

05/17/2002

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

RIGHT NUMBER: 37-11376

NAME AND ADDRESS: BEVERLY JOHANNSSEN
1707 HWY 46
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.10 CFS

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

PRIORITY DATE: 12/31/1961

POINT OF DIVERSION:

T05S R15E S31 NENENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: DOMESTIC Within GOODING County

T05S R15E S31 NENE

STOCKWATER Within GOODING County

T05S R15E S31 NENE

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: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-12730 V1

WATER RIGHT NUMBER: 37-12730 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEVERLY JOHANSEN 1707 HWY 46 GOODING, ID 83330 (208)934-4196

Priority Date: 12/31/1918
Basis: Beneficial Use
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>
DOMESTIC	1/01 to 12/31	0.080 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 31, Twp 05S, Rge 15E, B.M.
GOODING County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	31	X																

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	31	X																

Conditions of Approval:

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-12730 V1

Remarks:

1. Explanatory PARCEL NO. RP05S15E310037A STOCKWATER, 25 CATTLE

Comments:

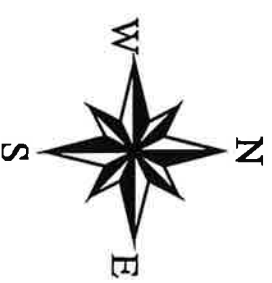
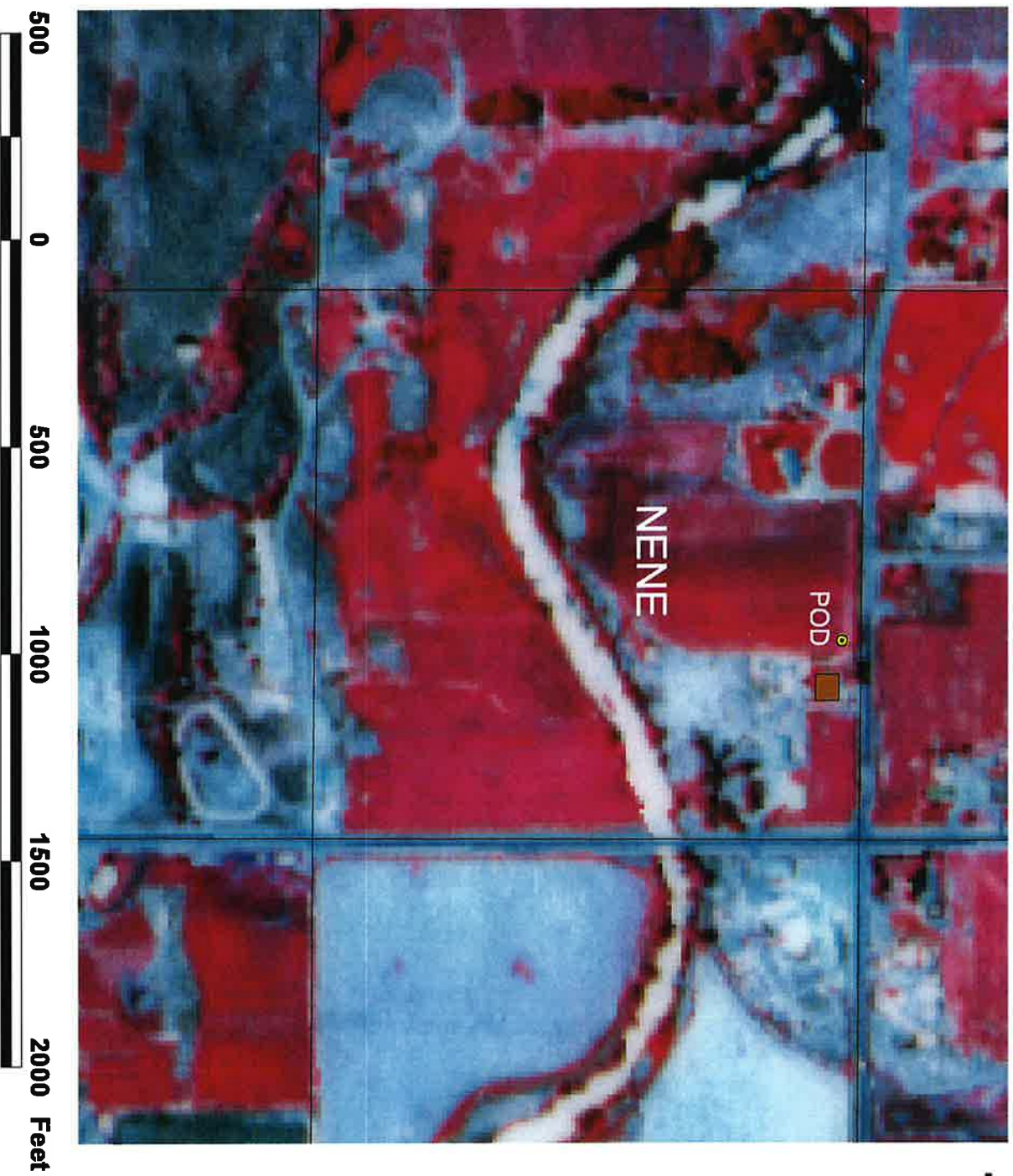
1. SSHERMAN 7/30/1999 ADDRESS CHANGE
Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

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: NONE RECEIVED
State or Federal:
Owner Name Connector: 0
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust: False
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:

37-11376

T05S R15E
S31



37-11314

5-16-1992



USGS

1 Meter Resolution



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

37-11376
BEVERLY JOHANNSEN
1707 HWY 46
GOODING ID 83330

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures

CA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF DAHO,
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: 39 76

Ident. Number: A37-11376
Date Received: 9/21/1988
Receipt No: S002445
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BEVERLY JOHANNSSEN 208-934-4196
Address: 1895 EAST 1700 SOUTH
GOODING, ID 83330

2. Date of Priority: DEC 31, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	31		NE	NE		GOODING

5. Description of diverting works:
WELL, 16" HOLE, 127' DEEP, 7.5 HP PUMP AT 124', PUMPS 60 GPM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.260		
DOMESTIC	01/01	12/31	0.080		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 51.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/2, S/25 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	31	NE	NE		IRR	13.0

A37-11376

Page 1

Date: 09/21/88

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FEB 25 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	15E	31	NE		NE		DOMEST	
			NE		NE		STOCK	

Section Acres 13.0

Total Acres	13.0
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11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

BIG WOOD CANAL CO. AND AMERICAN FALLS RESERVOIR DISTRICT #2.

14. Remarks:

***** MEMO TO FILE ***** *

CONSUMPTIVE USE CLAIMED IS 3.92 ACRE FEET PER ACRE. PUMP STATED
AS PRODUCING 60 GPM WHICH IS APPROXIMATELY 0.13 CFS, HOWEVER, THE
CLAIM IS FOR A TOTAL OF 0.36 CFS. CLF

***** *

15. Basis of Claim: BENEFICIAL USE

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FEB 25 1993

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 _____

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME JohannsenCLAIM IDENT. NO. A37-11376DATE RECEIVED 8-16-88CK # 1088 & 1133AMOUNT \$ 50.00 & 13.008-22-80

YES

NO

1. Is the name and address complete with zip code? ☒2. Is priority date entered? ☒

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒3. (a) Is a source entered? ☒(b) Is a tributary to entered? (if required) NA4. Is the legal description of the p.d. complete? ☒5. Is there a description of the diverting works? ☒6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ☒Is the period of use included? ☒Is a quantity claimed for each use? ☒7. Is a total quantity claimed entered? ☒8. Is the consumptive use correct? ☒If required is a consumptive use entered? ☒9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒ comment10. Is (are) the place(s) of use entered? ☒ comment11. Is (are) the county(ies) entered? ☒12. Is the ownership of p.u. checked? ☒13. Are other water rights listed or "none" checked? ☒14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒15. Is the basis of the claim checked? ☒16. Is the claim signed by the claimant? ☒
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒Has the claim been signed, sealed, and dated by a notary? ☒Is the fee enclosed correct? ☒If this claim is based on an existing water right, has the identification number been entered? N/A ☒Should this claim be receipted and data entered? ☒MICROFILMED
FEB 25 1993Claim checked by: CAComments: 0-25 head cattle enter as 5/25 cattleI = irrigation? Consumptive use at 4 af/ac.
pump stated at 60 gpm x 0.13 cfs claimed .36 cfs

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: 39356

Ident. Number A37-11376Date Received 8-22-88Receipt Number 5002445

RECEIVED

AUG 16 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of Claimant (s) Beverly Johannsen Phone (208) 934-4196
Mailing Address 1895 E. 1700 S. Gooding, Idaho Zip 83330
- Date of Priority (Only one (1) per claim) 1961
- Source of water supply (a) groundwater
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 5 S Range 15 E Section 31,
1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Gooding
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 _____
- 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.
127' well - 16" hole 7 1/2 hp pump at 124' - apx. 60 gal per min.

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FEB 25 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount .26 or _____

For domestic purposes from 1/1 to 12/31 amount .04 or _____

For stockwater purposes from 1/1 to 12/31 amount .02 or _____

For 2nd domestic purposes from 1/1 to 12/31 amount .04 or _____

7. Total quantity claimed (a) .36 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 51 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2 domestic; 0-25 cattle

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	
5S	15	31	13-I 1DS																

Total number of acres irrigated 13

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

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.
Big Wood Canal Company & AFRD #2 or None ()

14. Remarks: The variable fee of \$1.00 per acre on the 13 acres of irrigated land will be paid by Big Wood Canal Company when the Company's claim is filed.

Last Name JOHANNSEN Ident No. _____

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FEB 25 1993
Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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 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) *Dewey Johansen* Date August 15, 1988

Date _____

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 Gooding) SS.

Subscribed and sworn (or affirmed) before me this 15th day of August 1988
SEAL Notary Public *David R. Mohr*
Residing at Gooding, Idaho
My Commission Expires 10/9/92

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 JOHANSEN Ident. Number _____

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FEB 25 1993
Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

R 15 E.								Place of use / Point of Diversion							
T 5 S	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Last Name JOHANNSEN Ident No. _____

Copies: White-State Yellow-Claimant

MICROFILMED
FEB 25 1993

RECEIVED

AUG 22 1988

Department of Water Resources
Southern Region Office

August 19, 1988

IDAHO DEPARTMENT OF WATER RESOURCES
2148 4th Avenue East
Twin Falls, Idaho 83301

ATTN: Allan Merritt

RE: Beverly Johannsen Water Claim

Dear Mr. Merritt:

Pursuant to your telephone call on August 17, 1988, please find enclosed my personal check in the amount of \$13.00 to cover the charges for the Big Wood Canal Company fee on my 13 irrigated acres.

Thank you for this assistance.

Sincerely yours,



Beverly Johannsen

BJ

pc: Big Wood Canal Company

MICROFILMED
FEB 25 1993

RECEIVED

AUG 22 1988

Department of Water Resources
Southern Region Office

August 19, 1988

IDAHO DEPARTMENT OF WATER RESOURCES
2148 4th Avenue East
Twin Falls, Idaho 83301

ATTN: Allan Merritt

RE: Beverly Johannsen Water Claim

Dear Mr. Merritt:

Pursuant to your telephone call on August 17, 1988, please find enclosed my personal check in the amount of \$13.00 to cover the charges for the Big Wood Canal Company fee on my 13 irrigated acres.

Thank you for this assistance.

HUGH JOHANNSEN FENCING
HUGH JOHANNSEN OR BEVERLY JOHANNSEN
QUARTER HORSES
1895 EAST 1700 SOUTH
GOODING, ID 83330

1088

8-15 1988 92-613 1241

PAY TO THE ORDER OF Idaho Department of Water Res. \$ 50.00

Fifty & no/100 DOLLARS

First Security Bank
First Security Bank of Idaho
Fifth & Main Street
Gooding, Idaho 83330

MEMO Water claim 16" well Beverly Johannsen

⑆124100064⑆013 10150 4211 1088

Johannsen

HUGH JOHANNSEN FENCING
HUGH JOHANNSEN OR BEVERLY JOHANNSEN
QUARTER HORSES
1895 EAST 1700 SOUTH
GOODING, ID 83330

1133

8-18 1988 92-613 1241

PAY TO THE ORDER OF Idaho Department of Water Res. \$ 13.00

Thirteen & no/100 DOLLARS

First Security Bank
First Security Bank of Idaho
Fifth & Main Street
Gooding, Idaho 83330

MEMO (Big Wood) claim Beverly Johannsen

⑆124100064⑆013 10150 4211 1133

MICROFILMED
FEB 25 1993