.

SCANNED

MAY 10 2001

Log for claim A29-02371

Spatial Dynamics LTD

9/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s35e	30	NENE	30	26	
05s35e	30	NWNE	40	40	
05s35e	30	SWNE	40	38	
05s35e	30	SENE	10	12	
05s35e	30	NENW	40	40	
05s35e	30	NWNW	30	36	
05s35e	30	SWNW	30	35	
05s35e	30	SENW	40	39	
Totals:			260	266	

AJ5809NP
No. A29-02371

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 52

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOUNTAIN VIEW FARMS INC C/O GERALD JOHNSON 9112 W TWO & A HALF MILE RD POCATELLO ID 83202 (208) 237-1885	10/21/1955	IRRIGATION	04-01 11-01	3.600 CFS	
TOTAL DIVERSION:					3.600 CFS	
CONSUMPTIVE USE:						650.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R35E S30

NESWNE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
05S	35E	30	:	30		40		40		10		40		01-30		02-30		40		:	260.0	
																				:	260.0	
																				:	TOTAL ACRES	260.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-02049

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02049 A29-07431

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/11/90 VERNER 06/23/94 COX 03/29/95 POST-STD 04/13/00 CVANDERM

S. A. Johnson
Rt. # 2 North
Pocatello, Idaho
Permit No. G-26037

Examination for Completion of Works &
Beneficial Use Proof

County Bannock

30-55-35E

Q = 6.4 a.s.

S = Well

P.L. = SW. 1/4 Sec. 30, T. 58, R. 35E

Use = Irrigation

Filed Oct. 21, 1955

Done Oct. 21, 1955

INSTRUCTIONS TO EXAMINERS

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, and any adjacent permanent landmarks, 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.

RECEIVED
SEP 2 1955
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26037

REPORT ON PROOF OF Completion of Works & Beneficial Use

Mr. S. A. Johnson
Rt. # 2 North,
Pocatello, Idaho

State of Idaho
License and Certificate of Water Right

Water License No. G-26037

Amount 3.6 c.f.s.

Water District No. _____

Priority Oct. 21, 1955

THIS IS TO CERTIFY that S. A. JOHNSON
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 21, 19 55; that Permit No. G-26037
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.6 second feet, was issued thereunder on October 2, 19 59, showing that said works
were completed on the 23 day of December, 19 58; and that on the 23rd
day of December, 19 58,

S. A. JOHNSON

of Pocatello, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-26037 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

11 of Licenses at page 6768, on the 2nd day of October, 19 59;

The right hereby confirmed dates from October 21, 19 55;

The Point of Diversion is located

in the NW 1/4 NE 1/4 Sec. 30, Tp. 5 S., R. 35 E., B. MBannock 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 3.6 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>5 S.</u>	<u>35 E.</u>	<u>30</u>	<u>NE 1/4 NE 1/4</u>	<u>40</u>	<u>30</u>
			<u>NW 1/4 NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SW 1/4 NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SE 1/4 NE 1/4</u>	<u>40</u>	<u>10</u>
			<u>NE 1/4 NW 1/4</u>	<u>40</u>	<u>40</u>
			<u>NW 1/4 NW 1/4</u>	<u>40</u>	<u>30</u>
			<u>SW 1/4 NW 1/4</u>	<u>40</u>	<u>30</u>
			<u>SE 1/4 NW 1/4</u>	<u>40</u>	<u>40</u>
			Total number of acres to be irrigated:		<u>260</u>

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

2nd day of October, 19 59.

GEO. W. CARTER

State Reclamation Engineer.

(SEAL)

29 2371

mtb: John Hansen

29-2371

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33912
Permit No. G- 26037
District No.

1. Name of Applicant: S. A. JOHNSON *Pl 2.71*
Postoffice address: North Pocatello [^] County: Bannock State: Idaho
2. Quantity of water claimed: 320 Miner's inches
(a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches 320 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, to be raised through a drilled well.
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30
Twp. 5 S , Rge. 35 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: Drilled well to be cased and equipped with turbine pump & sprinkler system.
8. Estimated cost of works: \$ 16,000.00
9. (a) Is reservoir to be used? No
(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 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: None
(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.

The water applied for in this application is to cover lands patented and for which there has not been water allocated in the past. Upon allowance of this application there is expected to develop the land for agriculture and thus make beneficial use of the water in accordance with the terms of this application.

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.

S. A. JOHNSON

Applicant.

By E. W. MIHELISH
Agricultural Services, Inc.
P.O. Box 627
Blackfoot, Idaho

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Oct. 21, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26037

Recorded in Book 92 Page 26037 Approved Oct. 21, 1955

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 December 21, 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 April 21, 1958

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 21, 1960

Witness my hand this 21st day of October, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLYE, 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 24th day of October, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

By ROBERT E. SMYLYE
Governor

By PAULA L. FLEENOR
Secretary of State.

Deputy Secretary of State.

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S	35 E	30	40	40	40	40	40	40	40	40									320

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-26037, ✓

Comes now S. A. JOHNSON and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26037.

That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T 5 S., R 35 E., B.M.

That he now requests that the point of diversion be changed to a point located NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T 5 N., R 35 E., B.M. That the reason for desiring to make such change is as follows: More feasible well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Pocatello, Idaho, this 28th day of September, 1959
/s/ S. Albert Johnson

Date of receipt at Department of Reclamation: September 30, 1959

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26037. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: October 2, 1959

Permit No. G-26037
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that S. A. JOHNSON, of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. G-26037, issued upon Application No. G-33912 bearing date of priority of October 21, 1955, authorizing the diversion of 6.4 second feet of the waters of a 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 3.6 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 5 S., R. 35 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

260 acres in N $\frac{1}{2}$, Sec. 30, T. 5 S., R. 35 E., B. M.

Witness my hand this 2nd day of October, A. D. 1959

s/ GEO. N. CARTER
 State Reclamation Engineer

Proof of Completion of Works Made: December 23, 1958

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MAY 10 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02371
Date Received: 4/09/1990
Receipt No: EO 2980
Received By: EV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MOUNTAIN VIEW FARMS, INC. 208-237-1885
Address: C/O GERALD JOHNSON
9112 W. TWO & ONE-HALF MILE RD
POCATELLO, ID 83202

2. Date of Priority: OCT 21, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	35E	30	NE	SW	NE		BANNOCK

5. Description of diverting works:
925'X18" WELL WITH 250HP MOTOR. HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.600		

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

8. Total consumptive use is 650.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	35E	30	NE	NE		IRR	30.0
			NW	NE		IRR	40.0

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Date: 04/09/90

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10: Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	35E	30	SW	NE		IRR	40.0
			SE	NE		IRR	10.0
			NE	NW		IRR	40.0
			NW	NW	1	IRR	30.0
			SW	NW	2	IRR	30.0
			SE	NW		IRR	40.0

Section Acres 260.0

Total Acres 260.0

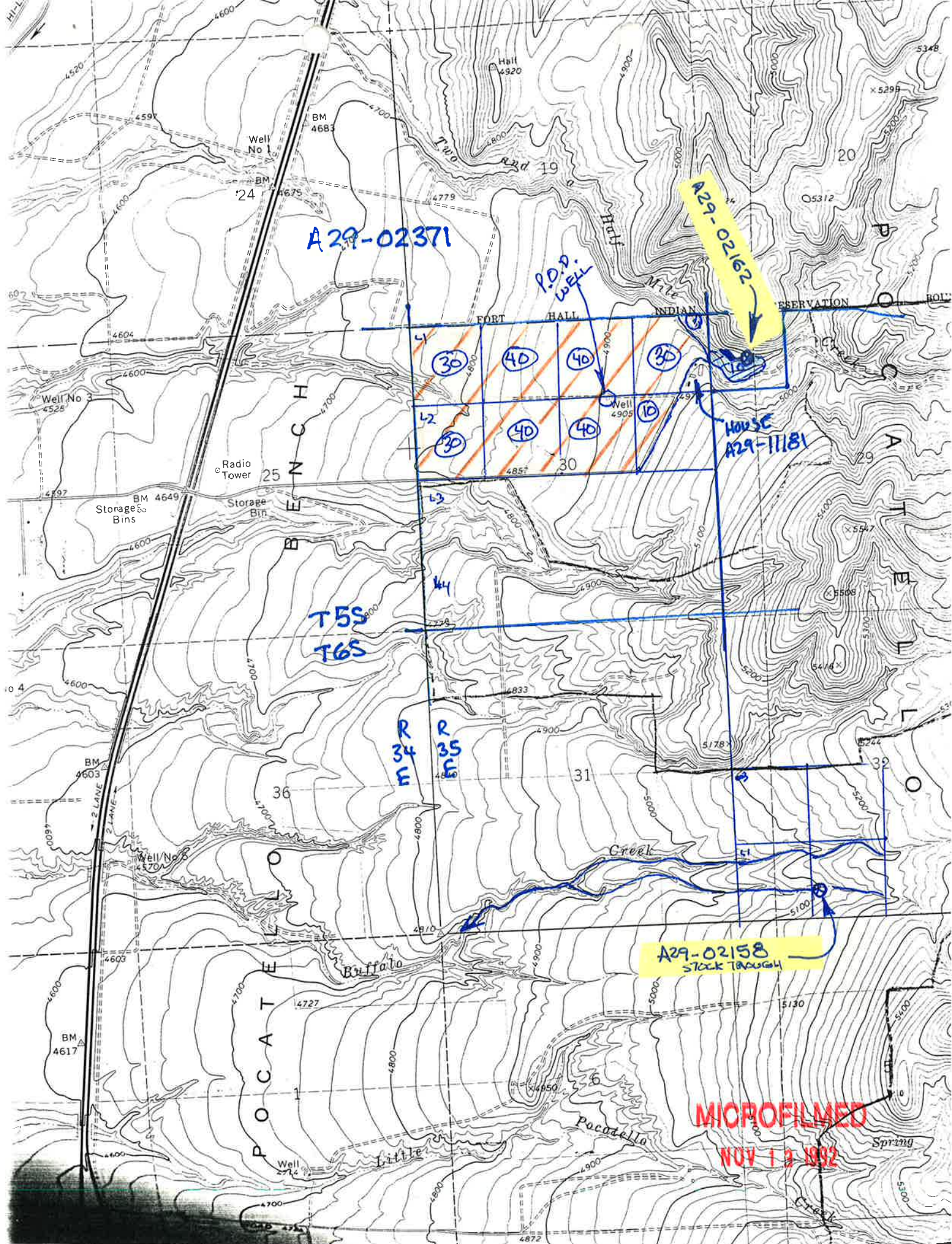
11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
29-02049

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 26037



A29-02371

A29-02162

P.O.D. well

House
A29-11181

T5S
T6S

R34 E
R35 E

A29-02158
stock through

MICROFILMED
NOV 13 1992

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: 1

For Organizations:

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

 Mt View Farms Inc that I have signed the foregoing Organization

document in the space below as President of Title

 Mt View Farms Inc and that the statements contained in the Organization foregoing document are true and correct.

 Gerald Johnson
Signature of Authorized Agent

 President - Mt View Farms Inc
Title and Organization

 April 9, 1990
Date

State of Idaho)

County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 9 day

of April 19 90

 [Signature]
Notary Public

Seal

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Residing at

My Commission Expires