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 67-14293
Date Received: 10/10/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LILIANA JOHNSON Phone: (208)455-0953

2922 OWYHEE LN
CALDWELL ID USA 83605

RICHARD E JOHNSON Phone: (208)455-0953

2922 OWYHEE LN
CALDWELL ID USA 83605

2. Date of Priority: 06/01/1875

3. Source: LITTLE WEISER RIVER , LITTLE WEISER RIVER Trib. to: WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
14N	01W	15	SE SE		ADAMS	
14N	01W	23	SE NW		ADAMS	

5. Description of diverting works:

HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.76	

7. Total Quantity Appropriated is:
0.76 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
14N	01W	15	NE	NE		IRRIGATION	37
			SE	NE		IRRIGATION	40
						Section Acres	77
						Total Acres	77

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

67-419 was split in 67-14293 and 67-14294 in 2000 by change of ownership. In 2006, 67-14293 and 67-14294 was mistakenly recombine back into 67-419 and then recommended to the SRBA court in error and then partially decreed. Ronald Ray, wanting to claim his portion of 67-419, then filed a late claim 67-15013 with the SRBA court in 2009. Mr. Ray also succeeded in getting the court to set aside the partial decree for 67-419 as he is claiming a portion of that right under 67-15013. 67-419 was then re-numbered to 67-14293. The status of claim 67-14294 will remain in-active (csaxton 9-30-09).

This right was renumbered from 67-419.

THIS WATER CARRIED IN THE LINDSAY-ANDERSON DITCH AND CAYLOR DITCHES. CAYLOR DITCH MAY ALSO BE KNOWN AS GRAYS-CREEK DITCH.
LINDSAY-ANDERSON AKA STEWART DITCH.
DIVERSIONS FROM CAYLOR DITCH LOCATED IN SECTION 14, SW1/4,SW1/4 AND SW1/4,NW1/4. LINDSAY ANDERSON DIVERSION LOCATED IN SECTION 15, SW1/4,NE1/4 OWNERSHIP CHANGED BY LH 2/7/95.

15. Basis of Claim: Decreed

16. Signature(s)

Saxton, Craig

From: Saxton, Craig
Sent: Friday, January 22, 2010 9:45 AM
To: Ridgeway, Renea
Cc: Bromley, Chris
Subject: RE: 67-419 (re-numbered to 67-15013) Johnson
Attachments: Explanation Memo.doc; 67-14293 v1 ADR (Johnson).doc; 67-419 ADR Disallowed.doc

Hey Renea and Chris,

I was clearing AJ files out of my desk and I ran across a question. Short story is that 67-419 was to be reported to the court as disallowed because it was renumbered to 67-14293. However, IWATRS doesn't show that 67-14293 is a valid subcase. It shows 67-419 as being disallowed, but nothing on 67-14293 which is a valid water right.

I was wondering what you have on your records? Chris, at this stage, how do we inform the court that 67-14293 is a valid recommendation that was renumbered from 67-419?

Below is the last e-mail I have on record discussing the subject.

Thanks,
C

From: Saxton, Craig
Sent: Thursday, October 01, 2009 7:35 AM
To: Ridgeway, Renea
Cc: Bromley, Chris
Subject: RE: 67-419 (re-numbered to 67-15013) Johnson

Hey Renea,

Ok, here is the ADR for 67-14293, 67-419, and a memo that explains what happened. I thought it might help with the cover letter.

Do you want me to ask Sally to send in the NCAP now, or would you like to tell me when to have her send it?

I will just hold tight. Just let me know what you want me to do and I will take care of it.

Thanks,
c

From: Bromley, Chris
Sent: Wednesday, September 30, 2009 1:34 PM
To: Saxton, Craig
Cc: Ridgeway, Renea
Subject: RE: 67-419 (re-numbered to 67-15013) Johnson

Craig,

That's sort of an interesting one. I think given that the set aside results in the current owner having less and needing a change to the water right number, it probably makes sense, as you point out, to issue it as an ADR. My initial thought was just to send a letter to the court with the new recommendation, but I think it's always better to err on the side of more notice rather than less notice. I'd include in the ADR coversheet the reason for the ADR (J Melanson's set aside and

need for renumbering based on his approval of the late claim). It probably also wouldn't hurt to note that the late claim is being reported in the upcoming LCDR. Issuing the NCAP at the same time makes sense to me.

Chris

From: Saxton, Craig
Sent: Wednesday, September 30, 2009 12:12 PM
To: Bromley, Chris
Cc: Ridgeway, Renea
Subject: 67-419 (re-numbered to 67-15013) Johnson

Hey Chris,

A couple of weeks ago we had a hearing to set aside partial decree for 67-419. At the same time, we heard a motion to file late claim 67-15013. The purpose for both of this is Ronald Ray wanted to claim is fair share of 67-419 which had been recommended, and partially decreed, in full to Richard Johnson.

The motion to set aside was granted with no further hearing dates identified.

I have renumbered 67-419 to 67-14293 in order to represent that we are changing the recommendation for Johnson's water right to reflect only a portion of the original right 67-419. I assume I need to send an ADR to the court. However, do we need an NCAP 1st to inform the court that 67-419 has been renumbered to 67-14293? Can we do it at once?

Late claim 67-15013 will be submitted to the court in the upcoming late claim DR.

Thanks,
C

09/30/2009

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14293

NAME AND ADDRESS: LILIANA JOHNSON
2922 OWYHEE LN
CALDWELL ID 83605

RICHARD E JOHNSON
2922 OWYHEE LN
CALDWELL ID 83605

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION:

T14N R01W S15 SESE Within ADAMS County

T14N R01W S23 SWNW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.720 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T14N R01W S15	NENE	29.00	T14N R01W S15	SENE	40.00

69 ACRES TOTAL

This right is limited to the irrigation of 57.6 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Little Weiser Irrigation District.

Idaho Department of Water Resources

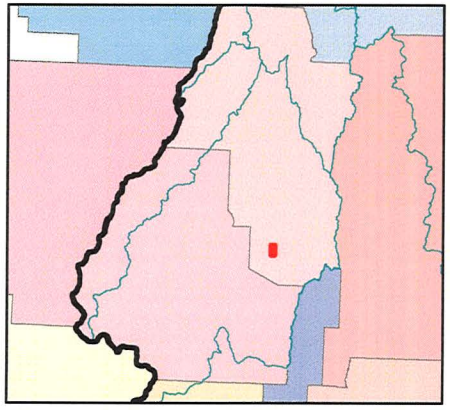
Adjudication Recommendation

67-14293

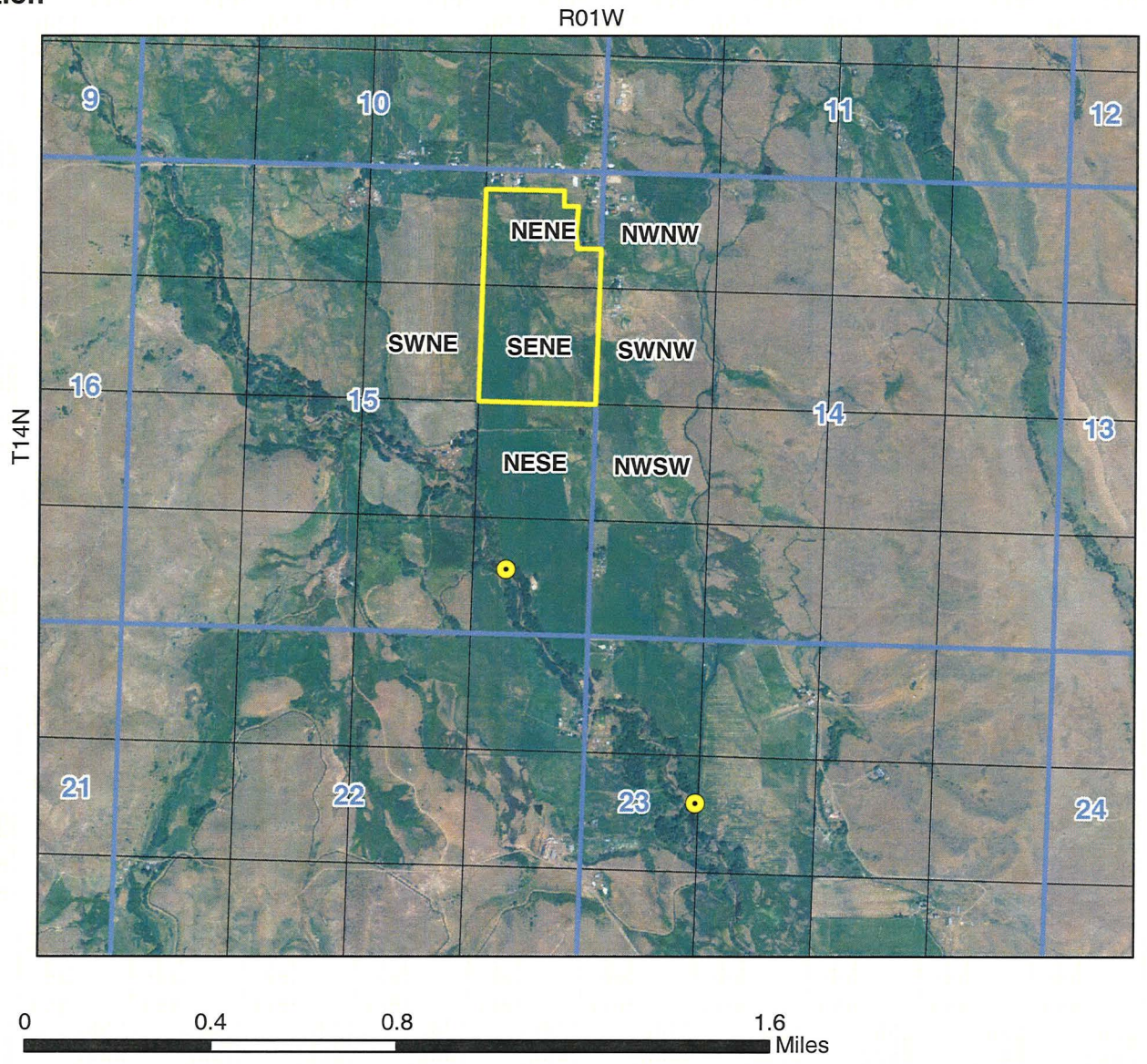
(IRRIGATION)

Legend

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

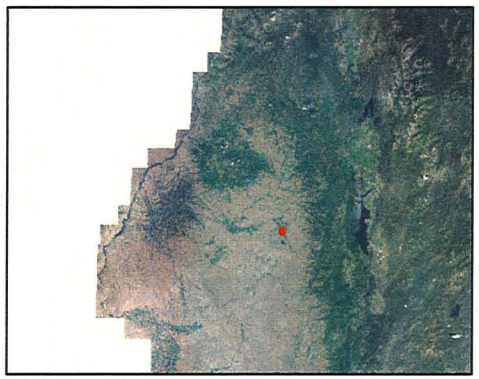


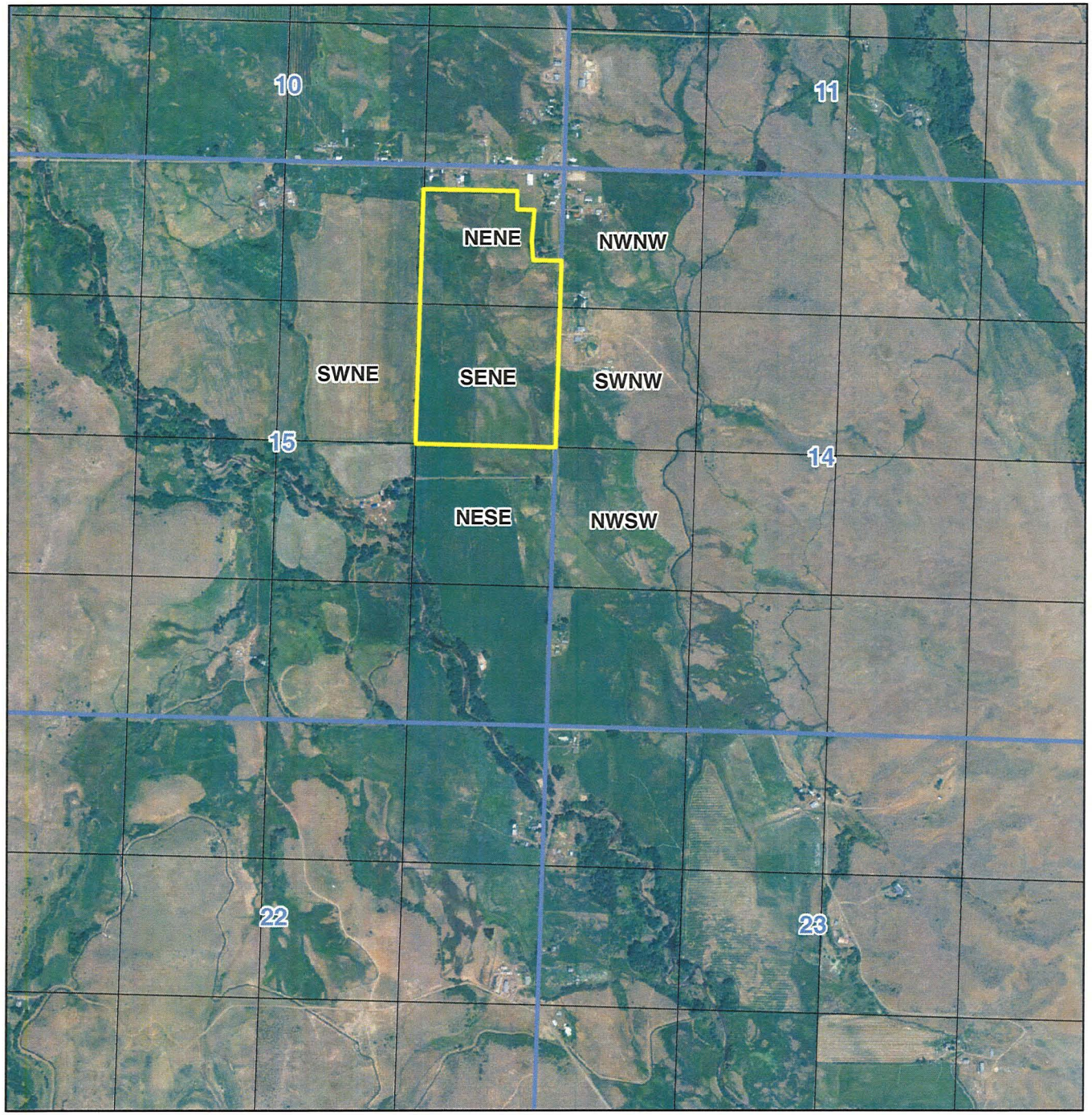
Adams County
IDWR Basin 67



Prepared by Craig Saxton
On September 30, 2009
2004 Aerial Photography

67-14293





Split of 67-419

Water Right Record

67-419	Anderson
0.76	cfs
60.8	ac

67-419	Adkins
	0.76
	77
	0.00987013

67-419	Veselka
	0.76
	77

Re # c/o

Acreage calc at 5/8 " per acre

***Last updated 9-30-09 (csaxton)**

Claim

Late Claim

67-15013	Ray
	0.04
	3.2

67-14293	Johnson
	0.72
	72.9

67-14294	Not claimed
	0.04
	4.1

Sum CFS =	0.76
Sum Acre=	77.0
Sum AF =	n/a

Extra CFS =	0.00
Extra Acre =	0.0
Extra AFA =	n/a

Recommendation

ppu

67-15013	Ray
	0.04
	3.2

3.1

67-14293	Johnson
	0.72
	57.6

69.0

67-14294	Not claimed
	0.00
	0.0

Sum CFS =	0.76
Sum Acre=	60.8
Sum AF =	n/a

72.1

Extra CFS =	0.00
Extra Acre =	0
Extra AFA =	n/a

PARCEL	Name	67A #	Date	CFS	Notes
N01W1501	JOHNSON	419A	6/1/1875	0.72	58
N01W1504	VOERMAN	419B	6/1/1875	0.04	3

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor
DAVID R. TUTHILL, JR.
Director

May 19, 2009

RICHARD E JOHNSON
LILIANA JOHNSON
2922 OWYHEE LN
CALDWELL ID 83605

RE: Error in Partial Decree 67-419

Dear Mr. and Ms. Johnson,

I apologize for contacting you by letter but I have been unable to reach you by telephone.

The reason I am contacting you is that it has been brought to my attention that there are several errors related to the recommendation and partial decree for 67-419:

- SRBA claim 67-419 was originally filed by Larry Adkins and claimed 77 acres (37 in the NENE and 40 in the SENE).

- In 1995, Adkins sold to Veselka – all of claim 67-419 was changed in to the name of Veselka

- In 2000, Veselka sold part of the property under 67-419 to yourself. At this time 67-419 was split:

67-419 split into:	67-14293	Veselka:	8.6 acres
	67-14294	Johnson:	68.4 acres
		Total =	77 acres

- In 2006, an IDWR agent reviewing the claims determined the 2000 split was not necessary and he recombine 67-14293 and 67-14294 back into 67-419 claiming 77 acres. Then, when the recommendation was submitted to the court, some how the water right recommended a total of 97 acres:

	27 NENE
	30 NENE
	40 SENE
Total =	97 acres

This, as you can see, recommends 57 acres in the NENE (a 40 acre tract of land).

My initial review indicates that there are several errors that should be corrected:

- 67-419 should be split back into 67-14293 and 67-14294.

- The recommended acreage for right should be adjusted to more accurately reflect the use of water right 67-419 (67-14293 and 67-14294). Water master records verify that 67-419 has been split into two pieces described as: 0.72 cfs: Johnson, and 0.04 cfs Veselka.

- In December of 2006 you submitted a Notice of Error reply requesting a change in the place of use boundary that was never made. That boundary should be adjusted.

I am enclosing copies of the proposed recommendation for your property (67-14294), and the property described in the water master records of being owned by Veselka (67-14293). Please look over these and if please contact me with any questions at (208) 287-4916 by **June 19, 2009**. I would be more than happy to discuss this issue with you in more detail.

Sincerely,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov

Enclosure(s): Copy of Partial Decree 67-419
Copy of recommendations for 67-14293 and 67-14294

05/19/2009

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14293

NAME AND ADDRESS: LOUISE F VESELKA
BOX 25
INDIAN VALLEY ID 83632

TIMOTHY G VESELKA
BOX 25
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION:

T14N R01W S15 SESE Within ADAMS County

T14N R01W S23 SWNW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.040 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T14N R01W S15 NENE 3.10

3.1 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Little Weiser Irrigation District.

Idaho Department of Water Resources

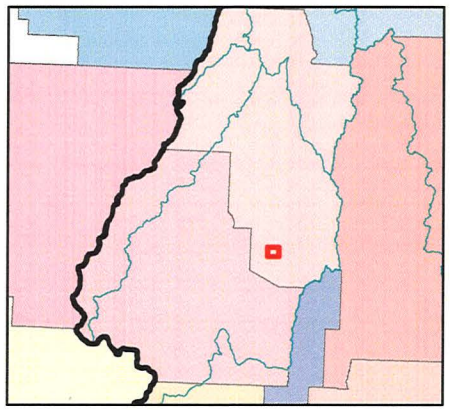
Adjudication Recommendation

67-14293

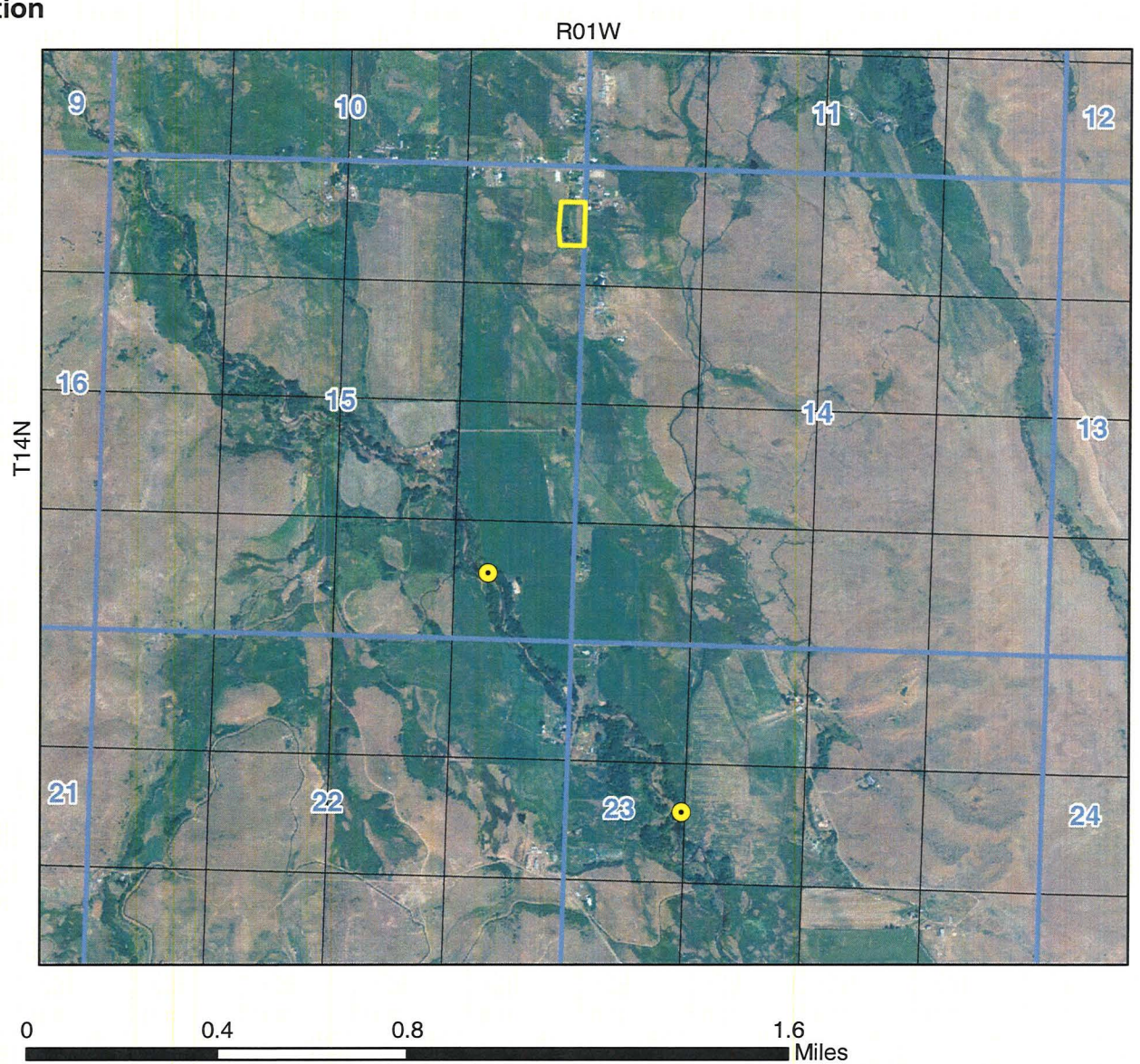
(IRRIGATION)

Legend

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

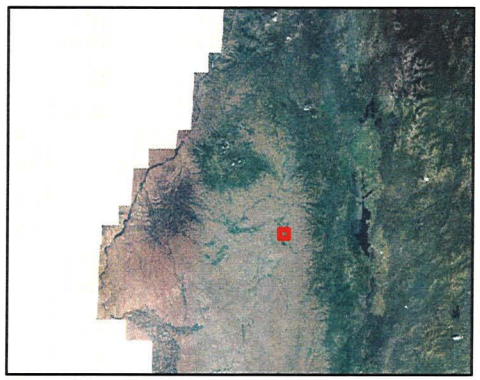


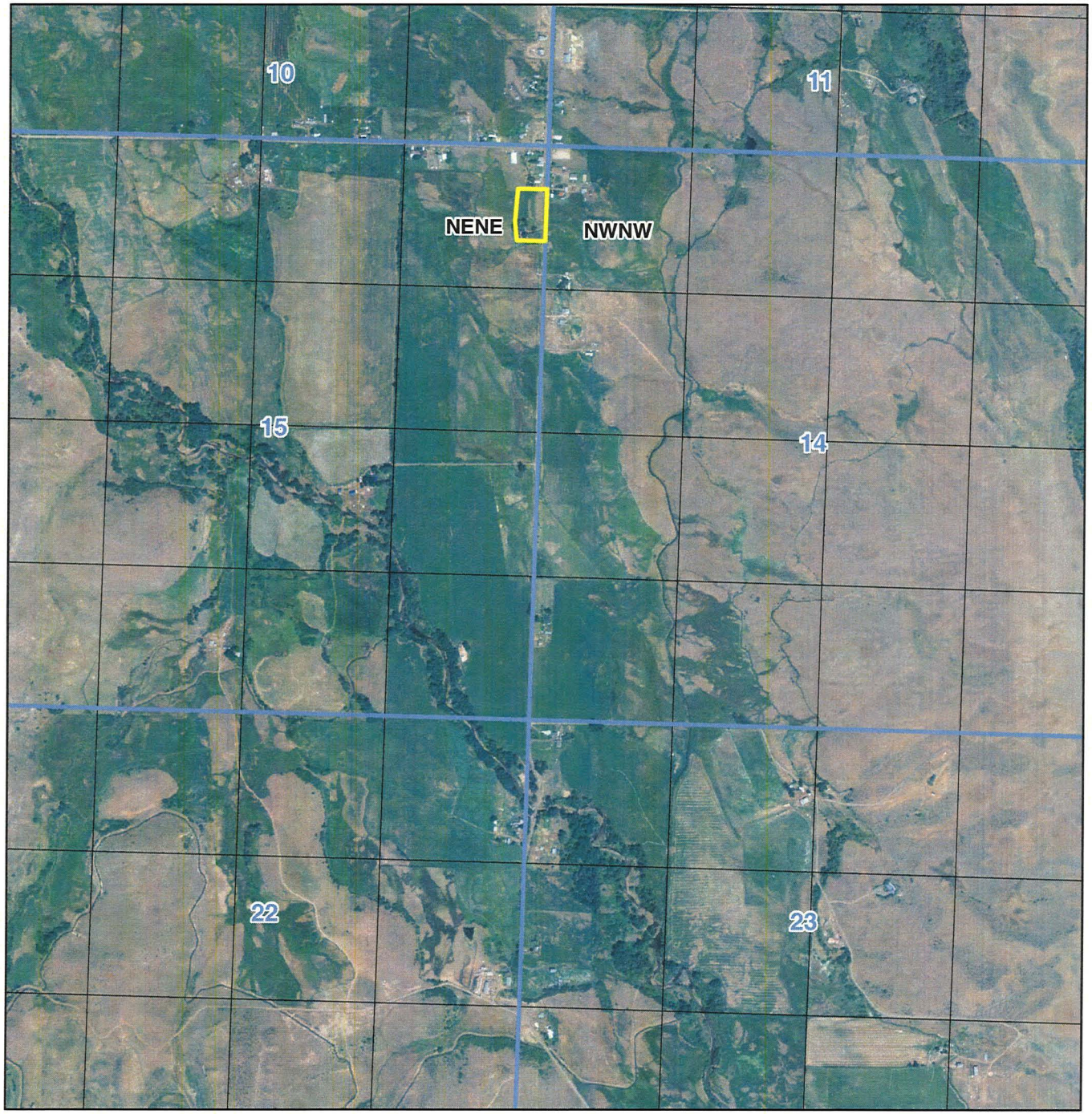
Adams County
IDWR Basin 67



Prepared by Craig Saxton
On May 19, 2009
2004 Aerial Photography

67-14293





Memo
To: File
From: Dan Narsavage
July 25, 2006
Re: Split of 67-419 (children: 67-14293 & -14294)

The original claim to the entire decreed right 67-419 was made by Louise & Tim Veselka. The Veselkas claimed 30 acres in the northern QQ of the two they claimed. They claimed all 40 acres in the southern QQ.

Richard and Liliana Johnson then filed a change of ownership for this claim in March 2000. The parcel currently shown as being owned by the Johnsons contains roughly 30 acres in the aforementioned northern QQ and 40 acres in the southern. No one with the Veselka surname owns anything in either QQs in question. Furthermore, the map submitted with the deed and change in ownership form similarly shows no parcels owned by Veselka, other than the one now owned by the Johnsons.

It is my feeling that this split was performed unnecessarily. The evidence available to me suggests that the Veselkas never owned anything but the property now owned by the Johnsons. I will recombine these two claims and re-activate 67-419.

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 67-14293
Date Received: 10/10/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): LOUISE F VESELKA
BOX 25
INDIAN VALLEY ID USA 83632
Phone: (208)256-4382

TIMOTHY G VESELKA
BOX 25
INDIAN VALLEY ID USA 83632
Phone: (208)256-4382

2. Date of Priority: 06/01/1875

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
14N	01W	15	SE SE		ADAMS	
14N	01W	23	SE NW		ADAMS	

5. Description of diverting works:

HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.09	

SCANNED
APR 12 2004

7. Total Quantity Appropriated is:
   0.09 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
14N	01W	15	NE	NE		IRRIGATION	8.6
						Section Acres	8.6
						Total Acres	8.6

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 67-419. DB 3/6/2002

15. Basis of Claim: Decreed

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAR 13 2000

WATER RESOURCES
WESTERN REGION

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

Water Right Number(s) A67-00419

Adjudication Claim Number(s) _____

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 on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant(s) TIMOTHY G. & LOUISE F. VESELKA

350 N. CENTER, OAKLEY, ID 83346

New Owner/Claimant(s) RICHARD E. JOHNSON AND LILIANA JOHNSON

Name connector (Check one): [X] AND, [ ] OR, [ ] AND/OR

New Mailing Address 2922 OWHYEE LANE

City, State and ZIP Code CALDWELL, ID 83605

New Telephone Number (208) 455 - 0953

Date you acquired the property 8/31/99

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ (cubic feet per second) 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.

Signature of New Owner/Claimant(s) Richard E. Johnson Date 8/30/99

Liliana Johnson Date 8/30/99

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

STATE OF IDAHO

IDAH EPARTMENT OF WATER RESOURC.

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 14 1999

WATER RESOURCES
WESTERN REGION

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 Number(s) _____

   Adjudication Claim Number(s) _____

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 on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) TIMOTHY G. & LOUISE F. VESELKA

   350 N. CENTER, OAKLEY, ID 83346

4. New Owner/Claimant(s) RICHARD E. JOHNSON AND LILIANA JOHNSON

   Name connector (Check one): [XX] AND, [ ] OR, [ ] AND/OR

   New Mailing Address 2922 OWHYEE LANE

   City, State and ZIP Code CALDWELL, ID 83605

   New Telephone Number (208) 455 - 0953

5. Date you acquired the property 8/31/99

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 actually irrigated _____ Number and type of stock _____

   Diversion rate in CFS _____ (cubic feet per second) 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/Claimant(s) Richard E. Johnson Date 8/30/99

   Liliana Johnson Date 8/30/99

   (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

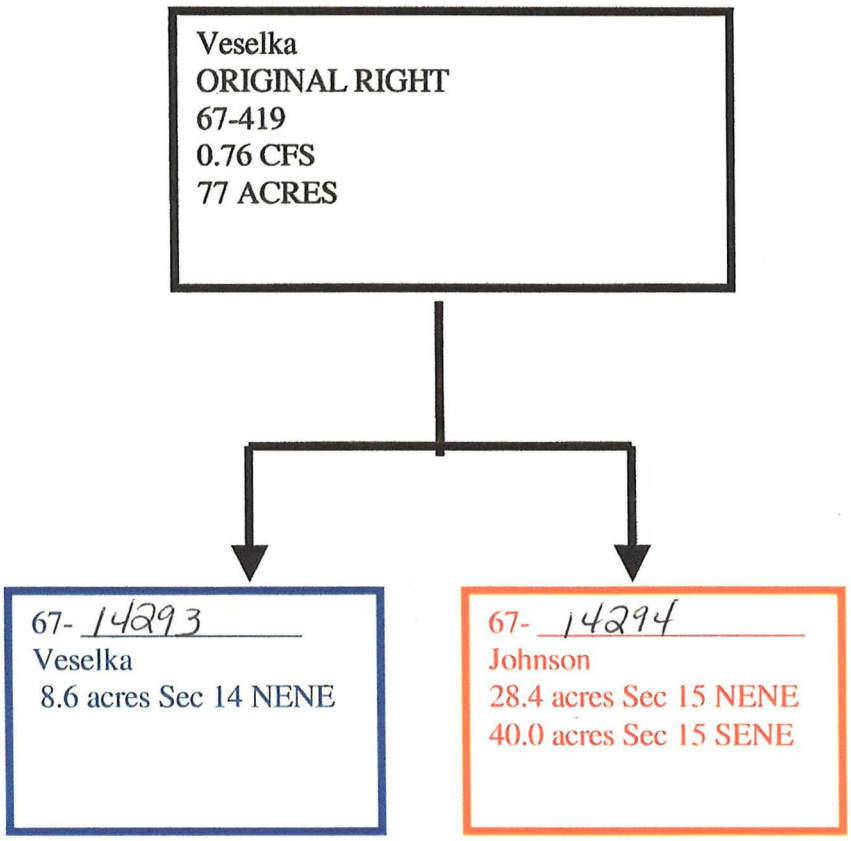
10/10/89

SPLIT TREE

CLAIMS 67-419
AGENT: Sue Bock
Date: 3/6/02

67- 14293 = 0.0098 CFS @ 8.6 ACRES 0.09 CFS
67- 14294 = 0.0098 CFS @ 68.4 ACRES 0.67 CFS

TOTALS = 77 ACRES @ 0.0098 CFS Per Acre Total .76 cfs



The original claimants claimed 37 acres in the NENE. The total exceptions on the land Johnson purchased total 11.6 acres. The 3 acres in the NENE not claimed, are part of the exception. So, the remaining 8.6 acres remain in Veselka's name although it appears all of these parcels are now under new ownership. In 1997 the Vormans tried to claim a portion, but appears they never followed through.

INSTRUMENT NO. 41735
PAGE 1 OF

WARRANTY DEED

For Value Received

TIMOTHY G. VESELKA AND LOUISE F. VESELKA, HUSBAND AND WIFE,

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

RICHARD E. JOHNSON AND LILIANA JOHNSON, HUSBAND AND WIFE

the grantees, whose current address is

2922 OWHYEE LANE, CALDWELL, ID 83605

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

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding, reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

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

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 25, 1999

Timothy G. Veselka
TIMOTHY G. VESELKA

Louise F. Veselka
LOUISE F. VESELKA

STATE OF IDAHO, COUNTY OF Washington

On this 25th day of August, 1999, before me, a notary public in and for the said State, personally appeared

TIMOTHY G. VESELKA AND
LOUISE F. VESELKA

known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Christy L. Vickers
Notary Public
Residing at Weiser, Idaho
Comm. Expires 11/04/2003

STATE OF IDAHO, COUNTY OF

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

at minutes past, o'clock M.,
this day of
19, in my office, and duly recorded in Book
of Deeds at Page

Ex-Officio Recorder

By Deputy.

Fees $
Mail to:

INSTRUMENT No.

392 (9-82)

SCHEDULE A CONTINUED
ORDER No. 100-99-400

INSTRUMENT NO. 96735
PAGE 2 OF 2

PARCEL 1
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 15: E1/2NE1/4
EXCEPTING THEREFROM a tract of land more particularly described as follows:
Commencing at the NE corner of said Section 15;
Thence West on and along the Section line 1320 feet more or less to the NW corner of the NE1/4NE1/4 of said Section, Township and Range;
Thence South 224 feet on and along the West line of said NE1/4NE1/4;
Thence East at right angles and paralleling the North line of said Section 15 a distance of 884.4 feet to a point;
Thence South at right angles 176 feet;
Thence East at right angles a distance of 435.6 feet more or less to a point which is on the East Section line of said Section 15;
Thence North 400 feet more or less along the East section line of said Section 15 to the POINT AND PLACE OF BEGINNING.

ALSO EXCEPTING THEREFROM:

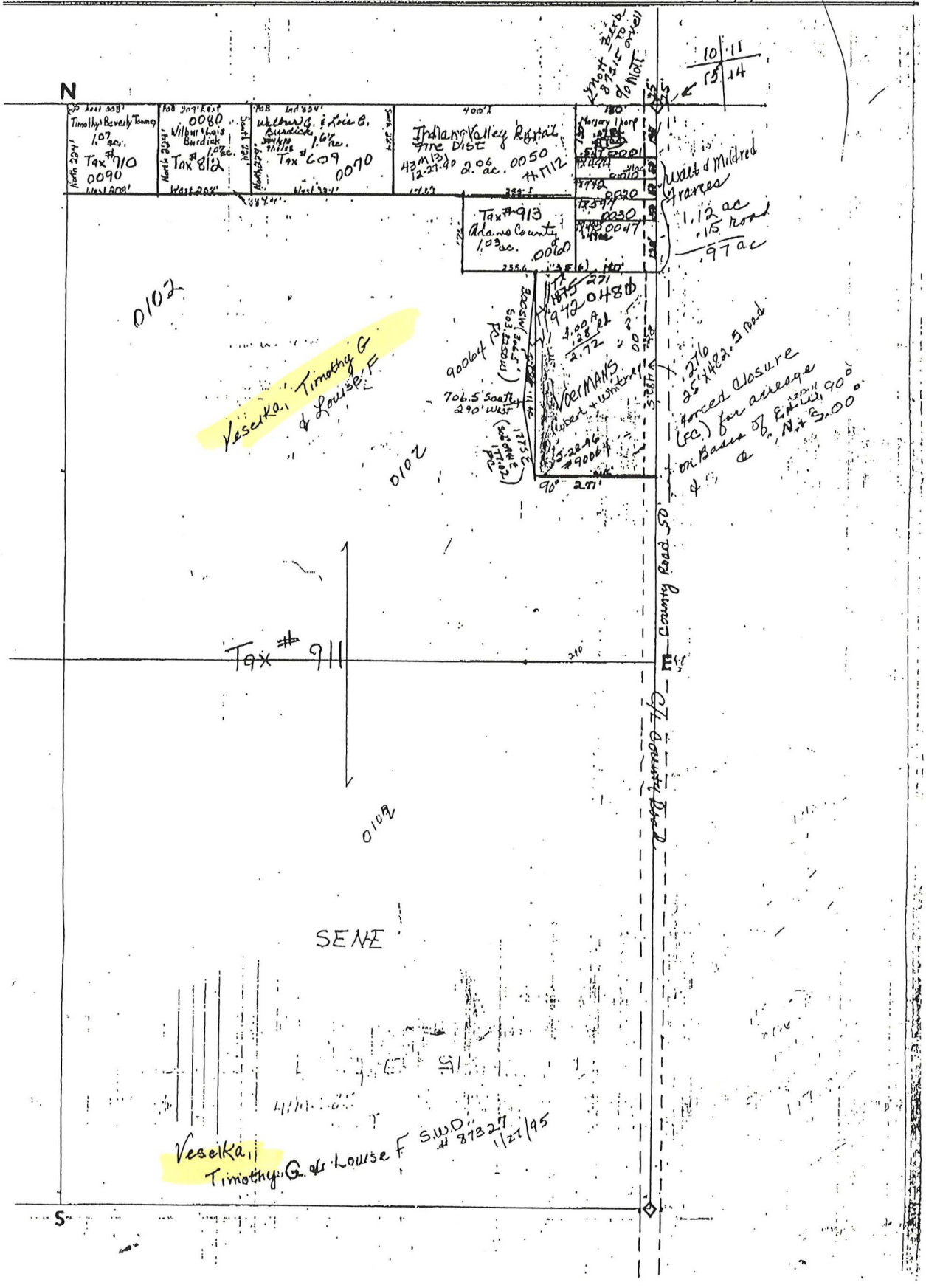
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 15: A parcel of land located in the NE1/4NE1/4 more particulary described as follows:

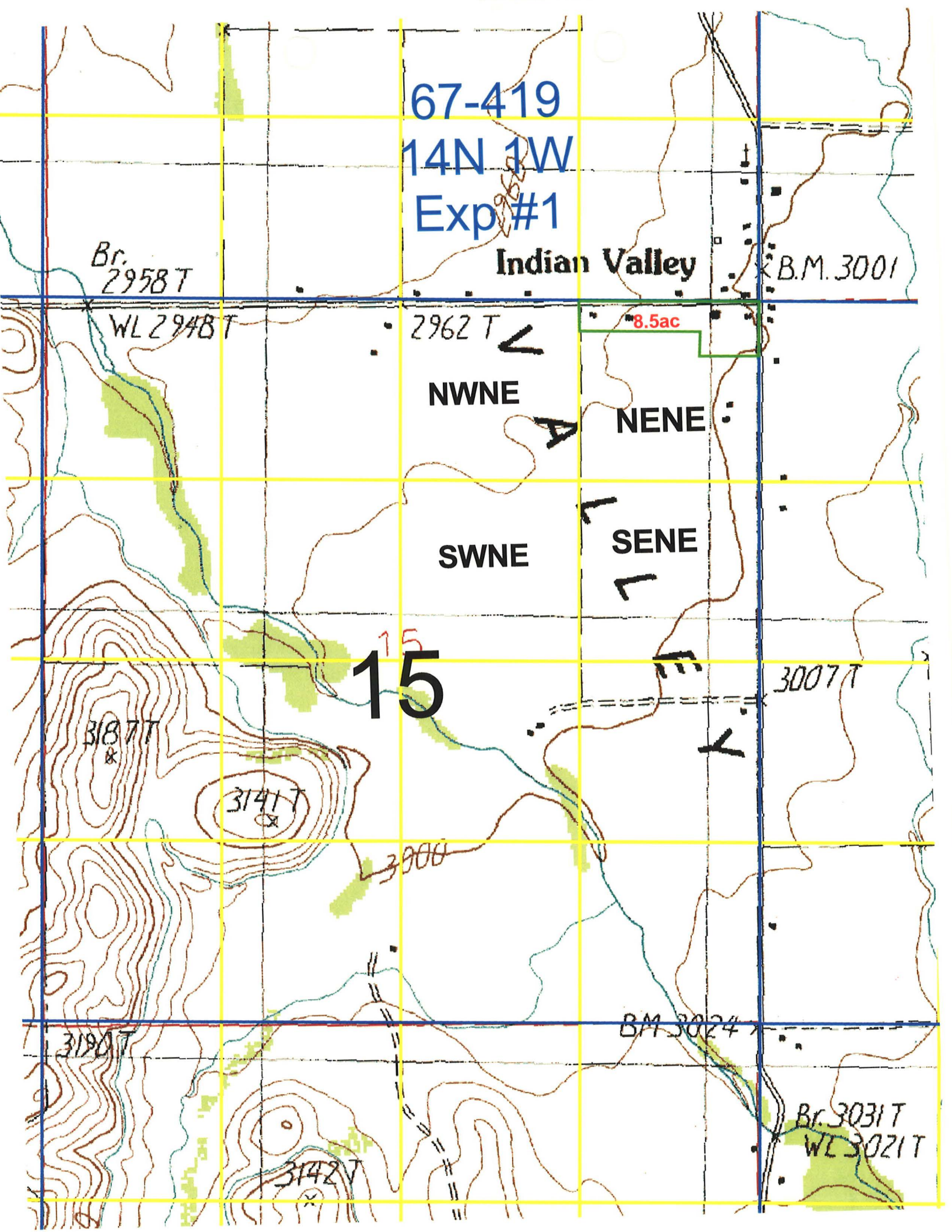
Beginning at the NE corner of the NE1/4NE1/4 also the center of the County Road;
Thence South along the East boundary of said NE1/4NE1/4 and center of County Road a distance of 400 feet to the REAL POINT OF BEGINNING;
Thence continuing South along the Easterly boundary of said NE1/4NE1/4 and center of County Road a distance of 482.5 feet;
Thence West 271 feet;
Thence North parallel to the East Boundary of said NE1/4NE1/4 a distance of 482.5 feet.
Thence East 271 feet to the TRUE POINT AND PLACE OF BEGINNING.
EXCEPTING THEREFROM the right of way of the County Road.

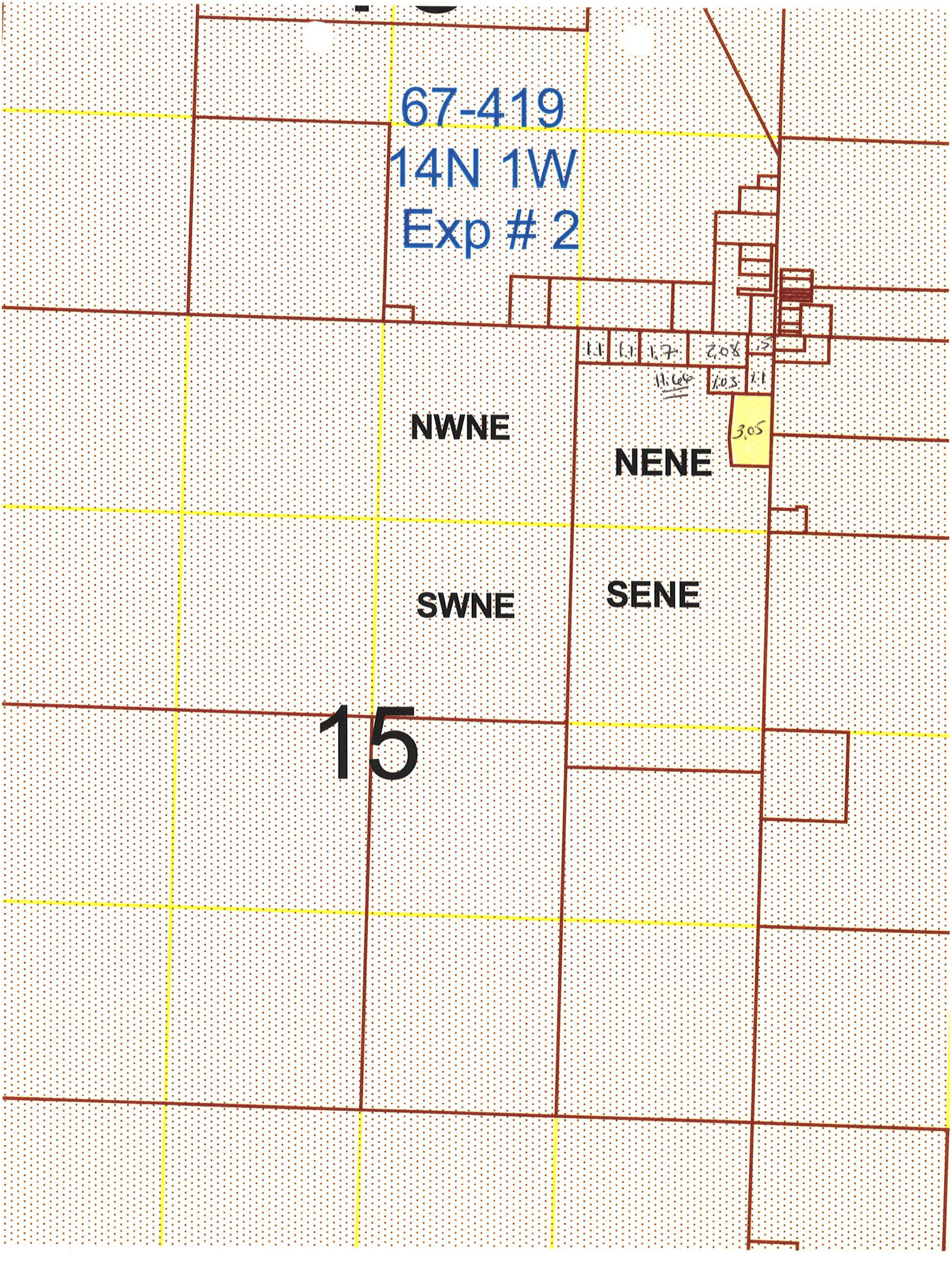
ALSO EXCEPTING
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 15: A parcel of land located in the NE1/4NE1/4 more particularly described as follows:
Beginning at the NE corner of the NE1/4NE1/4 (also the center of the County Road);
Thence South along the East boundary of said NE1/4NE1/4 a distance of 400 feet;
Thence continuing South along the Easterly boundary of said NE1/4NE1/4 a distance of 482.5 feet;
Thence West 271 feet to the TRUE POINT AND PLACE OF BEGINNING;
Thence North parallel with the East boundary of said NE1/4NE1/4 a distance of 482.5 feet;
Thence in a Southwesterly direction 300 feet to a point that is 706.5 feet south and 220 feet West of the Northeast corner of said NE1/4NE1/4;
Thence in a Southeasterly direction a distance of 177 feet to the TRUE POINT AND PLACE OF BEGINNING.

PARCEL 2
Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 15: a tract of land lying in the NE1/4SE1/4 of said Section more particularly described as follows:
Commencing at the NE corner of said NE1/4SE1/4 of said Section;
Thence West a distance of 1320 feet more or less to the NW corner of said NE1/4SE1/4;
Thence South 297 feet on and along the West line of said NE1/4SE1/4;
Thence East at right angles and paralleling the North line of NE1/4SE1/4 a distance of 1320 feet more or less to a point, which point is on the East line of said Section 15;
Thence North 297 feet more or less along the East line of said Section 15 to the POINT AND PLACE OF BEGINNING

YE SEC. 15 TWP. 14 N. RGE. 12W B.M.




67-419
14N 1W
Exp #1
Indian Valley
Br. 2958 T
WL 2948 T
2962 T
B.M. 3001
8.5ac
NWNE
NENE
SWNE
SENE
15
3007 T
3187 T
3141 T
3000
3190 T
BM 3024
Br. 3031 T
WL 3021 T
3142 T


67-419
14N 1W
Exp # 2
1.1
1.1
1.7
2.08
1.3
1.03
1.1
3.05
NWNE
NENE
SWNE
SENE
15

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: **A67-00419**
Date Received: 10/10/1989
Receipt No: M004877
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: TIMOTHY G VESELKA 208-256-4382
   Address: BOX 25
   INDIAN VALLEY ID 83632
   OR
   Name: LOUISE F VESELKA 208-256-4382
   Address: BOX 25
   INDIAN VALLEY ID 83632

2. Date of Priority: JUN 1, 1875

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	01W	15		SE	SE		ADAMS
		23		SE	NW		ADAMS

5. Description of diverting works:
   HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.760		

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

8. Total consumptive use is 231.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14N	01W	15	NE	NE		IRR	37.0
			SE	NE		IRR	40.0
						Section Acres	77.0
						Total Acres	77.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
C. BEN ROSS RES.

14. Remarks:
THIS WATER CARRIED IN THE LINDSAY-ANDERSON DITCH AND CAYLOR DITCHES. CAYLOR DITCH MAY ALSO BE KNOWN AS GRAYS-CREEK DITCH. LINDSAY-ANDERSON AKA STEWART DITCH.
DIVERSIONS FROM CAYLOR DITCH LOCATED IN SECTION 14, SW1/4,SW1/4 AND SW1/4,NW1/4. LINDSAY ANDERSON DIVERSION LOCATED IN SECTION 15, SW1/4,NE1/4
OWNERSHIP CHANGED BY LH 2/7/95.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree 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: _____

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 _____

FILE NO. 07-1493

PROBLEM -
JOHNSON'S PURCHASED
77 ACRES. ~~MAP SHOWS~~
THEY FEEL IT IS 37 ACRES
IN THE NENE & 40 AC IN THE
SENE. THE MAP SUBMITTED
INDICATES LOTS ACROSS THE NORTH
OF THE NENE & A LITTLE DOWN THE
SIDE ADD UP TO 11.66 ACRES.
THIS LEAVES 28.4 ACRES IN THE
NENE THAT THE JOHNSON'S COULD
HAVE PURCHASED FROM VESELKA'S.
THUS, THE SPLIT. JOHNSON'S
PAID FOR 77 ACRES IN THE E½NE.
MRS. JOHNSON WILL CALL BEFORE SHE
COMES IN - SHE WILL BE COMING IN.

PER PHONE CALL.

MAKE CHECK PAYABLE TO: 2001 TAX BILL/RECEIPT PARCEL NUMBER

ADAMS COUNTY TREASURER RP14N01W150103A

P. O. BOX 47 BILL# 3909 CODE AREA 24-00 L 23,538

COUNCIL, ID 83612

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	23,538
TAX	254.68	TAX	254.68	TAX	509.36		
LATE		LATE		LATE			
INT		INT		INT			
COST		COST		COST		WAC	1.900
TOT		TOT		TOT		TOT ACS	75.430

JOHNSON RICHARD E & LILIANA
2922 OWHYEE LANE
CALDWELL ID 83605

T14N R1W SEC 15
PT E2NE4
TAX #912 IN NE4SE4
77.33 AC

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.005479390	128.96
SCHOOL 432J	.005652372	133.04
IND VALLEY #2	.000152282	3.58
IND VALL FIRE	.001586867	
FLOOD CONTROL	.000063169	1.48
HOSPITAL	.001724093	40.58
COUNCIL AMBULNC	.000382491	9.00
DISTRICT TOTAL	.015040664	316.64
WATER 67A		18.72
LWID		174.00
EXEMPT SW FEE		
AMOUNT DUE		509.36

775 INDIAN VALLEY RD

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

2001

WARRANTY DEED

For Value Received

TIMOTHY G. VESELKA AND LOUISE F. VESELKA, HUSBAND AND WIFE,

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

RICHARD E. JOHNSON AND LILIANA JOHNSON, HUSBAND AND WIFE

the grantees , whose current address is

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

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding, reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

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

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 25, 1999

Timothy G. Veselka — Louise F. Veselka

TIMOTHY G. VESELKA — LOUISE F. VESELKA

STATE OF IDAHO, COUNTY OF Washington

On this 25th day of August , 1999 , before me, a notary public in and for the said State, personally appeared

TIMOTHY G. VESELKA AND
LOUISE F. VESELKA

known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Christy L. Vickers Notary Public

Residing at Weiser , Idaho

Comm. Expires 11/04/2003

STATE OF IDAHO, COUNTY OF

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

at minutes past o'clock M.,
this day of
19 , in my office, and duly recorded in Book
of Deeds at Page

Ex-Officio Recorder

By Deputy.

Fees $

Mail to:

INSTRUMENT No.

IDL-392 (9-82)

SCHEDULE A CONTINUED
ORDER No. 100-99-400

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Thence in a Southwesterly direction 308 feet to a point that is 706.5 feet south and 290 feet West of the Northeast corner of said NE1/4NE1/4;
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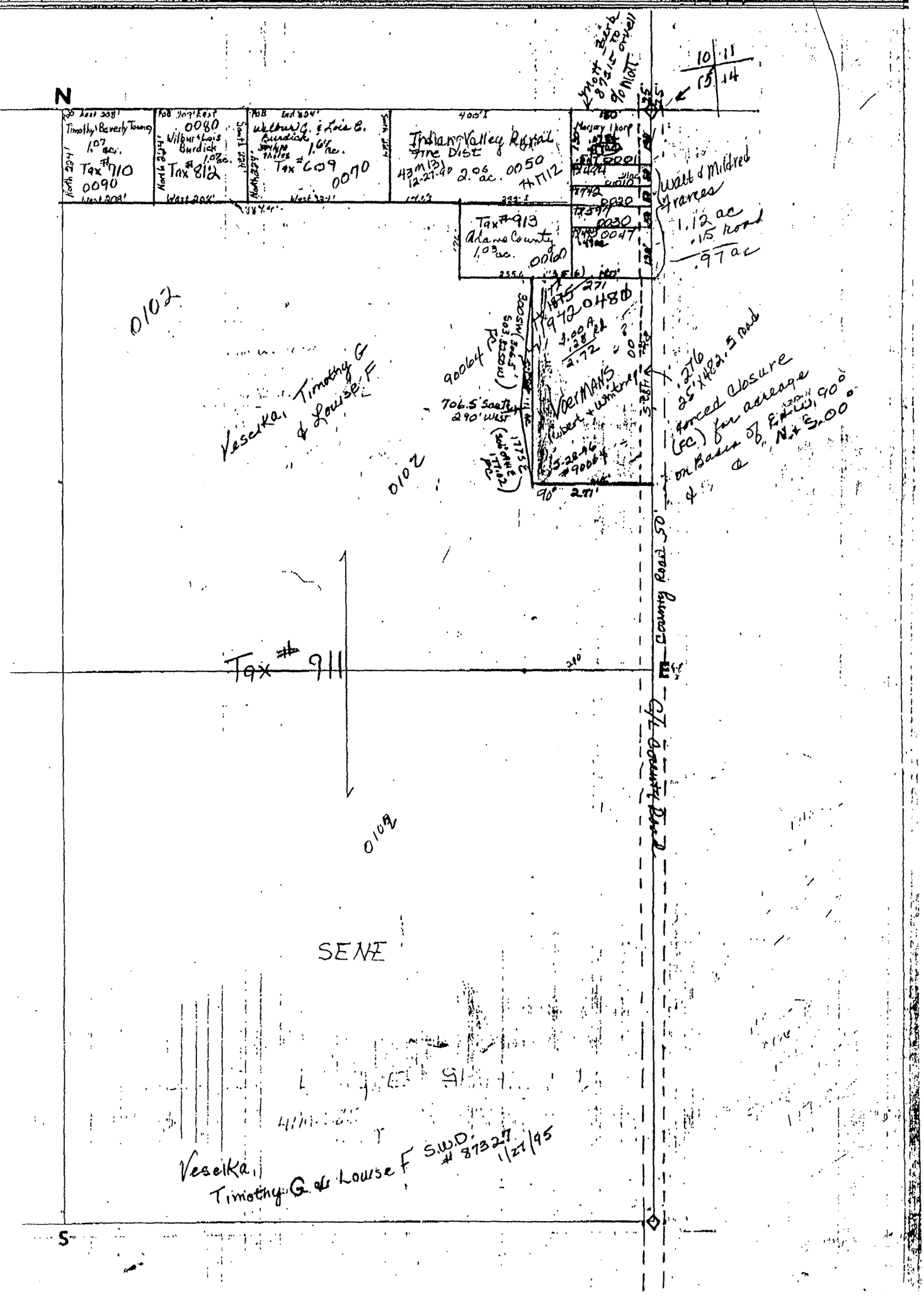
...E SEC. 15 TWP. 14 N. RGE. 12W B.M.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 6, 2002

TIMOTHY G VESELKA
LOUISE F VESELKA
BOX 25
INDIAN VALLEY ID 83632

Re: Original Notice of Claim to a Water Right No. 67-00419

Renumbered to Notice of Claim to a Water Right No. 67-14293

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office. Also enclosed is a copy of the original claim for your reference.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure