

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

JAN 18 2007

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 67-4338

CARY CURTIS GIBBS

1165 OLDS FERRY RD

WEISER ID 83672

Telephone Number: (208)549-1056

KIMBERLY DEANN GIBBS

1165 OLDS FERRY RD

WEISER ID 83672

Telephone Number: (208)549-1056

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

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

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

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

We wish to clarify that we have "2" irrigation wells;
they are identified as such: A0016794
A0016793

Along with these two wells we have "1" domestic well
which is not identified with any number. Please let
us know if this is different than your records.

SCANNED

JAN 22 2007

See comment in Quicklook MVB 1-24-2007

Thank you

K Gibbs

10/27/2006

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

RIGHT NUMBER: 67-4338

NAME AND ADDRESS: CARY CURTIS GIBBS
1165 OLDS FERRY RD
WEISER ID 83672

KIMBERLY DEANN GIBBS
1165 OLDS FERRY RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 CFS
6.750 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION:

T11N R06W S24 NENWNE Within WASHINGTON County

T11N R06W S24 NENWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 11/15	0.450 CFS 6.75 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S24 NWNE 1.50

DOMESTIC same as IRRIGATION

1.5 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.

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Institute Irrigation Canal
Company.



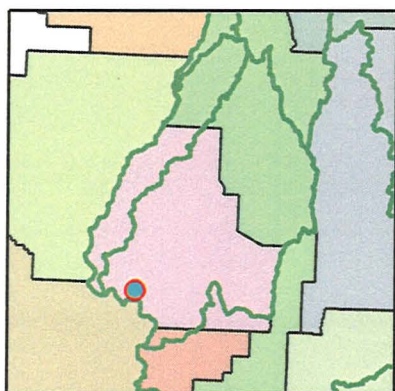
Idaho Department of Water Resources

SRBA Recommendation:

67-4338

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by J. Dean
On Friday, October 27, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4338 V1

WATER RIGHT NUMBER: 67-4338 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WAYNE L JOHNSON 1165 OLDS FERRY RD WEISER, ID 83672 (208)549-1967
Current Owner	CARY CURTIS GIBBS 1165 OLDS FERRY RD WEISER, ID 83672 (208)549-1056
Current Owner	KIMBERLY DEANN GIBBS 1165 OLDS FERRY RD WEISER, ID 83672 (208)549-1056

Priority Date: 05/01/1961

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	01/01 to 12/31	0.040 CFS	
IRRIGATION	03/01 to 11/15	0.450 CFS	6.75 AF
	<u>Total Diversion:</u>	0.450 CFS	6.75 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NE1/4	Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	06W	24		1.5															1.5

Total Acres: 1.5

DOMESTIC same as IRRIGATIONConditions of Approval:

1. F14 Use of this right is combined with water from Institute Irrigation Canal Company.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4338 V1

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
4. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. jdean 10/27/2006 Photography
Comment: The 1987 aerial photography for this area is poorly rendered.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/27/2006 1:13:13 PM	jdean			Active
Priority Date	10/27/2006 1:15:21 PM	jdean			Active
POD	10/27/2006 1:22:11 PM	jdean			Active
Source	10/27/2006 1:22:42 PM	jdean			Active
POU	10/27/2006 1:24:26 PM	jdean			Active
Use	10/27/2006 1:37:00 PM	jdean			Active
Season	10/27/2006 1:44:12 PM	jdean			Active
Quantity	10/27/2006 1:56:24 PM	jdean			Active
Summary			10/27/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4338 V1

Contacts	10/27/2006 1:13:14 PM	jdean	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: CARY CURTIS GIBBS - Contact Phone Number: 549-1056 Date of Field Exam: 10/24/05 1:45 PM Directions to Property:
General	10/27/2006 1:15:22 PM	jdean	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Warranty Deed from 1954 describes irrigation and farm equipment that was purchased as part of the sale of this property. Well is etched with 1960 on it (from field exam).
POD	10/27/2006 1:18:21 PM	jdean	Updated shape
POD	10/27/2006 1:20:02 PM	jdean	Updated shape
POD	10/27/2006 1:22:11 PM	jdean	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	10/27/2006 1:23:22 PM	jdean	Updated PLS for Active POU
POD	10/27/2006 1:19:20 PM	jdean	Updated PLS
POD	10/27/2006 1:21:27 PM	jdean	Updated PLS
POU	10/27/2006 1:23:06 PM	jdean	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4338 V1

Use	10/27/2006 1:37:00 PM	jdean	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Purpose of use was verified as per field exam.
Season	10/27/2006 1:44:13 PM	jdean	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	10/27/2006 1:56:24 PM	jdean	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Sufficient diversion capacity calculated using a theoretical pump calculation. Calculation yields 0.81 cfs, sufficient to recomment 0.45 cfs. Description for Question 10 - 1.5 acres * 4.5 afy/acre = 6.75 afy
Source	10/27/2006 1:22:42 PM	jdean	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Source and POD were verified as per field exam.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4338 V1

POU	10/27/2006 1:24:26 PM	jdean	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - POU was verified as per field exam and aerial photography.
Summary	10/27/2006 2:00:23 PM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	10/27/2006 1:20:40 PM	jdean	Updated PLS
POD	10/27/2006 1:21:12 PM	jdean	Updated shape

Water Supply Bank:

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 67-4338
Date Received: 9/29/1989
Receipt No: M004752
Received By:

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

1. Name of Claimant(s): CARY CURTIS GIBBS
1165 OLDS FERRY RD
WEISER ID USA 83672

Phone: (208) 549-1056

KIMBERLY DEANN GIBBS
1165 OLDS FERRY RD
WEISER ID USA 83672

Phone: (208) 549-1056

2. Date of Priority: 05/01/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	06W	24	NW NE	WASHINGTON	

5. Description of diverting works:

WELL, 36' DEEP, UNDERGROUND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.5	
DOMESTIC	1/01	12/31	0.04	

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

**SCANNED
MAY 10 2004**

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	06W	24	NW NE		IRRIGATION	3
Section Acres						3
Total Acres						3

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 11/2/2001

15. Basis of Claim: Statutory Claim

RECEIVED

MAR 17 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 No(s).: A67-04338
Adjudication Claim No(s).: AJ0749NP
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 Wayne L. Johnson (now deceased) Bernice B. Johnson,
surviving spouse
c/o Dennis Johnson, P. O. Box 2083, Belfair, WN 98528
4. New Owner/Claimant(s) Cary Curtis Gibbs/Kimberly DeAnn Gibbs
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 1165 Olds Ferry Road
City, State and ZIP Code Weiser, Idaho 83672
New Telephone Number (208) 549-1056
5. Date you acquired the property March 9, 1998
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) Cary C. Gibbs
Kimberly DeAnn Gibbs
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Washington County Title Co.

28 West Idaho St. Weiser, ID 83672

Title Insurance
Escrow Service

RECEIVED

MAR 17 1998

WATER RESOURCES
WESTERN REGION

(208) 549-1455
FAX (208) 549-1487

March 16, 1998

Idaho Department of Water Resources
Western Division
2735 Airport Way
Boise, Idaho 83705-5082

Re: Notice of Change - Water Right Ownership

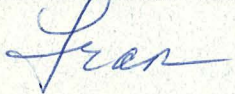
We have enclosed Notice of Change of Water Right Ownership concerning a recent real estate closing.

Seller: Bernice B. Johnson

Buyer: Cary Curtis Gibbs and Kimberly DeAnn Gibbs.

Yours truly,

WASHINGTON COUNTY TITLE CO.



G. Frances McDaniel

enc.

Approved by:
Initials C. J. V.

WARRANTY DEED

FOR VALUE RECEIVED, BERNICE B. JOHNSON, a widow, the Grantor, does hereby, grant, bargain, sell and convey unto CARY CURTIS GIBBS and KIMBERLY DEANN GIBBS, husband and wife, the Grantees, whose address is 1165 Olds Ferry Rd., Weiser, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all incumbrances except those existing of record, and that she will warrant and defend the same from all lawful claims whatsoever.

DATED this 28TH day of February, 1998.

BERNICE B. JOHNSON

Bernice B. Johnson

By: Dennis Johnson AS ATTORNEY IN FACT
Dennis Johnson, Attorney in Fact

STATE OF IDAHO)
(ss.

County of Washington)

On this 28TH day of February, 1998, before me the undersigned, personally appeared DENNIS JOHNSON, known to me to be the person whose name is subscribed to the within instrument as the Attorney in Fact of BERNICE B. JOHNSON, and acknowledged to me that he subscribed the name of Bernice B. Johnson thereto as principal, and his own name as Attorney in Fact.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

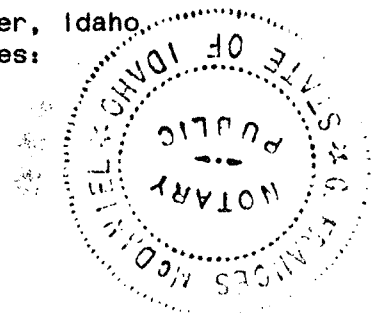
D. Francis McDonnell
Notary Public for Idaho
Residing at Weiser, Idaho
Commission expires:

INSTRUMENT NO. 172146
STATE OF IDAHO, COUNTY OF WASHINGTON ss,
Filed for record at the request of

WASHINGTON COUNTY TITLE
46 Min. past FOURTEEN o'clock P. M
This 9TH day of MARCH 19 98

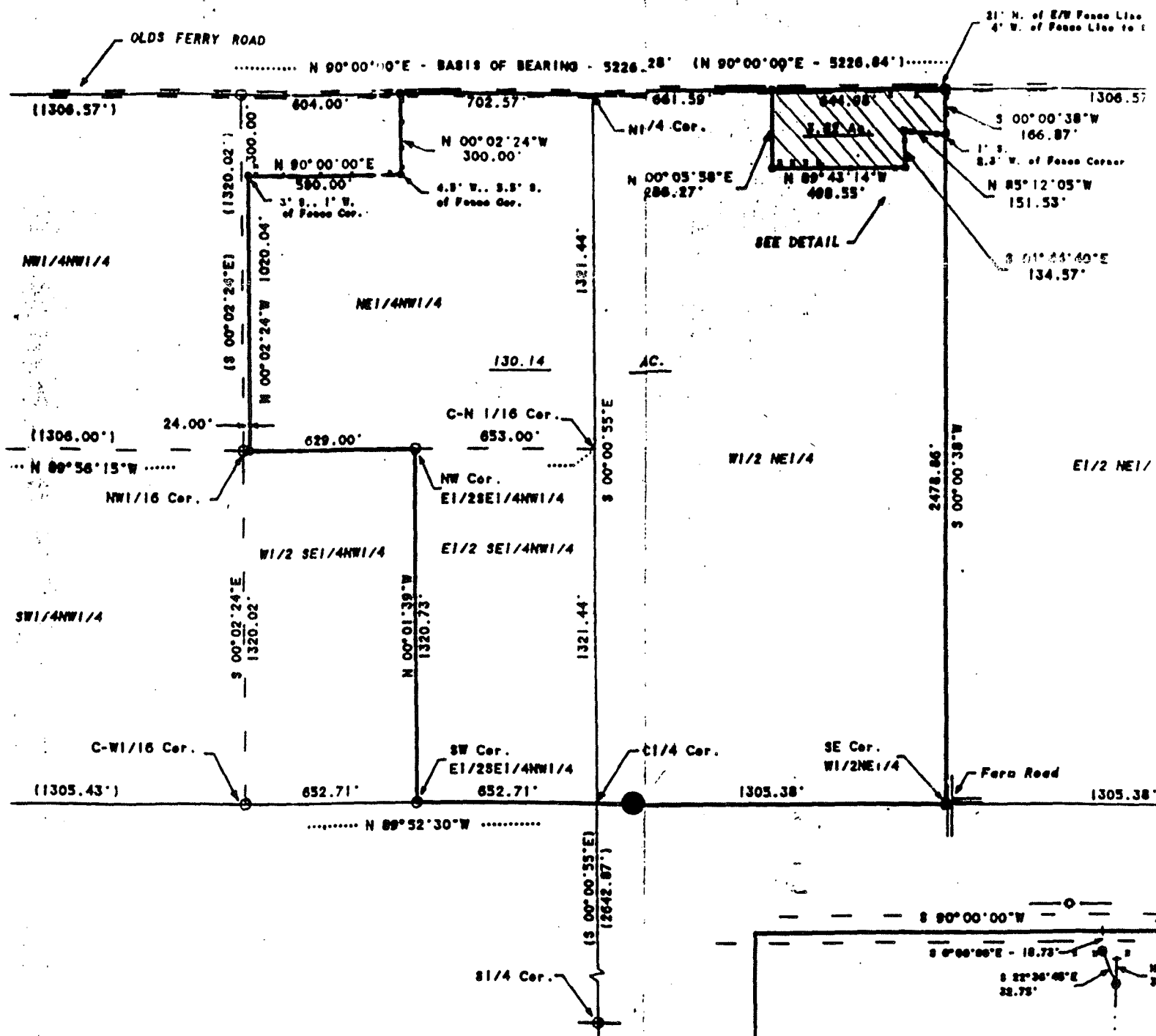
Index to: DEEDS
SHARON WIDNER, Recorder Fee: \$9.00
By John M. Knight Deputy
WASHINGTON COUNTY TITLE

Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy



This plat is made solely for purpose of assisting in locating the land and Washington County Title Co. assumes no liability for variations, if any, with actual survey.

Copy of Survey Plat



HOUSE PARCEL

A parcel of land situated within the NW1/4NE1/4 of Section 24, Township 11 North, Range 6 West, Boise Meridian, being more particularly described as follows:

Beginning at the northeast corner of the NW1/4NE1/4 of Section 24, T.11N., R.6W., B.M.; thence S 0° 00' 38" W, a distance of 166.87 feet along the east line of said NW1/4NE1/4; thence N 85° 12' 05" W, a distance of 151.53 feet; thence S 1° 44' 40" E, a distance of 134.57 feet; thence N 89° 43' 14" W, a distance of 498.55 feet; thence N 0° 05' 58" E, a distance of 286.27 feet to a point on the north line of said NW1/4NE1/4; thence N 90° 00' 00" E, a distance of 644.98 feet along the north line of said NW1/4NE1/4 to the point of beginning. EXCEPTING the right-of-way as now established of an existing County Road known as Olds Ferry Road along the north line of the above described parcel of land.

TOGETHER WITH a 20.00 foot wide irrigation easement situated within the NW1/4NE1/4 of Section 24, Township 11 North, Range 6 West, Boise Meridian, the centerline of which is more particularly described as follows:

Beginning at the northeast corner of the NW1/4NE1/4 of Section 24, T.11N., R.6W., B.M.; thence S 0° 00' 38" W, a distance of 166.87 feet along the east line of said NW1/4NE1/4; thence N 85° 12' 05" W, a distance of 151.53 feet; thence S 1° 44' 40" E, a distance of 134.57 feet; thence N 89° 43' 14" W, a distance of 15.04 feet to the TRUE POINT OF BEGINNING, which point is on the centerline of an existing buried irrigation pipeline; thence S 3° 06' 58" E, a distance of 276.78 feet to the POINT OF ENDING.

TOGETHER WITH AND SUBJECT TO a 20.00 foot wide power line easement within the NW1/4NE1/4 of Section 24, Township 11 North, Range 6 West, Boise Meridian, the centerline of which is more particularly described as follows:

Beginning at the northeast corner of the NW1/4NE1/4 of Section 24, T.11N., R.6W., B.M.; thence S 0° 00' 38" W, a distance of 166.87 feet along the east line of said NW1/4NE1/4; thence N 85° 12' 05" W, a distance of 151.53 feet; thence S 1° 44' 40" E, a distance of 134.57 feet; thence N 89° 43' 14" W, a distance of 152.84 feet to the TRUE POINT OF BEGINNING, which point is on the centerline of an existing power line; thence S 33° 33' 44" E, a distance of 273.30 feet; thence S 1° 51' 36" W, a distance of 140.80 feet; thence S 83° 03' 28" E, a distance of 14.73 feet; thence N 5° 19' 38" W, a distance of 114.52 feet to the POINT OF ENDING on the centerline of said easement.

EXHIBIT

"A"

TOGETHER WITH AND SUBJECT TO a 20.00 foot wide easement for a power line guy wire situated within the NW1/4NE1/4 of Section 24, Township 11 North, Range 6 West, Boise Meridian, the centerline of which is more particularly described as follows:

map #4
Beginning at the northeast corner of the NW1/4NE1/4 of Section 24, T. 11N., R. 6W., B.M.; thence S 0° 00' 38" W, a distance of 166.87 feet along the east line of said NW1/4NE1/4; thence N 85° 12' 05" W, a distance of 151.53 feet; thence S 1° 44' 40" E, a distance of 134.57 feet; thence N 89° 43' 14" W, a distance of 152.84 feet; thence S 33° 33' 44" E, a distance of 273.30 feet to the TRUE POINT OF BEGINNING at an existing power pole; thence S 34° 17' 35" E, a distance of 32.60 feet along the centerline of said easement to the POINT OF ENDING.

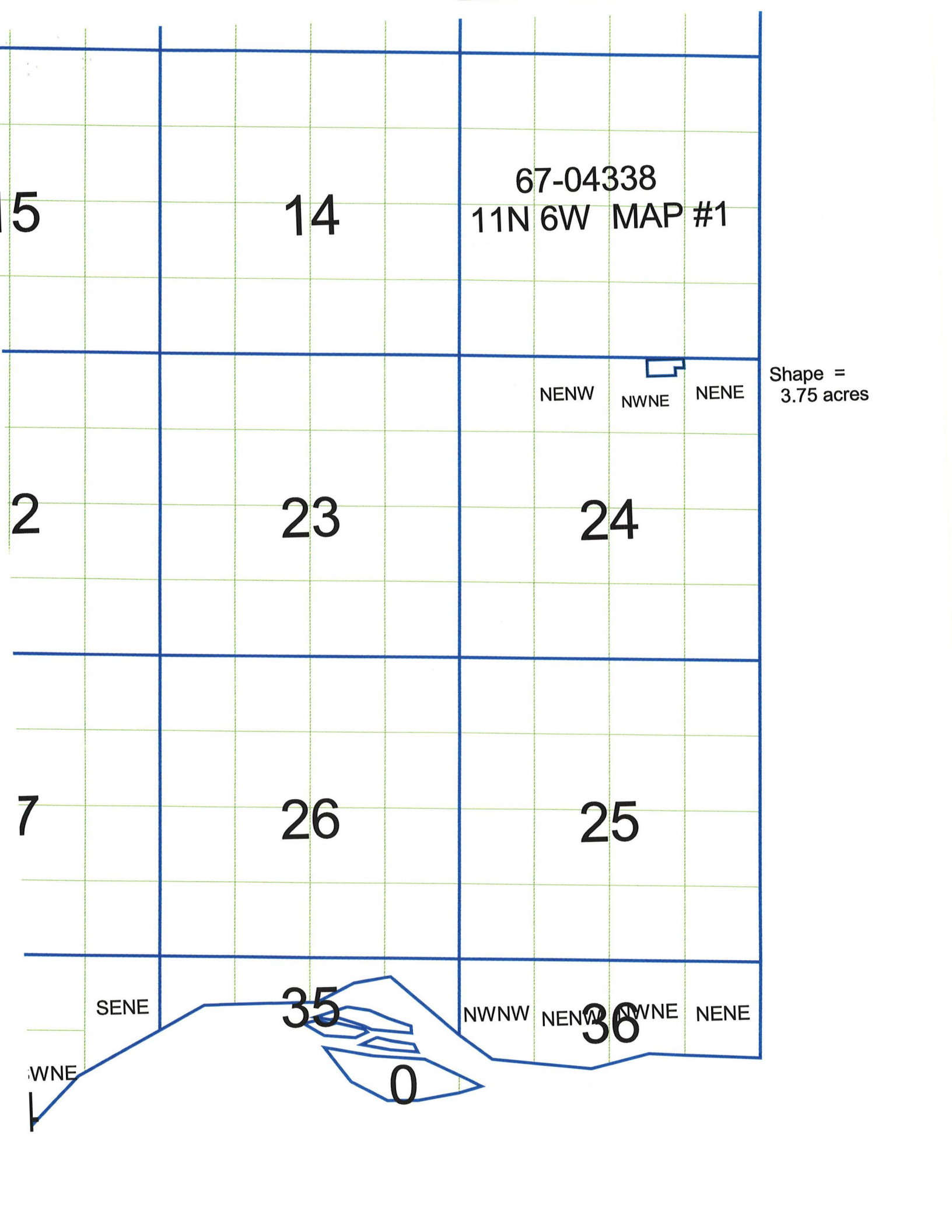
SUBJECT TO AND TOGETHER WITH a 20.00 foot wide power line easement within the NW1/4NE1/4 of Section 24, Township 11 North, Range 6 West, Boise Meridian, the centerline of which is more particularly described as follows:

map #5
Beginning at the northeast corner of the NW1/4NE1/4 of Section 24, T. 11N., R. 6W., B.M.; thence S 90° 00' 00" W, a distance of 322.44 feet along the north line of said NW1/4NE1/4; thence S 0° 00' 00" E, a distance of 18.73 feet to the TRUE POINT OF BEGINNING, which point is on the centerline of said easement at an existing power pole; thence S 22° 36' 45" E, a distance of 32.75 feet; thence S 2° 27' 10" W, a distance of 210.42 feet; thence S 33° 33' 44" E, a distance of 34.52 feet to the POINT OF ENDING on the centerline of said easement. EXCEPTING the right-of-way as now established of an existing County Road known as Olds Ferry Road at the north end of the above described easement.

SUBJECT TO AND TOGETHER WITH a 20.00 foot wide easement for a power line guy wire within the NW1/4NE1/4 of Section 24, Township 11 North, Range 6 West, Boise Meridian, the centerline of which is more particularly described as follows:

map #6
Beginning at the northeast corner of the NW1/4NE1/4 of Section 24, T. 11N., R. 6W., B.M.; thence S 90° 00' 00" W, a distance of 322.44 feet along the north line of said NW1/4NE1/4; thence S 0° 00' 00" E, a distance of 18.73 feet; thence S 22° 36' 45" E, a distance of 32.75 feet to the TRUE POINT OF BEGINNING at an existing power pole; thence N 2° 52' 30" E, a distance of 33.97 feet along the centerline of said easement to the POINT OF ENDING. EXCEPTING the right-of-way as now established of an existing County Road known as Olds Ferry Road at the north end of the above described easement.

X



11N 6W MAP #2

NENW

NWNE

NENE

24

14

11N 6W MAP #3

NENW

NWNE



NENE

23

24

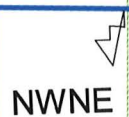
26

25

14

11N 6W MAP #4

NENW



NENE

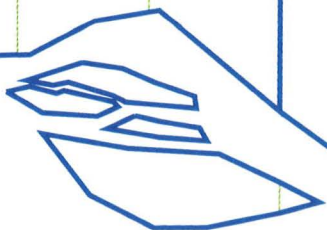
23

24

26

25

35



36

14

11N 6W MAP #5

NENW

NWNE

NENE

23

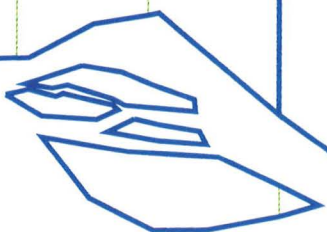
24

26

25

35

36



14

11N 6W MAP #6

NENW

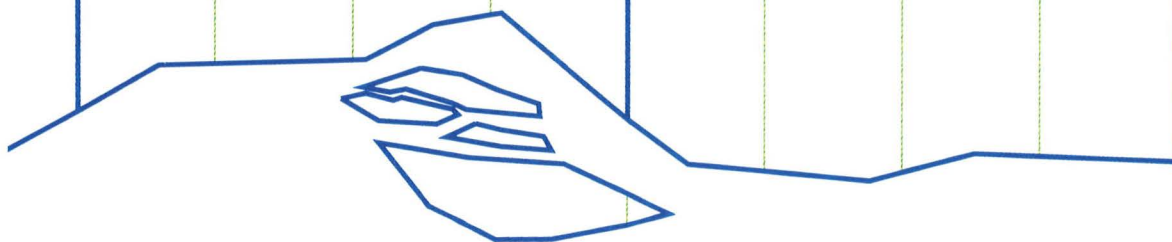
NWNE

NENE

23

24

25



11N 6W MAP #6
PG.2

NENW

NWNE

NENE

24

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: A67-04338
Date Received: 9/29/1989
Receipt No: M004752
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE L. JOHNSON 208-549-1967
Address: 1165 OLDS FERRY RD.
WEISER, ID 83672

2. Date of Priority: MAY 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	06W	24	NW	NE			WASHINGTON

5. Description of diverting works:
WELL, 36' DEEP, UNDERGROUND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.500		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 11.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	06W	24	NW	NE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For 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)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

ofr

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

Date Received

Receipt Number

867-04338
9/29/1989
MD04752

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WAYNE L. JOHNSON Phone (208) 549-1967Mailing Address 1165 OLDS FERRY ROAD WEISER, ID Zip 836722. Date of Priority (Only one (1) per claim) MAY 19613. Source of water supply (a) GROUND WATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 11N Range 6W Section 24,
NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

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. WELL 36 FT DEEP, PUMPS
INTO UNDER GROUND PIPE LINE.

MICROFILMED

OCT 02 1992

Scale: 2 inches equals 1 mile

TWN 11N RGW

[illegible]

MICROFILMED
Copies: White-State, Yellow-Claimant

OCT 02 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-15 to 10-15 amount 0.5 or _____

For DOMESTIC purposes from 01-01 to 12-31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.5 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 11 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</u>	<u>6W</u>	<u>24</u>		<u>3</u>			<u>3</u>												<u>3</u>

Total number of acres irrigated 3

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

12. Do you own the property listed above as place of use? Yes ☒ 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. _____ or None (☒)

14. Remarks:

Last Name JOHNSON Ident No. A67-04338

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Copies: White -State, Yellow-Claimant
OCT 02 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number 67-70264338

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 NONE

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

Signature of Claimant (s) Wayne L Johnson Date 9-29-89

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 WASHINGTON) SS.

Subscribed and sworn (or affirmed) before me this 29th day of SEPTEMBER 19 89

SEAL

Notary Public Donna E. Sully

Residing at BOISE, ID

My Commission Expires 11/28/1994

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 AG7-04338

MICROFILMED
Copies White-State, Yellow-Claimant

OCT 02 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Johnson

CLAIM IDENT. NO.

A67-04338

DATE RECEIVED

9/29/89

CK #

MD004752

AMOUNT \$

53.00

YES

NO

Require Info?

1. Is the name and address complete with zip code? ✓ 5/31/1961 ✓ ✓ *
2. Is a priority date entered? ✓ *
- Is the priority date acceptable in view of mandatory filing dates? ✓ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ✓ *
3. (a) Is a source entered? ✓ *
- (b) Is a tributary to entered? (if required) N/A ✓ ✓ *
4. Is the legal description of the p.d. sufficient? ✓ *
5. Is there a description of the diverting works? ✓ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or 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. If required is a consumptive use entered? N/A ✓ *
- Is the consumptive use correct? 10.5 ata N/A ✓ *
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, see Adjudication Memo # 4. N/A ✓ *
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ *
11. Is (are) the county(ies) entered? ✓ *
12. Is the ownership of p.u. checked? ✓ *
13. Are other water rights listed or "none" indicated? ✓ *
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.) N/A ✓ *
15. Is the basis of the claim indicated? ✓ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ✓ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ✓ *
18. Has the claim been signed, sealed, and dated by a notary? ✓ *
19. Was this claim filed on time, or was an extension granted? ✓ *
20. Is the fee enclosed correct? Exempt ✓ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ✓ *
22. Should this claim be data entered? ✓ *

Claim checked by:

RME

Date:

5/16/90

Claim must be returned to claimant:

✓ (Yes) ✓ (No)

Claimant must be notified of modifications:

✓ (Yes) ✓ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

mod letter - priority, non-irr. use, pay/don
partial rejection?

MICROFILMED

OCT 02 1992

RECEIVED
OCT 28 2005
DEPARTMENT OF
WATER RESOURCES

October 26, 2005

Mr. Craig Saxton
Department of water Resources
Sr. Water Resource Agent
Boise, Idaho 83720-0098

Re: Cary and Kimberly Gibbs Claim 67-4338

Dear Mr. Saxton:

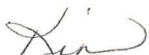
Enclosed please find Tax Inquiry Statement along with a Warranty Deed dated 1954.

I understand that this information will help you verify information regarding our claim. The purpose of the Tax Inquiry is the fact it gives a brief legal description, which is the same as the one in the Warranty Deed and the Tax Inquiry shows us as the current owners of the property at this time. We purchased the property in 1998.

When I met with Mr. Meyer he said it may be helpful to have a neighbor or someone who was aware of the water usage from well #1 – A0016793 and well #2 A – 0016794 that may have been prior to the date 1954. I had planned to enclose a statement from my neighbor although in calculating his age of approximately 84 and the date in which he started farming this area it comes out within three years of 1954. If after I speak with my neighbor and he can verify the year of usage which is earlier than 1954 than I will send along his statement. He is currently harvesting beets. As of this morning when I went for a run he was topping beets at 6:00 a.m. Even at 84 plus he works circles around most of us.

I hope the enclosed information will verify what you need. If you have additional questions please call me at work at 414-0324. I work each day from 9:00 a.m. to 1:00 p.m.

Thank you.



Kim Gibbs
KG/kg
Enc.

SCANNED
OCT 28 2005

10/24/05

TAX MASTER INQUIRY - WASHINGTON COUNTY

PMPKEY: RP 11N06W240610 A YEAR 2004

BILL# 5941

TXPKEY: RP11N06W240610A

BILLED TO: GIBBS, CARY CURTIS

NAME GIBBS, CARY CURTIS

CODE AREA 43-0000

ACCT TYP

GIBBS, KIMBERLY DEANN

BANK WF FLB

OWNER

PUP

ADDRESS 1165 OLDS FERRY RD

MARKET VALUE

119,270

HARDSHIP

HOMEOWNER

44,915

NET MARKET

74,355

TAX AMOUNT

921.08

LEGAL PART NWNE; S24T11R6;

LESS: CIRCUIT

3.82 ACRES

PLUS: SPECIALS

56.00

NET TAX BILLED

977.08

TAX PAYMENTS

977.08

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

1165

OLDS FERRY RD

83672

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2004

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE

F4=TAX COMMENTS

SCANNED

OCT 28 2005

WARRANTY DEED—800-2-32

BOOK 87
INSTRUMENT NO. 90363

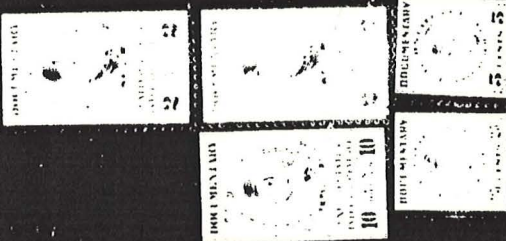
PRINTED AND FOR SALE BY SIGNAL-AMERICAN PRINTERS, WEISER

THIS INDENTURE, Made this 14th day of June, in the year 1954
between U. G. PENNINGTON and wife, FRANCES C. PENNINGTON
of New Plymouth, County of
Payette, State of Idaho, the part 1st of the first part, and
WAYNE L. JOHNSON and wife, BERNICE B. JOHNSON
of Weiser, County of Washington
State of Idaho, the part 1st of the second part.

WITNESSETH That the said part 1st of the first part, for and in consideration of the sum of
--Thirteen Thousand and No/100 -- - - - - DOLLARS
lawful money of the United States of America, to them in hand paid by the said part 1st of
the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold and by
these presents do grant, bargain, sell, convey and confirm unto the said part 1st of the second part,
and to their heirs and assigns forever, all the following described real estate situated in
Washington County, State of Idaho, to-wit:

The West Half of the Northeast Quarter of Section 24, Township 11
North, Range 6 West of the Boise Meridian, EXCEPT the following
described tract of land, to-wit: Beginning at the Southeast
corner of said SW 1/4 of the NE 1/4 of said Section 24, Township 11,
North of Range 6, W. B. M. and running thence South 89 deg. 50'
West 555 feet; thence North 34 deg. East 844 feet; thence North
7 deg. 20' East 610 feet; thence North 89 deg. 40' East 5.5
feet; thence South 1303 feet along the line between the SW 1/4
of the NE 1/4 and the SE 1/4 of the NE 1/4 of said Section 24 to the
place of beginning, together with the irrigation water ordinarily
used in connection therewith.

Together with the pressure system, sump pump and connections for
irrigation and one hay derrick



TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
ing, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents,
issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in
law as in equity of the said part 1st of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together
with the appurtenances unto the part 1st of the second part, and to their heirs and assigns forever.
And the said part 1st of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said part 1st of the second part, their heirs and assigns against the said part 1st
of the first part, and their heirs and against all and every person or persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said part 1st of the first part have hereunto set their
hand and seal the day and year first written.
Signed, sealed and delivered in the presence of

U. G. Pennington [SEAL]
Frances C. Pennington [SEAL]
[SEAL]
[SEAL]

Compared

SCANNED
OCT 27 8 2005

STATE OF IDAHO

County of Washington } ss.

On this 14th day of June 1954, before me, the undersigned, a
Notary Public in and for the State of Idaho, personally appeared.....

L. G. Pennington and wife, Frances C. Pennington

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year
in this certificate first above written.

E. L. Wade

Notary Public.

My commission expires MY COMMISSION EXPIRES MARCH 10, 1957 Residing at Fayette
Walsen, Idaho.

No. 90363

WARRANTY DEED

L. G. Pennington

husb

TO
Wayne L. Johnson
husb

Dated June 14 1954

STATE OF IDAHO

County of Washington } ss.

I hereby certify that this instrument
was filed for record at the request of

Wayne L. Johnson

at 35 minutes past 10

o'clock A M., on the 14th day

of Sept A. D. 1954

in my office and duly recorded in book

89 of Wade at page 66

W. L. Wade

Recorder.

Charlotte Harte

Deputy.

Fees, \$ 5.00

PRINTED AND FOR SALE BY
SIGNAL-AMERICAN PRINTERS - WEISER

W. L. Wade
Notary Public
Walsen, Idaho

Completed

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 67-4338
 Examiner: Roger Meyer
 Date of Field Exam: 10/24/2005
 Reviewed by: Jennifer Dean

P/D No.:	Pump 1	Well 2
PUMP HORSEPOWER	1.5	2
BOOSTER HORSEPOWER		0
PUMPING LEVEL	24	29
DISCHARGE PRESSURE	0	0
RATE OF FLOW (cfs)	0.39	0.42 0.81

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes: Pump information obtained from field exam by Roger Meyer.

NO ANSWER

67-4338 CONY Curtis BIBBS

549-1050

KIMBERLY

"

Well

Depth. #1 25' #2 30'

Pump HP #1 1/2 HP #2 1 HP

Pump lift 24' 28'

POD See With

POU. See Map

PER/Date. 1961.

PER ID ^{Divided}
to

IRR and/or Domestic

2 HORSE ~~SP~~ SPRINKLES

3 AC.

#1 well #99 2260639

A0016793 1457721

#2 Well ~~488~~ 99 2260673

A0016794 1457610

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	WAYNE L JOHNSON	1165 OLDS FERRY RD	WEISER	ID	83672	(208)549-1967
Current Owner	CARY CURTIS GIBBS	1165 OLDS FERRY RD	WEISER	ID	83672	(208)549-1056
Current Owner	KIMBERLY DEANN GIBBS	1165 OLDS FERRY RD	WEISER	ID	83672	(208)549-1056

Date of Field Exam: 10-24-05 ~~10-24-05~~ Time: 1345

Accompanied By: owner Phone Number: 208-549-1056

Relationship to Claimant: KIMBERLY

Directions to Property (if different from above) and/or update owner information:

They have a domestic well also.

Reviewer: 10-24-05
Rogers

Date: 10-24-05

Priority Date Data Entry Form**Claim Number 67-4338**

Claimed Priority Date: 5/1/1961

Claimed Basis: Statutory Claim

☐ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date: 5/1/1961

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

AFFIDAVIT to Follow.

Reviewer: Date: *10-24-05*

Claim Number 67-4338

T11N R06W S24 NWNE Within WASHINGTON County Source: GROUND WATER

T11N R06W S24 NWNE Within WASHINGTON County

Source

Tributary To

Source
Wehh #1 & 2.

Tributary 10

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
-----	-----	-----	---------	----------------	--------	--------

#1 Well #097 #AOD 16793 25' Deep 1 1/2 HP 2260639
1457121
#2 Well #099 #AOD 16794 30' Deep 29' lift 2 HP
2260673
1457610

Other rights from this POD? NO

Document how the POD and Source were verified:

Reviewer:

Robert M. Meyer

Date:

Date: 10-24-05

Place Of Use Data Entry Form

Claim Number 67-4338

Claimed Place Of Use

T11N R06W S24 NWNE 3.0

Total Acres 3

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T11N R06W S24 NWNE 15.0

Total Acres 15

Recommended Place of Use

1.5 See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 1.5

Document how the POU was verified:

Reviewer:



Date:

10-24-05

Purpose of Use Data Entry Form

Claim Number 67-4338

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION
DOMESTIC☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

DOMESTIC
IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

IRR.	0	2 Horses		0

Document how the Purpose of Use was verified:

Reviewer:



Date: 10-24-05

Period of Use and Quantity Data Entry Form

Claim Number 67-4338

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	10/15	0.5	
DOMESTIC	1/01	12/31	0.04	

Overall Diversion Rate 0.5 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	10/15	0.16	
DOMESTIC	4/15	10/15	0.04	

Overall Diversion Rate 0.2 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRR only	3/15	11/15		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

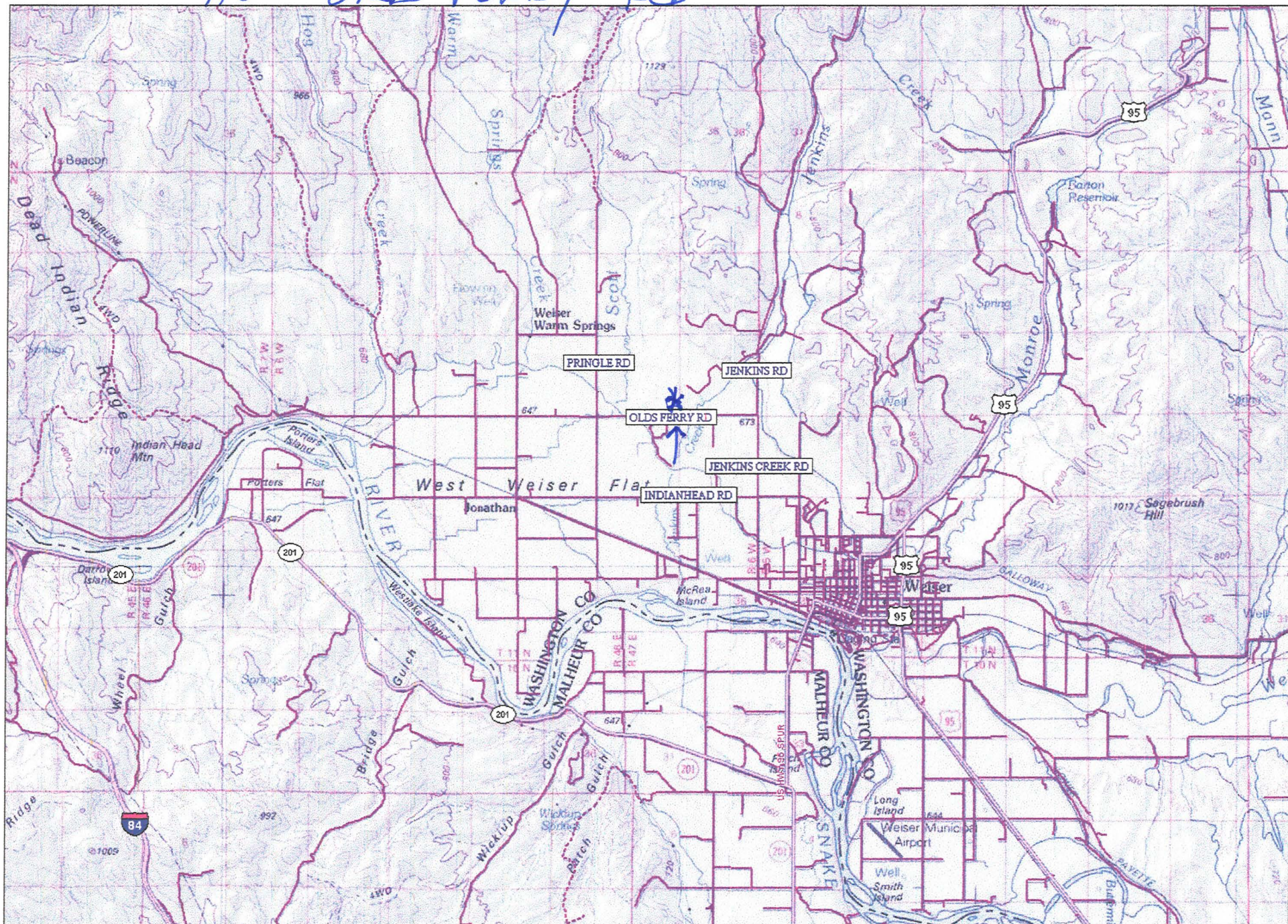
They own 3 ACRE's, with House, BARN'S
out Building & Corral. with this come 2 wells
IRR is about 1.5 ACRE'S

Reviewer: _____



Date: 10-24-05

1165 Olds Ferry Rd

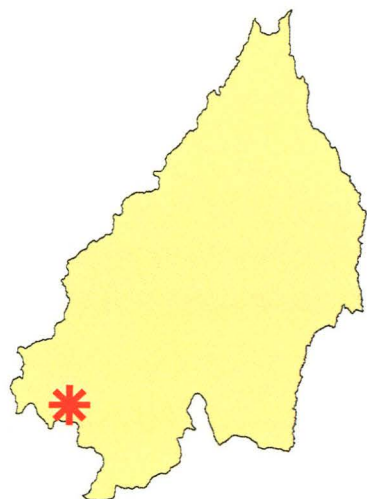


TN MN
16°

Idaho Department of Water Resources

Water Right Claim No:

67-4338

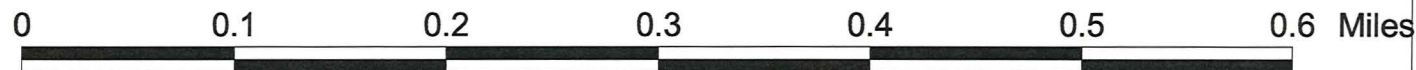


Legend

- Place of Use
- Section Lines
- Quarter Quarters



Prepared by: Dan Narsavage
On: February 28, 2005
1987 False-Color Infrared Photography

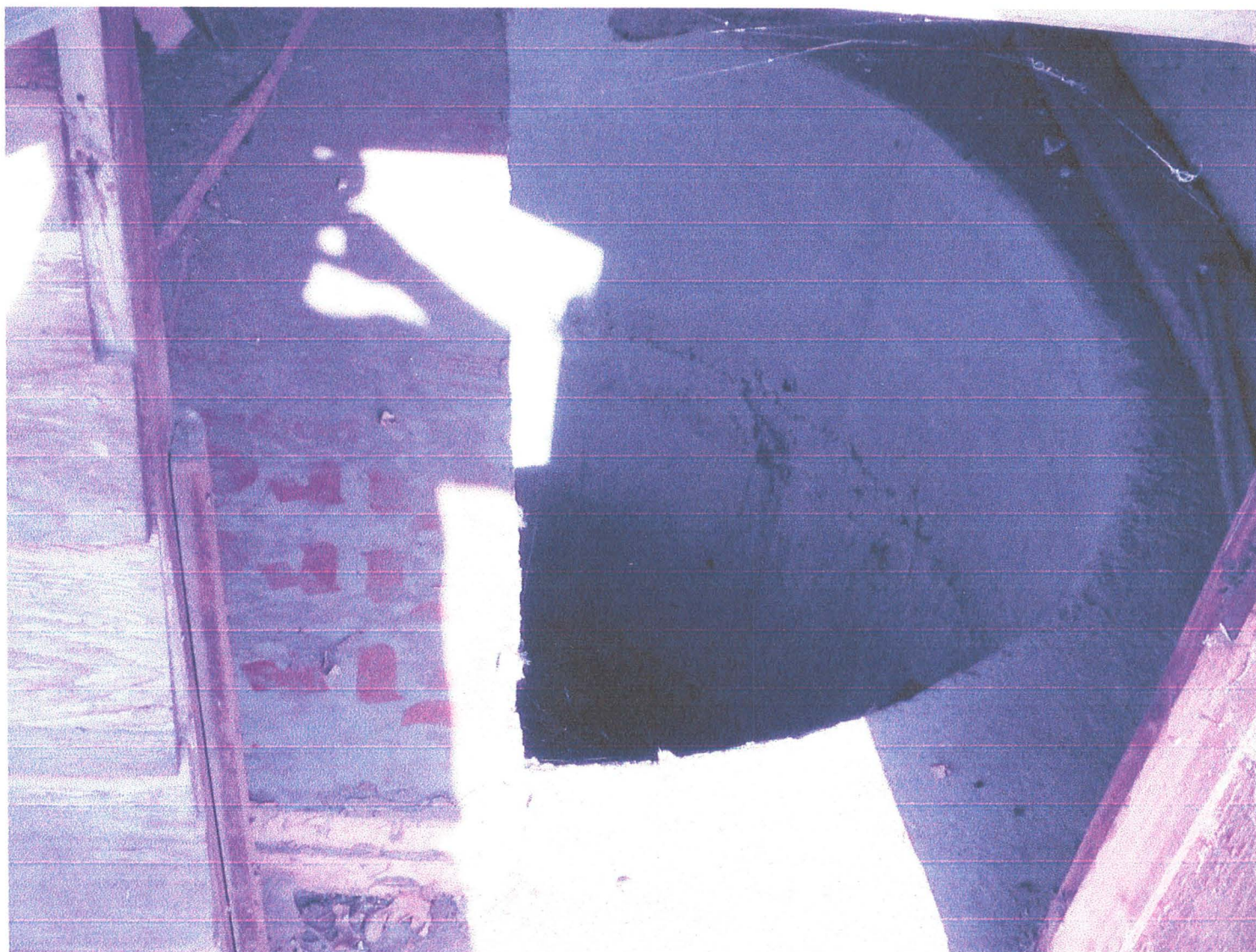




Well #2 #A0016794-2 date.JPG



Well #2 #A0016794-1pic.JPG



Well #1 #A0016793.JPG

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d) Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that WAYNE L. JOHNSON
(Name of Claimant)

Ate I Box 70 Weiser, ID 83672 Telephone No. 549-1967

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1961

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

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)		(Mo., Day)
Quantity	<u>0.16 @ FS</u>	Use <u>IRRIGATION</u>	Period of Use From	<u>APR. 15</u>	To <u>OCT 15</u>
Quantity	<u>0.04 @ FS</u>	Use <u>DOMESTIC</u>	Period of Use From	<u>APR. 15</u>	To <u>OCT 15</u>
Quantity	_____	Use _____	Period of Use From	_____	To _____
Quantity	_____	Use _____	Period of Use From	_____	To _____
Quantity	_____	Use _____	Period of Use From	_____	To _____

(4) 2 TOTAL QUANTITY USED.
(cfs. app. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 24 Twp. 11N Rge. 6W B.M., County of Washington
 Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Pump & pipeline, well - 36 ft deep, 1 1/2 H.P.
Motor on Pump - Pump 2 x 3 - Under ground pipe
3" Plastic

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

[illegible]

No. of acres 1.5

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

The water is also used to irrigate Lawn and Garden.

NOTE: Include here the type and number of stock watered:

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

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(8) Remarks

Map grid showing Township 11 North of Range 6, West Boise Meridian. The grid is 10 columns wide and 10 rows high. A dashed line runs vertically through the 3rd column. A dashed line runs horizontally through the 3rd row. The number 24 is written in the 1st column, 3rd row. The number 1 is written in the 2nd column, 3rd row. The text "Twp 11, North of Range 6, West Boise Meridian" is written across the top of the grid.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Washington) ss.

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

Sworn to before me this: 29th day of January, 1981.

Wayne L Johnson
(Claimant)

W. Garret McDaniel
Notary Public
Residing at Wasser, Idaho

My commission expires 7/1/84

MICROFILMED

FEB 15 1989

FOR DEPARTMENT USE ONLY

Received by me Date 2-2-81 Exception filed by: _____ Date _____
Prelim. check by Ken Date 2/3/81 + 17281 Forwarded to claimant by: well Date 4/7/81
Published in Signal American
Dates 2/17 & 2/12/81

2/5/81 GPa

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

Jan Grover
67-4338

Applicant

Johnson

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Diss

Date

4/7/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Maureen

Date

4/9/81



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

November 2, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CARY CURTIS GIBBS
KIMBERLY DEANN GIBBS
1165 OLDS FERRY RD
WEISER ID 83672

Re: Notice of Claim to a Water Right No. 67-04338

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure