

06/21/2001

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

RIGHT NUMBER: 29-10000

NAME AND ADDRESS: FRANK ROBERT JOHNSON
IRENE FERGUS JOHNSON
8551 W POCATELLO CREEK RD
POCATELLO, ID 83201

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.4 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 04/07/1972

POINT OF DIVERSION: T06S R35E S20 SENENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS
		0.20 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

<u>STOCKWATER Within BANNOCK County</u>			
T06S R35E S20	NENW	T06S R35E S20	SENW
<u>DOMESTIC Within BANNOCK County</u>			
T06S R35E S20	NENW		

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

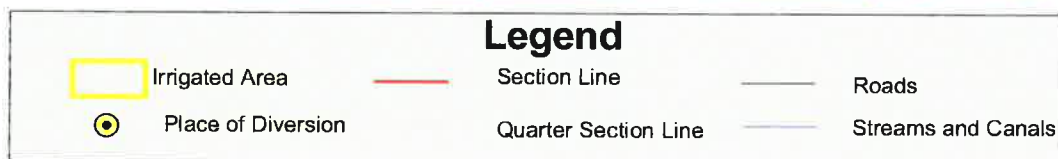
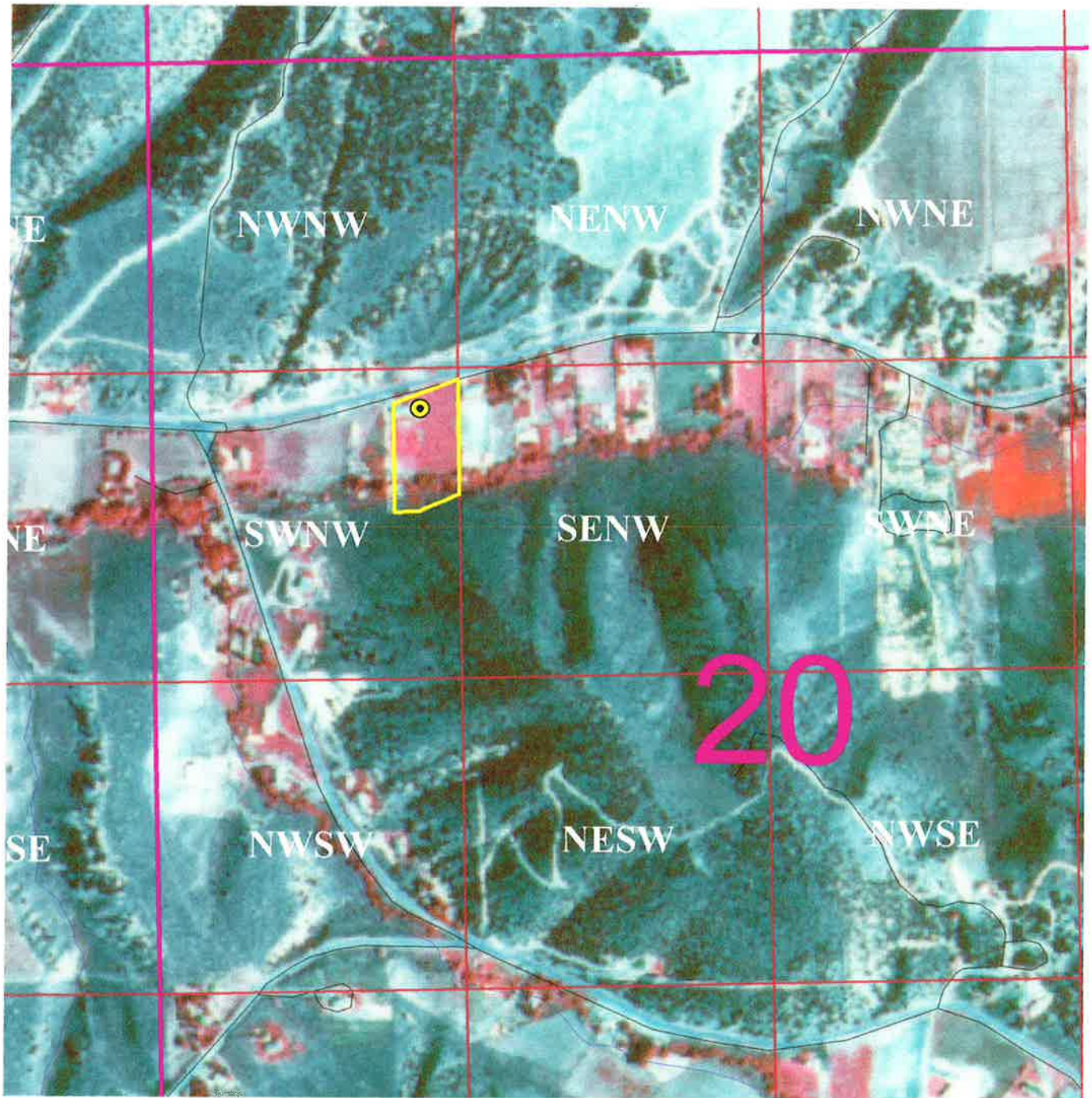
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

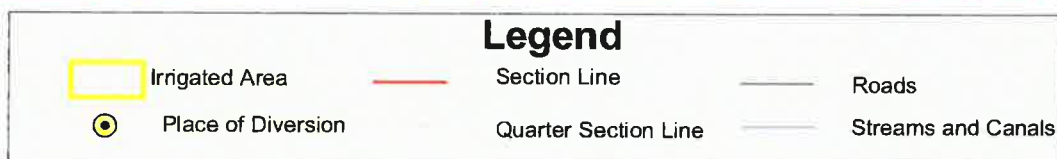
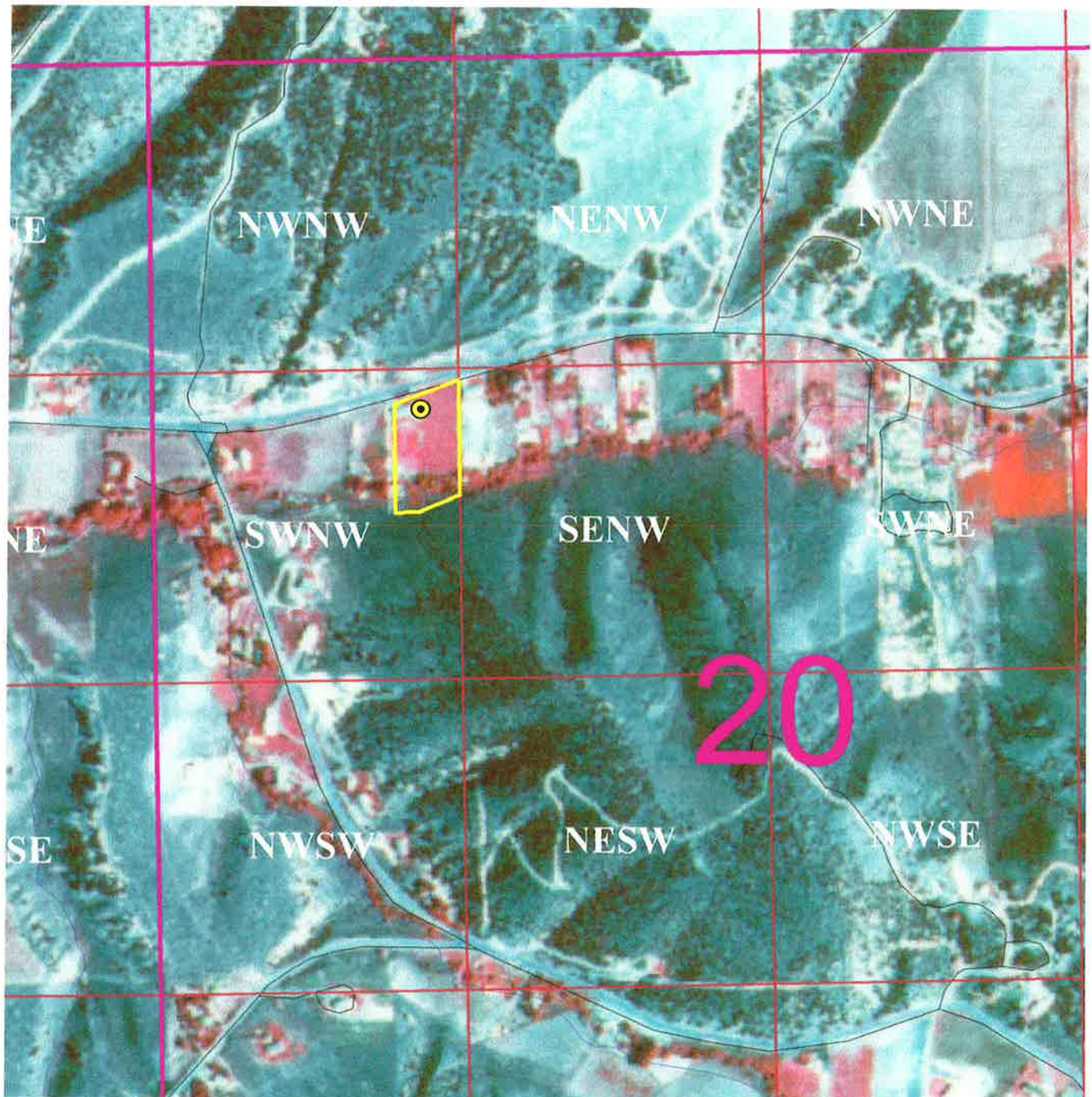
Water Right Claim Number A29-10000
Township , 6S35E

09/25/2000



Water Right Claim Number A29-10000
Township , 6S35E

09/25/2000

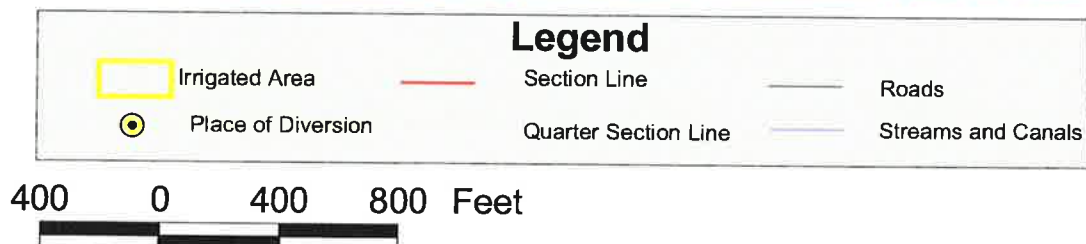


400 0 400 800 Feet



Water Right Claim Number A29-10000
Township , 6S35E

09/25/2000



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-10000

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK ROBERT JOHNSON
Current Owner	IRENE FERGUS JOHNSON
	8551 W POCA TELLO CREEK RD
	POCA TELLO, ID 83201
	(208)232-6246

Priority Date: 04/07/1972
Basis: Beneficial Use
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.02 CFS	0.2 AFA	
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AFA	
Total Diversion			0.04 CFS	1.4 AFA	

Location of Point(s) of Diversion:

GROUND WATER SENENW Sec. 20 Township 06S Range 35E BANNOCK County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: STOCKWATER BANNOCK County

<u>Township</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>
06S	35E	20		NENW			SENEW							

Place of Use Legal Description: DOMESTIC BANNOCK County

<u>Township</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>
06S	35E	20		NENW										

Conditions of Approval:

1. 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates:

Licensed Date:
Claim Received Date: 04/11/1988
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
Contacts	6/21/01 10:00:27 AM	csaxton			In Process
POD	6/21/01 10:02:15 AM	csaxton			In Process
POU	6/21/01 10:20:14 AM	csaxton			In Process
Priority Date	6/21/01 10:01:42 AM	csaxton			In Process
Quantity	6/21/01 10:35:43 AM	csaxton			In Process
Season	6/21/01 10:26:12 AM	csaxton			In Process
Source	6/21/01 10:05:05 AM	csaxton			In Process
Summary	6/21/01 10:42:11 AM		6/21/01 10:42:11 AM	csaxton	Complete
Use	6/21/01 10:06:29 AM	csaxton			In Process

Other Information:

Receipt Number(s): E000082
 State or Federal: S
 Owner Name Connector: AND
 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
Contacts	6/21/01 10:00:24 AM	csaxton
POD	6/21/01 10:03:27 AM	csaxton
POD	6/21/01 10:02:13 AM	csaxton
POU	6/21/01 10:25:04 AM	csaxton
POU	6/21/01 10:20:12 AM	csaxton
Priority Date	6/21/01 10:01:40 AM	csaxton

Log Text

1. Appointment has not been scheduled.
 Comment for 1: Last Meeting with Claimant was June 19, 2001.
 Edited point location
 1. (YES) The basis is beneficial use.
 4. (NO) There is not evidence that there has been a change in the Point of Diversion.
 6. (YES) The file contains all the necessary information to verify the POD.
 Comment for 6: Claimant identification.
 8. (NO) Point of Diversion remark was not required.
 9. (NO) Point of Diversion condition was not required.
 Edited shape boundary
 1. (YES) The POU is required.
 2. (YES) The basis of claim is beneficial use.
 5. (NO) There is no evidence that there has been a change in the POU.
 9. (YES) The file contains all the necessary information to verify the POU.
 Comment for 9: Claimant information.
 12. (NO) POU remark was not required.
 13. (NO) POU condition was not required.
 1. (NO) There has not been a later court decree of the water right(s) from the water source.
 4. (YES) The basis of claim is beneficial use.
 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use.
 9. (NO) The claim was not for an expansion or enlargement under 42-1416B or 42-1426.
 12. (YES) The claim is recommended.
 13. (YES) The claim is coded correctly.

Quantity	6/21/01 10:35:41 AM	csaxton	14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required. 1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Domestic and Stock. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (NO) Irrigation is not a purpose of use. Comment for 8: Charts in Adjudication Manual 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	6/21/01 10:26:09 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (NO) Irrigation is not the purposed use. Comment for 13: Year Round for Domestic and Stock
Source	6/21/01 10:05:03 AM	csaxton	15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required. 1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Claimant Verification - Well drilling receipt. 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	6/21/01 10:42:10 AM	csaxton	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (NO) General remark was not required. 7. (YES) Additional condition was 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.
Use	6/21/01 10:06:27 AM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

02/08/2003

NOTICE OF ERROR
REPLY

Craig

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: 29-10000

FRANK ROBERT JOHNSON
8551 W POCATELLO CREEK RD
POCATELLO ID 83201
Telephone Number: (208)232-6246

IRENE FERGUS JOHNSON
8551 W POCATELLO CREEK RD
POCATELLO ID 83201
Telephone Number: (208)232-6246

RECEIVED

MAR 24 2003

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:

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

DATE: 3-20-03

SIGNATURE:

Frank R. Johnson

Please print your name: FRANK R. JOHNSON

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

PROFILED

SCANNED

MAY 17 2006

Conversation Memorandum

Date: 6/15/01

From: Craig Saxton

Subject: Amending Claim to Drop Irrigation Portion 29-10000.

Frank Johnson came into the office to discuss amendment of his claims to include his home located in the T6S, R35E, Section 20, NENW.

We also discussed filing a permit application on his well since it was drilled in 1972 (post the mandatory permit date for ground water). Frank said a half acre of irrigation would be fine and he didn't want to file a permit based on the fact that the groundwater has been contaminated from a nearby landfill and would harm his pasture and trees.

I explicitly said that I felt he had an irrigation portion of this water right from his groundwater well and I would encourage him to try to preserve it by filing a permit application. He still didn't want to. Thus, I removed the irrigation portion on the amended claim and will recommend domestic and stock use.

Despite the current water contamination, I am recommending domestic and stock use based on that he originally used the well for those purposes, and will in the future when the contamination is cleared up. Frank said that there is a project in the works to clean up the contamination from the landfill.

SCANNED
MAY 17 2006

PROFILED

Phone 2-4760

Pump 232
1.62

100' wire 21.
14.70

Pack 9.75
Sew 6.88
Gu

Check Valve 8.20 3.95

Well seal 12.95

2 Hyd. Cell 69.80

Tax 9.41

Flt 10.00

308.68

721.73

1" Pipe
#321.73

JOE BRENNAN PUMPS
225 E. CHUBBUCK RD.
POCATELLO, IDAHO 83201
PHONE: 237-5562

No. 487-10 Date 4-9-1972

Name Grundstrom Milling

Address _____

SOLD BY		CASH	C. O. D.	CHARGE	ON ACCT.	ADSE. RETD.	PAID OUT
QUAN.	DESCRIPTION						AMOUNT
1	1/2 H. P. pump						162.40
2	80' wire						16.80
3	switch & gauge						7.18
4	check valve						6.30
5	fitters						35.00
6	2 hyd. cell						68.60
7							296.28
8	Taf						8.89
9	freight						10.00
10							315.17
11							
12							
Customer's Order No.					Rec'd By		
KEEP THIS SLIP FOR REFERENCE							
5H 24 Rediform							

SCANNED
JUN 15 2001

JUN 15 2001

DATE 4 / 7 / 19 72

ADDRESS _____

F. O. B.

588	00
-----	----

GRAYLINE FORMS 59058 PAPER PATENTED BY NCR. CO.

470 U.S.A.

S 59058 PAPER PATENTED BY NCR. CO.
Arnold Lundstrom (Lundstrom Drilling)

233-4760
S. 11th St

JUN 15 2001

TO _____ DATE ____/____/19____

SHIP ID _____

SALESMAN _____ SLIP VIA _____

SHIP VIA

WHEN

TERMS	
-------	--

F. O. B.

PURCHASED BY



GRAYLINE FORMS 59058 PAPER PATENTED BY NCR CO.

170 U.S.A.

JUN 15 2001

6/5/01 Frank came in and dropped off
Receipts for drilling Well in 1972
and pump receipts.
After wife is in town, they will Review
the amended claim and rec'd of it.

May 24, 2001

FRANK ROBERT JOHNSON
IRENE FERGUS JOHNSON
8551 W POCATELLO CR RD
POCATELLO ID 83201

RE: APPLICATION FOR PERMIT

Dear Mr. Johnson,

Issue #1

Enclosed is the Application for Permit we discussed over the phone. Again, the reason we need to file an Application for Permit is Idaho Code, Statute 42-229 states that any use of water from a groundwater source beginning after March 25, 1963 must be perfected by application permit and license procedure.

For your convenience, I have enclosed two reference maps. I have outlined in yellow what looks like the irrigated place of use within the boundaries of what Bannock County tax-lot information indicates as your property. Note, that I only find 1.10 acres of irrigation in the SENW. If you feel this assessment is inaccurate, please be sure to fill out the permit application to most accurately represent your groundwater use.

I have enclosed a third map for your use to draw in the irrigated placed of use and location of the well. You can return this map with the permit application and the filing fee of \$100.00.

Issue #2

The permit application you will be filing will **replace** adjudication claim 29-10000. Statute 42-229 prevents me from recommending claim 29-10000. I am enclosing a Request for Withdrawal of Claim form. It is your option weather you wish to withdraw the claim or not. If you choose to do so and request a filing fee refund, our records show that you paid \$52.00 under receipt #E000082.

If a refund is approved, it might offset the Permit Application filing fees.

Issue #3

I checked IDWR's records for a copy of the well log for your groundwater well. We do not have that on record. But as we discussed, a notarized statement stating when the well was drilled should be sufficient evidence of priority.

Lastly

I apologize for the inconvenience. However, I am encouraged that we are getting all of the necessary details worked out. By working through these details, I feel we are on the right track to securing your water rights within the statutes and rules set by Idaho Code.

As always, please feel free to call me with any questions at (208) 525-7161.

Respectfully Submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

May 14, 2001

29-10000

FRANK ROBERT JOHNSON
IRENE FERGUS JOHNSON
8551 W POCATELLO CR RD
POCATELLO ID 83201

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown **above in the "address" label and at the "end" of this letter** has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice 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.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read 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 our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **June 15, 2001, referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at 525-7161.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 29-10000

Log for claim A29-10000

Spatial Dynamics LTD

9/25/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s35e	20	SWNW	2	3.1	
Totals:			2	3.1	

Spoke with Frank. Needs to file Permit on this
water right. This claim needs to be withdrawn
or disallowed.

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: E000082

Date: 04/11/88
Time: 10:08:41

Received
From: FRANK R. JOHNSON

Type of Payment
ADJUDICATION FEE

Program A cct

Amount

0410162 9337 6490

\$52.00

Total

\$52.00

CHECK 270

WR/ND: A29-10000

Idaho Department of Water Resources

Region: Eastern

Signature: _____

VOIDED
Refer to #46476 1 E0000024
ED 4/11/88

MICROFILMED
NOV 13 1992

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK ROBERT JOHNSON	06/30/1974	IRRIGATION	04-15 11-15	0.040 CFS	
C	IRENE FERGUS JOHNSON		STOCKWATER	11-01 05-15	0.020 CFS	
	8551 W POCA TELLO CREEK RD		DOMESTIC	01-01 12-13	0.040 CFS	
	POCA TELLO ID 83201					
	(208) 232-6246					
TOTAL DIVERSION:					0.040 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R35E S20

NESWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	35E	20	:					:					:					:					:	2.0
																							TOTAL ACRES	2.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	35E	20	:					:					:					:					:	
																							S	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06S	35E	20	:					:					:					:					:	
																							D	

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC-1 / STOCKWATER FOR 4 TO 6 HEAD OR RANGE CATTLE.

Other Rights: 29-0443 / 29-0444

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-04243 29-07274 29-11171 29-11249 A29-00443C A29-00443I A29-00444A A29-04195 A29-04243 A29-07274
A29-07594 A29-11171 A29-11249

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

A29-00443 A29-00443C A29-00443H A29-00443I A29-00444 A29-00444A A29-04195 A29-04367 A29-07594 A29-10783

Remarks: GEN THIS CLAIM TAKEN ON PAPER FORM. CODED 3/21/88 BY ESV.
EVIDENCED BY OLD RECEIPT NO. 46476.

DATE: 05/24/00
PAGE: 141

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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 29-10000
Date Received: 4/11/88
Receipt No: E000082
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANK ROBERT JOHNSON Phone: (208)232-6246

8551 W POCA TELLO CREEK RD
POCA TELLO ID USA 83201

IRENE FERGUS JOHNSON Phone: (208)232-6246

8551 W POCA TELLO CREEK RD
POCA TELLO ID USA 83201

2. Date of Priority: 04/07/1972

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06S	35E	20	SE	NE	NW	BANNOCK	

5. Description of diverting works:

DOMESTIC WELL TO ONE HOME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	

PROFILED

SCANNED
MAY 17 2006

7. Total Quantity Appropriated is:
0.04 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
06S	35E	20	SE	NW	STOCKWATER	
			NE	NW	STOCKWATER	
			NE	NW	DOMESTIC	

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:

14. Remarks:

THIS CLAIM TAKEN ON PAPER FORM. CODED 3/21/88 BY ESV
EVIDENCED BY OLD RECEIPT NO. 46476.

Claim amended to more accurately describe POD and water use. (csaxton 5/29/01)
Status set to Temp until amended claim signed and returned.

15. Basis of Claim: Beneficial Use

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): Frank R. Johnson Date: 6-19-01

Steve F. Johnson Date: 6-19-01

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th
of June 2001 Bryce A. Contor

Notary Public

Residing at Mud Lake

My commission Expires 10/14/05



JUN 15 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: A29-10000
Date Received: 4/11/1988
Receipt No: E000082

voided

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK ROBERT JOHNSON 208-232-6246
Address: 8551 W. POCA TELLO CREEK ROAD
POCA TELLO, ID 83201

AND/OR

Name: IRENE FERGUS JOHNSON 208-232-6246
Address: 8551 W. POCA TELLO CREEK ROAD
POCA TELLO, ID 83201

2. Date of Priority: JUN 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	35E	20	NE	SW	NW		BANNOCK

5. Description of diverting works:
DOMESTIC WELL TO ONE HOME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/15	0.040		
STOCKWATER	11/01	05/15	0.020		
DOMESTIC	01/01	12/13	0.040		

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

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

9. Non-irrigation uses:
DOMESTIC-1 / STOCKWATER FOR 4 TO 6 HEAD OR RANGE CATTLE.

A29-10000

Page 1

Date: 04/11/88

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	SW	NW		IRR	2.0
			SW	NW		DOMEST	
			SW	NW		STOCK	
						Section Acres	2.0
						Total Acres	2.0

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:
29-0443 / 29-0444

14. Remarks:
THIS CLAIM TAKEN ON PAPER FORM. CODED 3/21/88 BY ESV.
EVIDENCED BY OLD RECEIPT NO. 46476.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

12215 46476
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: A29-10000
Date Received: 3/21/1988
Receipt No: E000024
VOIDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK ROBERT JOHNSON 208-232-6246
Address: 8551 W. POCATELLO CREEK ROAD
POCATELLO, ID 83201

AND/OR

Name: IRENE FERGUS JOHNSON 208-232-6246
Address: 8551 W. POCATELLO CREEK ROAD
POCATELLO, ID 83201

2. Date of Priority: JUN 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	35E	20	NE	SW	NW		BANNOCK

5. Description of diverting works:
DOMESTIC WELL TO ONE HOME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/15	0.040		
STOCKWATER	11/01	05/15	0.020		
DOMESTIC	01/01	12/13	0.040		

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

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

9. Non-irrigation uses:
DOMESTIC-1 / STOCKWATER FOR 4 TO 6 HEAD OR RANGE CATTLE.

A29-10000

Page 1

Date: 03/23/88

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NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	20	SW	NW		IRR	2.0
			SW	NW		DOMEST	
			SW	NW		STOCK	
					Section Acres		2.0
					Total Acres		2.0

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:
29-0443 / 29-0444

14. Remarks:
THIS CLAIM TAKEN ON PAPER FORM. CODED 3/21/88 BY ESV.
EVIDENCED BY OLD RECEIPT NO. 46476.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A 29-10000Date Received 3/16/88 1238 hrsReceipt Number \$52.00 46476
(see receipt # E000024)NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

VOIDED

Please type or print clearly

1. Name of Claimant (s) FRANK ROBERT JOHNSON AND/OR
IRENE FERGUS JOHNSON Phone (208) 232-6246Mailing Address 8551 W. POCA TELLO CK. RD. POCA TELLO, IDAHO Zip 832012. Date of Priority (Only one (1) per claim) JUNE 30, 19743. Source of water supply (a) GROUND WATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 6 SO. Range 35 E. Section 20,
NE 1/4 of SW 1/4 of NW 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

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.DOMESTIC WELL TO ONE
HOME, GARDEN, ORCHARD, PASTURE AND STOCK,
2-HORSES, AND 2 TO 4 COWS. (HERFORD COWS).

A29100000



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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 or _____

For STOCK WATER purposes from 11-1 to 5-15 amount 0.02 or _____

For IRRIGATION purposes from 4-15 to 11-15 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC - 1, STOCK WATER 4 TO 6 HEAD,

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>6 S</u>	<u>35 E</u>	<u>20</u>							<u>2</u>										<u>2</u>
									<u>D/S</u>										

Total number of acres irrigated 2

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.
29-0443 \ 0444 or None ()

14. Remarks:

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NOV 13 1992

Last Name JOHNSON Ident No. A 29-10000

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 _____

Court _____ Case Number _____ Decree Date _____

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant (s) Frank Robert Johnson and/or Date 3-16-88

Gene Terquis Johnson Date 3-16-88

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day of March 19 88

SEAL

Notary Public Patricia Wray

Residing at Idaho Falls

My Commission Expires 5/29/1991

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 _____

MICROFILMED
NOV 13 1992

Last Name JOHNSON Ident. Number A 29-10000

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-10000

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK ROBERT JOHNSON
Current Owner	IRENE FERGUS JOHNSON
	8551 W POCATELLO CREEK RD
	POCATELLO, ID 83201
	(208)232-6246

Priority Date: 06/30/1974
 Basis: Beneficial Use
 Status: Active

Source Tributary to
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	11/15	0.04 CFS		
STOCKWATER	11/01	5/15	0.02 CFS		
DOMESTIC	1/01	12/13	0.04 CFS		
Total Diversion			0.04 CFS		

Location of Point(s) of Diversion:

GROUND WATER NESWNW Sec. 20 Township 06S Range 35E BANNOCK County

IRRIGATION Use:
 Acre Limit: 2

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</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>
06S	35E	20		SWNW	2									

Place of Use Legal Description: STOCKWATER BANNOCK County

<u>Township</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>
06S	35E	20		SWNW										

Place of Use Legal Description: DOMESTIC BANNOCK County

<u>Township</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>
06S	35E	20		SWNW										

Total Acres: 2

Remarks:

1. General THIS CLAIM TAKEN ON PAPER FORM. CODED 3/21/88 BY ESV.
 EVIDENCED BY OLD RECEIPT NO. 46476.

Dates:

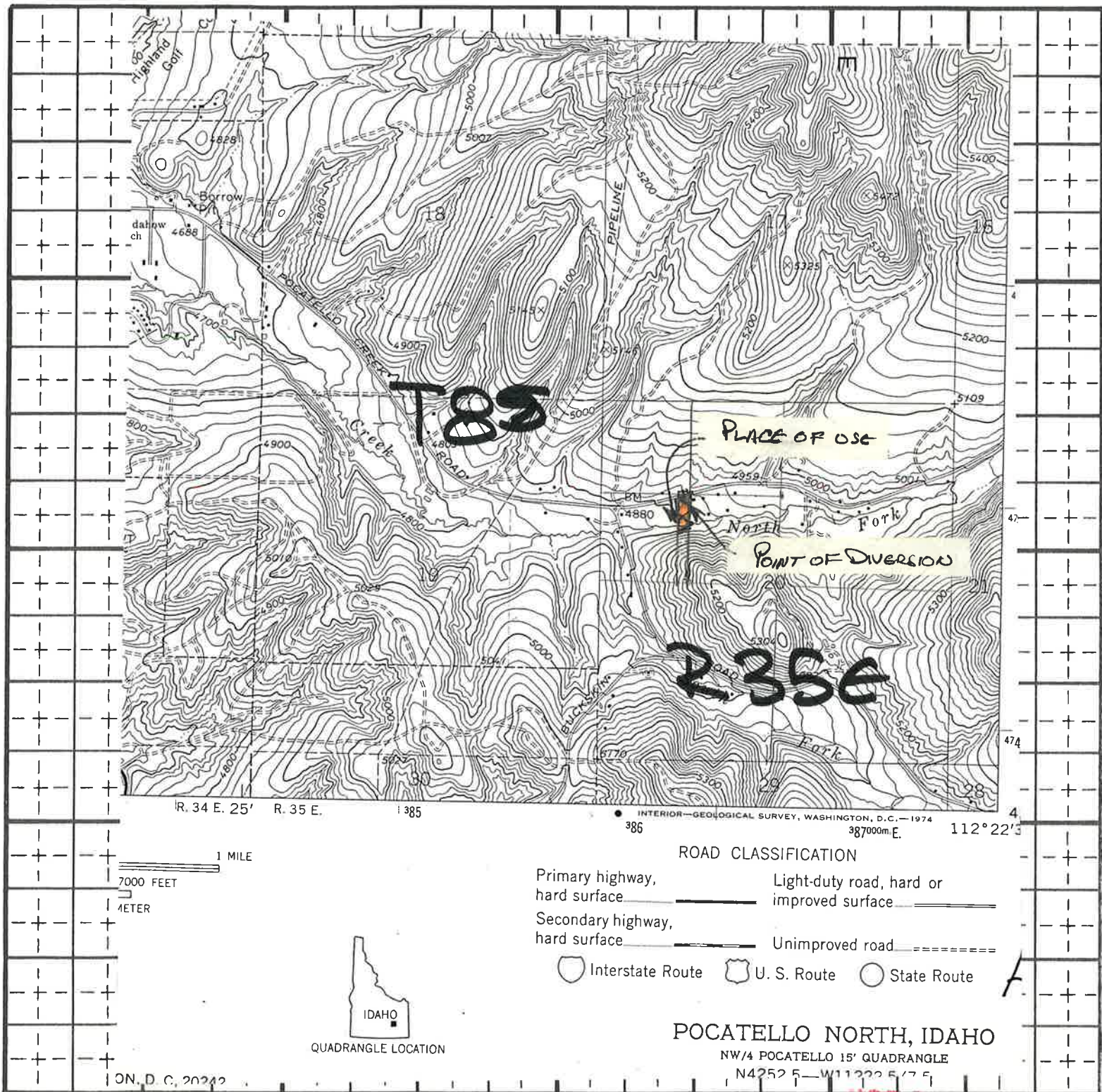
Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): E000082
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

NOV 13 1992

Last Name JOHNSON

Ident No. A 29-10000

Copies: White-State, Yellow-Claimant