

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED

DEC 15 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

[] Water Right Number(s): * 37-2693
x 37-4242
37-21964

[] Name(s): Carl B Johnston

[] Old Mailing Address: 350 Broadway Rd | 2770 Palma Vista Ave
PO Box 219 | Las Vegas NV 89121
Bellevalle ID

[] New Mailing Address: 3154 SORREL ST
LAS VEGAS NEVADA
89146

Telephone Number: () -

[] Signature(s) of Owner(s) Carl Johnston
(Include your title if on behalf of company or organization)

Date: 12/15/08

D.E. 12/15/08
DE

SCANNED
24 2009

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A37-04242 A37-02693 AR # 5000012 For Johnston Only

[] Old Mailing Address: P.O. Box 219
Bellvue ID 83313

[] New Mailing Address: 2770 Palma Vista Ave
Las Vegas NV 89121

New Telephone Number: () - -

[] Signature of Claimant: Per Tele' Conversation
Date: with Lana Johnston
6/20/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 6-20-90 By: [Signature]

MICROFILMED

MAR 01 1993

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: A37-02693
Date Received: 9/02/1988
Receipt No: 5002055
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL B. JOHNSTON 208-788-3812
Address: P. O. BOX 219
BELLEVUE, ID 83313

AND/OR
Name: JAMES H. BILBRAY
Address: 1701 W. CHARLESTON BLVD.
LAS VEGAS, NV 89101

2. Date of Priority: DEC 04, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	35	NW	NW			BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	0.060		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 0.73 A.F.A.

8. Total consumptive use is 0.7 Acre Feet Per Annum.

9. Non-irrigation uses:
I/MILLING, DOMESTIC/MOBILE HOME & OFFICES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	35	NW	NW	DOMEST INDUST	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-4242

14. Remarks:
USE FOR MINNIE MOORE MINES & PROPERTIES.

15. Basis of Claim: LICENSE
Water Right Number: 31583

RECORDED
MAR 01 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 X 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): [Signature] Date: 09-02-88
_____ Date: _____

State of Idaho

County of Twin Falls)
SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

MICROFILMED
MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 22, 1990

Carl B. Johnston
2770 Palma Vista Avenue
Las Vegas, NV 89121

RE: Snake River Basin Adjudication (SRBA)
Blaine County - #A37-04242 & #A37-02693 ✓

Dear Mr. Johnston:

Lana Johnston called me on June 21, 1990, and advised me of your new address. We have changed our records accordingly. I have enclosed copies of the Notices of Claim to a Water Right referenced above for your files.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state
Enclosures:

Copies of Claims Referenced Above

MICROFILMED
MAR 01 1993

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A37-04242 For Johnston Only

A37-02693

AR # S000012

[] Old Mailing Address: P.O. Box 219

Bellvue ID 83313

[] New Mailing Address: 2770 Palma Vista Ave

Las Vegas NV 89121

New Telephone Number: () - -

[] Signature of Claimant: Per Tele' Conversation

Date: with Lana Johnston
6/20/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

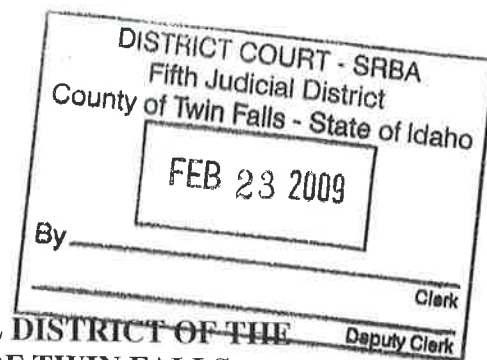
Date: By:

Final Review and Data-Entry

Date: 6-20-90 By: [Signature]

RECORDED
MAR 01 1993

COPY



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

In Re SRBA

)

SUBCASE NO. 37-2693, 37-4242

Case No. 39576

)

)

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

2/20/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/23, 2008⁹, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Carl Johnston
3154 Sorrel St
Las Vegas NV 89146

James Bilbray
3128 Beach View Ct
Las Vegas NV 89117



Signature of person or attorney mailing the form

12/15/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2693

NAME AND ADDRESS: JAMES H BILBRAY
3128 BEACH VIEW CT
LAS VEGAS NV 89117

CARL B JOHNSTON
3154 SORREL ST
LAS VEGAS NV 89146

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.500 CFS
0.73 AFY

PRIORITY DATE: 12/04/1963

POINT OF
DIVERSION:

T02N R18E S35 NWNW Lot 2 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	0.500 CFS
DOMESTIC	01/01 12/31	0.73 AFY
		0.060 CFS
		0.60 AFY

PLACE OF USE: INDUSTRIAL in BLAINE County

T02N R18E S35 NWNW

DOMESTIC in BLAINE County

T02N R18E S35 NWNW

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.

USE FOR MINNIE, MOORE MINES & PROPERTIES.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

12/15/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-4242	CARL B JOHNSTON 3154 SORREL ST LAS VEGAS NV 89146	Disallowed	No lawful appropriation shown.
	JAMES H BILBRAY 3128 BEACH VIEW CT LAS VEGAS NV 89117		



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 23, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

CARL JOHNSTON
3154 SORREL ST
LAS VEGAS NV 89146

RE: SRBA Claim(s) 37-2693, 37-4242

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: James Bilbray
3128 Beach View Ct
Las Vegas NV 89117

COPY

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

In Re SRBA

Case No. 39576

SUBCASE NO. 37-2693, 37-4242

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

9/10/08



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/11, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

James Bilbray
3128 Beach View Ct
Las Vegas NV 89117

Carl Johnston
PO Box 219
Bellevue ID 83313



Signature of person or attorney mailing the form

09/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2693

NAME AND ADDRESS: JAMES H BILBRAY
3128 BEACH VIEW CT
LAS VEGAS NV 89117

CARL B JOHNSTON
350 BROADFORD RD
PO BOX 219
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.500 CFS
0.73 AFY

PRIORITY DATE: 12/04/1963

POINT OF
DIVERSION:

T02N R18E S35 NWNW Lot 2 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

0.500 CFS

0.73 AFY

DOMESTIC

01/01 12/31

0.060 CFS

0.60 AFY

PLACE OF USE:

INDUSTRIAL in BLAINE County

T02N R18E S35 NWNW

DOMESTIC in BLAINE County

T02N R18E S35 NWNW

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.

USE FOR MINNIE MOORE MINES & PROPERTIES.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-4242	CARL B JOHNSTON 350 BROADFORD RD PO BOX 219 BELLEVUE ID 83313	Disallowed	No lawful appropriation shown.
	JAMES H BILBRAY 3128 BEACH VIEW CT LAS VEGAS NV 89117		



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 10, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JAMES BILBRAY
3128 BEACH VIEW CT
LAS VEGAS NV 89117

RE: SRBA Claim(s) 37-2693, 37-4242

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

cc: Carl Johnston
PO Box 219
Bellevue ID 83313

RECEIVED

JUL 21 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 37-2693, 37-4242, 37-21964 (temp)

Previous Mailing Address: UNKNOWN

New Mailing Address: 3128 Beach View CT
LAS VEGAS, NV. 89117

Telephone Number: (702) 792 7027

Signature of all Claimant(s): James H. Bilbey

Please print your name below your signature.

JAMES H. BILBEY

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
Ph. 208/762-2800 or
FAX 208/762-2819

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/736-3033 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/525-7161 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Ph 208/287-4800
FAX 208/287-6700

SCANNED
OCT 02 2008

P. O. Box 83720
Boise, ID 83720-0098

RETURNED
TO
SENDER
NO SUCH NUMBER

FIRST CLASS



02 1M
0004230883
MAILED FROM ZIP CODE 83720

RECEIVED
MAR 26 2007
DEPARTMENT OF
WATER RESOURCES

37-2693
37-4242

JAMES H BILBRAY
3155 SORREL
LAS VEGAS NV 89101

☐ ATTEMPTED-NOT KNOWN
☒ NO SUCH NUMBER
☐ VACANT
☐ REFUSED
☐ NO MAIL RECEPTACE
☐ TEMPORARILY AWAY
☐ RT. 4618

12/16/2006

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

RIGHT NUMBER: 37-2693

NAME AND ADDRESS: JAMES H BILBRAY
1701 W CHARLESTON BLVD
LAS VEGAS NV 89101

CARL B JOHNSTON
3154 S SORREL ST
LAS VEGAS NV 89146

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.500 CFS
0.730 AFY

PRIORITY DATE: 12/04/1963

POINT OF DIVERSION:

T02N R18E S35 NWNW Lot 2 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	0.500 CFS 0.73 AFY
DOMESTIC	01/01 12/31	0.060 CFS 0.60 AFY

PLACE OF USE: INDUSTRIAL in BLAINE County

T02N R18E S35 NWNW

DOMESTIC in BLAINE County

T02N R18E S35 NWNW

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.

USE FOR MINNIE MOORE MINES & PROPERTIES.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

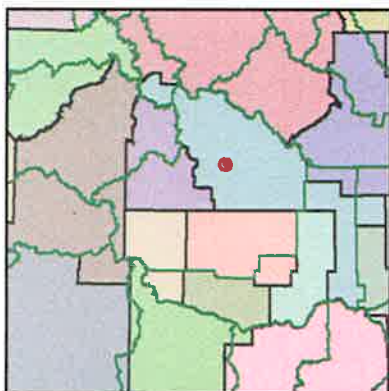
SRBA Recommendation:

37-2693

(Industrial)

Legend

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



Blaine County
IDWR Basin 37



Prepared by J. Peppers
On Saturday, December 16, 2006
2004 Aerial Photography



Idaho Department of Water Resources

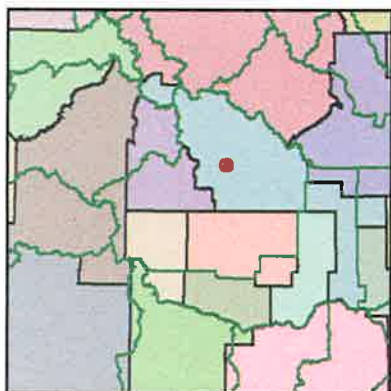
SRBA Recommendation:

37-2693

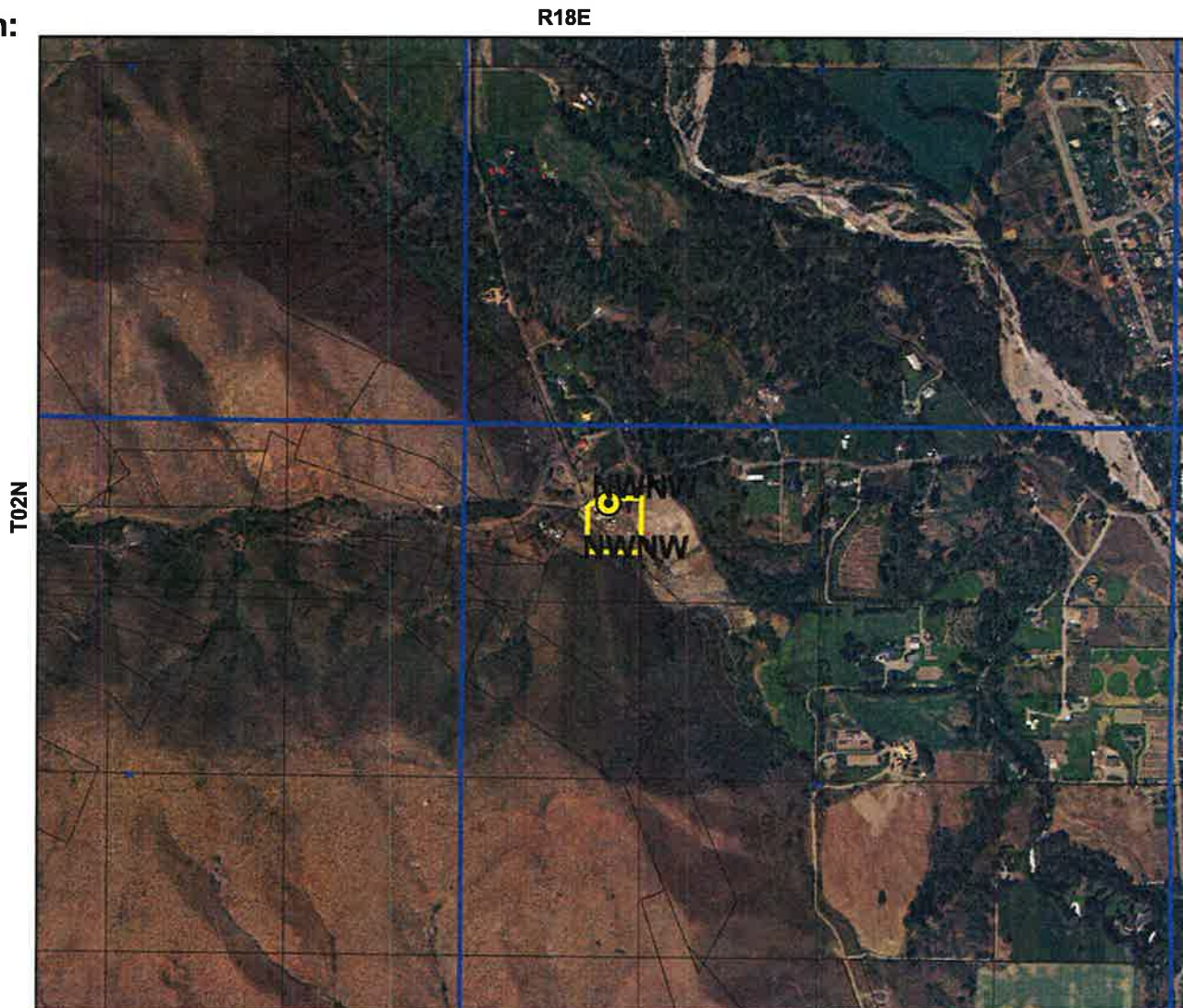
(Industrial)

Legend

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



Blaine County
IDWR Basin 37



Prepared by J. Peppers
On Saturday, December 16, 2006
2004 Aerial Photography

**Minnie Moore Mine
Final Removal Action Report
Bellevue, Idaho
TDD: 05-10-0004**

Contract: 68-S0-01-01
January 2006

Region 10
START-2

Superfund Technical Assessment and Response Team

Submitted To: Greg Weigel, On-Scene Coordinator
United States Environmental Protection Agency, Region 10
Idaho Operations Office
1435 North Orchard
Boise, Idaho 83706

1. INTRODUCTION

In April 2005, the United States Environmental Protection Agency (EPA), Region 10, Office of Environmental Cleanup, tasked Ecology and Environment, Inc., under the Superfund Technical Assessment and Response Team (START)-2 contract No. 68-S0-01-01, to provide technical support at the Minnie Moore Mine (MMM) site in Bellevue, Idaho, under Technical Direction Document number 05-04-0007. This removal action report is written under Technical Direction Document number 05-10-0004 at the direction of the EPA On-Scene Coordinator (OSC).

The MMM site is the location of a former silver mine and mill. The mine was active between 1881 and 1887 and intermittent activity occurred until 1986. Currently, the site includes a shop, bunk house, mill remains, a domestic well, two dry tailings ponds, and a tailings pile. The tailings pile, situated on relatively flat land, was about 20 feet tall prior to the removal action and covers approximately 6 acres.

A site inspection report prepared in 2004 indicated that lead concentrations in the tailings pile were between 1,400 and 18,500 milligrams per kilogram (mg/kg). Arsenic and cadmium also were detected in the tailings. Lead concentrations in sediments of Broadford Slough, located a short distance east of the tailings pile's toe and which empties into the Big Wood River downstream from the site, were as high as 3,300 mg/kg. Cadmium was detected in an on-site well at a concentration of 6.0 micrograms per liter ($\mu\text{g/L}$), which is significantly above background levels and exceeds the Safe Drinking Water Act (SDWA) Maximum Contaminant Level (MCL) of 5.0 $\mu\text{g/L}$. (HEC 2004)

During an EPA OSC site visit in May 2004, it was observed that a family with several small children was living in the bunk house located within 200 feet of the tailings pile. New residential construction was going up next to the site, and a residence used as a day care facility was located within one quarter mile of the site. The tailings pile was subject to wind and hydraulic erosion. Access to the site and the tailings pile was unrestricted, and there was evidence of recreational use by all-terrain vehicles and/or motorcycles on the tailings pile.

Based on the information obtained through the site inspection and through direct observations, the EPA OSC determined that the site posed an imminent and substantial threat to human health and the environment and initiated a fund-lead, time-critical removal action. The START-2 and Emergency and

2. SITE DESCRIPTION AND HISTORY

This section describes the site location (subsection 2.1), the terrain, geology, and hydrogeology of the surrounding areas (subsection 2.2), operations at the site (subsection 2.3), and previous investigations at the site (subsection 2.4).

2.1 LOCATION

The MMM site is located about 1.5 miles west of Bellevue, Idaho, on Broadford Road (Figure 2-1). The properties encompass over 265 acres in Section 35, Township 2 North, Range 18 East, Boise Meridian, in Blaine County, Idaho. The surrounding area is comprised of residential and publicly administered lands (Figure 2-2). The MMM site includes portions of three separate properties. The majority of the site features such as the bunk house, shop and mill remains, mine shafts, domestic well, tailings pile, and upper tailings overflow pond are located on property owned by Minnie Moore Mine, Inc., a partnership between Carl Johnston and James Bilbray, and Minnie Moore Resources, Inc., owned by Carl Johnston. The northeast corner of the tailings pile is situated on property owned by Shannon and Arek Pace, and the lower tailings overflow pond is on property owned by William Evans. Mr. Evans has built a rock berm around the north end of the lower tailings overflow pond to demarcate his property boundary. Mick Halverson's property, adjacent to but not part of the MMM site, is located south of the Pace's property and north of Mr. Evans' property. Broadford Slough flows through Mr. Halverson's property. (HEC 2004)

2.2 SURROUNDING AREAS

This subsection discusses the surrounding area's terrain (subsection 2.2.1), geology and hydrogeology (subsection 2.2.2), and climate (subsection 2.2.3).

2.2.1 Terrain

The MMM site is situated at the mouth of Minnie Moore Gulch at an elevation of 5,300 feet above sea level (HEC 2004). Steep hills associated with the Minnie Moore Gulch drainage area border the MMM site on the west, but the remainder of the site is relatively flat in grade. Features at the site

At the site, groundwater is present in an aquifer consisting of sand, gravel, and some clay. One well, originally constructed for industrial uses, is present at the site and is currently used for domestic purposes. The well extends to a depth of 82 feet bgs, with water present from 25 to 47 feet bgs. An apparent confining layer consisting of fine sand and some clay is present below 47 feet bgs. Another domestic well is located on the Pace's property east of Broadford Slough. This well extends to a depth of 80 feet bgs, with groundwater encountered at 20 feet bgs. (HEC 2004)

2.2.3 Climate

The climate in Bellevue, Idaho, is mild and arid with annual precipitation in the area averaging 15.89 inches a year, mostly in the form of snow and winter precipitation. Winters in Bellevue are cold and wet, while summers are dry and warm. The average temperature in Bellevue ranges from an average low of 7.8 degrees Fahrenheit (°F) in January to an average high of 84.8 °F in July. (WRCC 2005)

2.3 OPERATIONS

2.3.1 Owner and Operator History

In 1880, four men (Moore, Scriber, Grayson, and Miller) began mining operations at the Minnie Moore Mine. Since the mine opened, the mine has had over 15 owners and operators. In 1974, Carl Johnston and James Bilbray formed a partnership called Minnie Moore Mine, Inc., and purchased the mine. Reportedly, most of the tailings pile is on a separate property consisting of seven acres and owned by Minnie Moore Resources, Inc. (Johnston 2005).

2.3.2 Operational History

Mining began in 1880, and the MMM produced over \$7 million of ore between 1881 and 1887. In 1889, the mine was closed and the shafts were allowed to flood. Mining operations resumed in 1900. By 1908, the Idaho Consolidated Mines Company constructed a new ball mill at the site. Equipment at the site at this time included water pumps to keep the main shafts dry, a 750-horsepower hydroelectric power plant, and ore concentration equipment for re-processing 140,000 tons of old mill tailings. The old tailings were believed to contain up to 2.2 percent lead, 11.5 percent zinc, 6 ounces per ton silver, and 0.03 ounces per ton gold. (HEC 2004)

The mill processed ore through two methods: wet processing and dry concentration. Wet processing involved crushing, close classification, and concentration. Other equipment associated with wet processing included a slime separation unit and triplex rolls which were utilized for more efficient,

uniform ore crushing. The dry concentration process equipment included a revolving dryer, dry concentrating tables, and classifiers. (HEC 2004)

Mining at the site continued until 1927, when the mine was abandoned and the mill was dismantled. Exploratory mining activities resumed in 1932 when Federal Mining and Smelting Company began sinking a new shaft about 500 feet west and uphill from the tailings pile. This shaft was not successful at locating the Minnie Moore vein, so the property was sold to the Stratton and Stratton - Minnie Moore Mine Development Company (S & S) who continued searching for the Minnie Moore vein. S & S did not find the Minnie Moore vein but did find the Bergman vein, which did not contain much ore. S & S abandoned operations at the mine in 1944 after shipping some of the old tailings off the property. (HEC 2004)

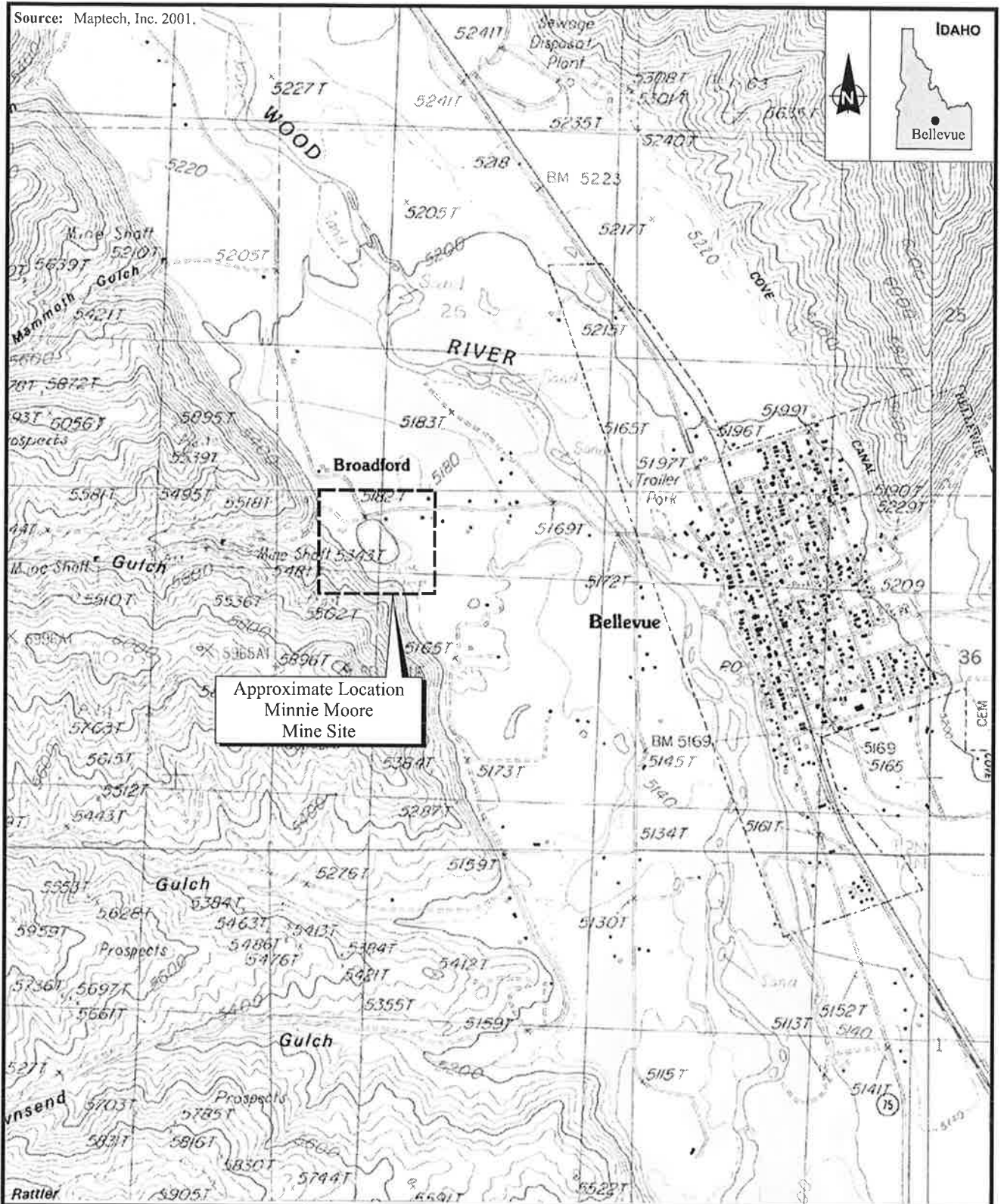
In 1949, Silver Star-Queens Mines Company began to rehabilitate one of the mine shafts (Rockwell Shaft) on the MMM property in order to access the lower levels of the Queen of the Hills Mine, located immediately north of the MMM. A blowout in the rehabilitated mine shaft forced mining operations to cease in 1959. Federal Resources Corporation purchased the MMM property in 1961 and constructed a flotation mill capable of processing 250 tons of ore per day. Tailings were reprocessed between 1964 and 1965. In 1974, Carl Johnston and James Bilbray purchased the property and began conducting limited quarry operations on the site. More tailings reprocessing and exploratory mining activities were conducted by various parties at the site between 1980 and 1986 without much success. (HEC 2004)

2.4 PREVIOUS INVESTIGATIONS AND CLEANUP ACTIONS

Prior to the EPA initiating a removal action at the MMM site, several investigations were conducted at the site funded by different parties with different interests in the property. Mr. Johnston of Minnie Moore Mine, Inc. covered the upper overflow tailings pond with several feet of fill sometime in 2003. No other previous cleanup actions have been conducted at the site. A summary of previous investigations conducted at the site is provided below.

- **Mine Waste Sampling:** 1995, Shannon and Arek Pace. The Paces collected samples of tailings located on their property. Tailings samples were collected from the top and toe of the tailings pile and were analyzed for total metals. The tailings were found to contain up to 4,600 mg/kg arsenic, up to 127 mg/kg lead, and up to 4.3 mg/kg cadmium. (HEC 2004)

Source: Maptech, Inc. 2001.



MINNIE MOORE MINE SITE
Blaine County, Idaho

Figure 2-1

SITE LOCATION MAP

0 1000 2000
Approximate Scale in Feet

Date:
11-21-05

Drawn by:
AES

10:START-2\05040007\fig2-1



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Friday, September 30, 2005

News

EPA takes over Minnie Moore Mine cleanup

Owner considering options for future

By MATT FURBER
Express Staff Writer

Minnie Moore Mine owner Carl Johnston is looking toward the future this week as the Environmental Protection Agency began cleanup of an offending tailings pile on a portion of his 283-acre property west of Bellevue.



The EPA began to shape and cap a tailings pile at the entry to the Minnie Moore Mine on Broadford Road, west of Bellevue, this week. The Superfund project is expected to be completed by the end of October and will result in a grass-covered pasture. Photo by David N. Seelig

In August, 5th District Court Judge Robert Elgee ruled that Johnston may continue to use his historic gold and silver mine, composed of 19 patented mining claims, as he sees fit. Johnston was the defendant in a Blaine County lawsuit seeking to force him to halt all mining activities on the property, whether for precious ore or sand and gravel extraction.

For now, however, the tailings pile will be covered with some 21 yards of clay and topsoil.



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Is global warming affecting Idaho's weather?

☐ Yes

☐ No

☐ It's impossible to tell

[View Results](#) **VOTE!**

Produced & Maintained by
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The Idaho Mountain Express is distributed free to residents and guests throughout the Sun Valley, Idaho resort area community. Subscribers to the Idaho Mountain Express will read these stories and others in this week's issue.

"We've had many discussions with Carl about how to get this done. The idea is to reshape this tailings pile so it sheds water and minimizes infiltration," said Greg Weigel, on-scene coordinator with the EPA's Idaho Operations Office. He said that after several months of discussions, the agency decided to go forward with cleanup and chase after those responsible for a share of the remediation costs later. "We started work on Monday."

The site is now officially an EPA Superfund removal site, different from a Superfund site on the EPA's National Priorities List, such as the recently completed Triumph Mine cleanup in the East Fork area. Capping the Minnie Moore tailings pile, nestled in a curve of Broadford Road, west of Bellevue and south of Hailey, is a project that can be completed within 12 months and for less than \$2 million, according to the EPA.

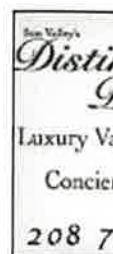
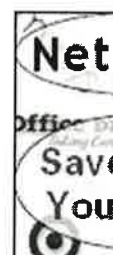
The fill material came from the other side of the Wood River Valley in Woodside, where the Blaine County School District is building a new elementary school. Johnston paid to have the free fill transported to the mine where it was determined to be clean fill by the EPA, appropriate for covering the dusty tailings.

Weigel estimates that the expedited project will be completed by the end of October and cost between \$200,000 and \$300,000. One of the issues of concern is an "action level" of lead and arsenic on the pile. Weigel said the EPA discovered 18,000 parts per million of lead in the former mill site debris.

The work of isolating and covering the pile is intended to prevent the possibility of tailings from leaving the mine site in the form of dust or runoff. Once the job is completed, then the EPA will pursue recouping some of the costs both from Johnston and **Federal Resources Corp.**, the mining company initially responsible for creating the mining waste.

"We prefer that the responsible party take care of the problem," Weigel said, showing where the EPA contractor, Environmental Quality Management, Inc., of Seattle, was moving earth to create an appropriate slope angle up to the pile that will be leveled and seeded this fall with native grasses. He added that **because Federal Resources has been out of the picture for many years**, chasing the money for cleanup is a more difficult part of the project. In the meantime, however, the EPA has the resources to complete the primary cleanup goal, which is particularly important now because the mine is in an area that is increasingly residential.

"When we first looked at it, there were motorcycle jumps up there and that was not good," Weigel said, considering the potential hazard to public health of finely milled tailings on the site. "It is a great advantage that Carl got the fill



material."

The mine has been a source of gravel for landscaping, construction and riprap since the 1970s, when Johnston and his business partner James H. Bilbray acquired it. But mining operations have been a source of contention for neighbors and the county, which posted a cease and desist order at the mine in 1999.

"All the neighbors and Blaine County should be very happy with the work going on down here," Johnston said. "They're doing a fine job. They put through a real good team."

Johnston said when the job is completed a grassy park space will be the result. He anticipates a pasture "the community can be proud of by next spring."

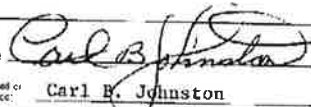
Johnston said he already has contracts for sand and gravel sales that he plans to pursue, but he added that he also has offers from developers who want to buy the land for residential development.

He said, however, that before he sells any of the property he would like to sit down with Citizens for Smart Growth, the county and the Blaine-Ketchum Housing Authority. His goal is to see whether or not it is feasible to reinstate the portion of the original Broadford townsite on the mine property to build community housing.

"There is a lot of possibility for activating the townsite again," he said in an interview Wednesday. Johnston was sporting a T-shirt that promotes restoring the townsite originally formed in 1879. "There is strong demand here in the community for low income housing. Since we got one of the hurdles done, now we can go for the other. It is an ideal spot (for community housing). (Residents) would have their own park along side a stream."

If housing does not pan out, Johnston said he can always go back to mining. Portland Cement is interested in the 100 tons of argillite, an ingredient in concrete, that is on the property. And, as silver prices continue to climb, Johnston could avail himself of a 13-foot deep, 35-foot-long block of Galena silver ore that has also been identified on the property. He also has orders from Boise for decomposed granite and rock bark used for landscaping.



No. C 109753		Due no later than March 31, 2006 Annual Report Form		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		1. Mailing Address - Correct in this box, if applicable MINNIE MOORE RESOURCES, INC. CARL JOHNSTON 3154 S SORREL LAS VEGAS, NV 89102		CARL JOHNSTON 380 BROADFORD RD BELLEVUE, ID 83313	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President	Carl B. Johnston	3154 So. Sorrel St.	Las Vegas	NV	89146
Secretary	Lana M. Johnston	3154 So. Sorrel St.	Las Vegas	NV	89146
Director	Carl B. Johnston	1195 Nakoa Ct.	Henderson	NV	89015
5. Organized Under the Laws of: NEVADA C 109753		6. Signature  Name <u>Carl B. Johnston</u>		Date <u>2/7/06</u> Title <u>President</u>	
Issued 01/04/2006		Do Not Tape or Staple		200803008007	

SERVICE REQUESTED

37-2693
37-4242

OCT 14 2004

D.

Western Region

Valley

JOHNSTON
2770 PALMA VISTA AVE
LAS VEGAS NV 89121

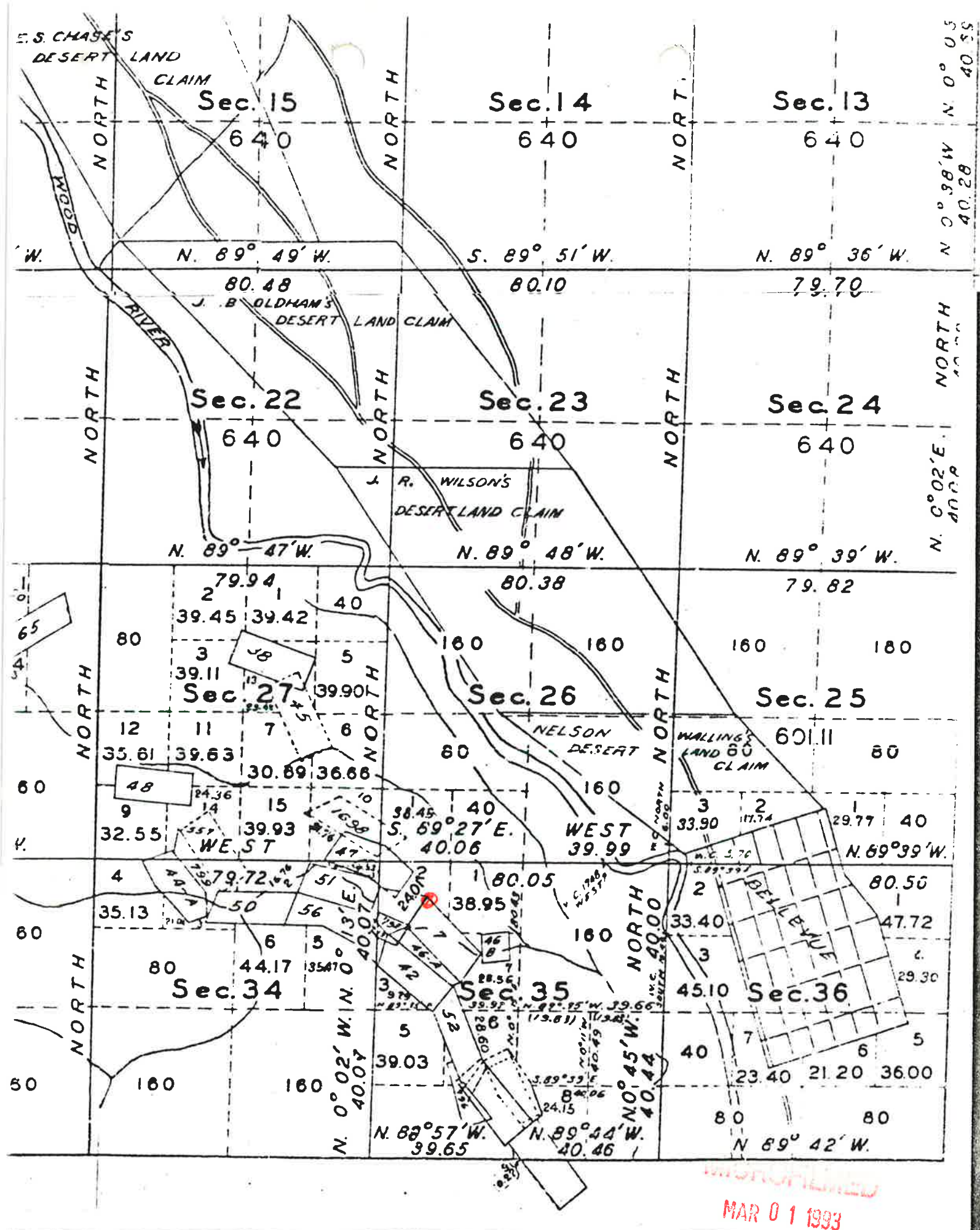


MOVED

15 YEARS
AGO

❖ 1212421-48, -6055

Neck: 14.5 cm; Head: 10.5 cm; Body: 11.5 cm; Tail: 11.5 cm; Total: 48.0 cm



#A37-02693

CARL B. Johnson

Ind. use

(L)

MICROFILMED

MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 22, 1990

Carl B. Johnston
2770 Palma Vista Avenue
Las Vegas, NV 89121

RE: Snake River Basin Adjudication (SRBA)
Blaine County - #A37-04242 & #A37-02693

Dear Mr. Johnston:

Lana Johnston called me on June 21, 1990, and advised me of your new address. We have changed our records accordingly. I have enclosed copies of the Notices of Claim to a Water Right referenced above for your files.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state

Enclosures:

Copies of Claims Referenced Above

MICROFILMED

MAR 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-02693	02N	18E	35		NW	NW		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A37-04242 R37-04242

WR RECORDS IN SAME 40 ACRE TRACT

37-02752A
37-04242
37-08259

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-02693	02N	18E	35		NW	NW		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-02752A
37-04242

A37-04242 R37-04242

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	_____
DUE TO SOURCE DISCREPANCY? (Y/N)	N	_____

REMARKS:

MICROFILMED
MAR 0 1 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

MICROFILMED
MAR 11 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A37-02693

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number - 31583

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
JOHNSTON

CARL B.

1 - P. O. BOX 219

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-3812

1 - 1701 W. CHARLESTON BLVD.

2 -

3 -

City- LAS VEGAS

State- NV Zip- 89101

Phone - 208-000-0000

BILBRAY

JAMES H.

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
12/04/1963 17 L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County (Blank if no Index Code)

02N 18E 35 NW NW (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
07 - INDUSTRIAL 01/01 12/31 0.500
43 - DOMESTIC 01/01 12/31 0.060+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.500 0.73 0.7+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 18E 35 NW NW 2 07 INDUSTRIAL (13) BLAINE
02N 18E 35 43 DOMESTIC (13) BLAINE

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - I/MILLING, DOMESTIC/MOBILE HOME & OFFICES

+ - - Other Rights for Same Use - 37-4242

+ - - - - Remarks - - - - - +
USE FOR MINNIE MOORE MINES & PROPERTIES.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A37-02693

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date +
00/00/0000

+ - - Audit Fields -

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/06/1985	Old Judicial District	-
Claim Received Date	- 09/02/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S002055	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR		

RECEIVED
MAR 0 1 1993

Water Right Number - 37-02693

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 31583

+ - - - - Last Name - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FEDERAL RESOURCES CORP.1 -
2 -
3 -
City- HAILEY
Phone -

State- ID Zip- 83333

+ - - Priority Date - - +
12/04/1963+ - - - Region - - - +
17+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 35 NW NW (13) BLAINE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
07 - INDUSTRIAL		01/01	12/31	0.500	0.73
43 - DOMESTIC		01/01	12/31		
49 - FIRE PROTECTION		01/01	12/31		

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.500 0.73

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	35	NW NW			07	INDUSTRIAL	(13) BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use - I/MILLING.

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

MAR 01 1993

Water right number - 37-02693

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 05/06/85

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/15/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

RECEIVED
MAR 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-02693

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N		SCC 3-5-90	
POINT OF DIV.	(YES)	10 Ac 1/4 ✓	SCC 6-11-90	
SOURCE	N			
PLACE OF USE	N			
DIV. AMOUNT	N			
CONSUMPTIVE USE	N			
USES	N		SCC 3-5-90	
PERIOD OF USE	N		SCC 3-5-90	
BASIS OF CLAIM	N			

REMARKS:

MICROFILMED

MAR 01 1993

GENERAL INFORMATION

Claim number: 137-02693

LAST: JOHNSTON

FIRST: CARL B.

ADDRESS: P.O. Box 219

CITY: BELLEVUE

STATE: ID

ZIP: 83313

PHONE: (208) 788-3812

OWNER CODE: C

OWNER CONNECTOR: +/on

LAST: BILBRAY

FIRST: JAMES H.

ADDRESS: 1701 W. CHARLESTON BLVD.

CITY: LAS VEGAS

STATE: NV

ZIP: 89101

PHONE: () -

OWNER CODE: C

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER () -

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y() N(), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

=====

MICROFILMED
MAR 01 1993

PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-02693A. SRBA CLAIM # A37-02693PRIORITY DATE: 12/4/1963STAGE LB. IDWR RECORD # 37-02693PRIORITY DATE: 12/4/1963STAGE LC. REVIEW - FIELD EXAM NEEDED? Y() N(X)ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

12/4/1963

REVIEWED BY

SCC

DATE

3-5-90UNSUBMITTED
MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # 137-02693

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>35</u>	—	<u>NW</u>	<u>NW</u>	—	<u>13</u>

SOURCE: GROUNDWATER TRIB: _____

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>35</u>	—	<u>NW</u>	<u>NW</u>	—	<u>13</u>

SOURCE: G.W. TRIB: _____C. REVIEW - FIELD EXAM NEEDED? Y(☒) N()

		ATTACHED	OR	SEE FILE
VERIFIED	(☒) TOPO MAP/ORTHO-PQ	YES(☒)	NO()	_____
WITH:	() ASCS MAP	YES()	NO()	_____
	() WATERMASTER RECORDS	YES()	NO()	_____
	(☒) FIELD EXAM	YES()	NO(☒)	<u>6-6-90 sec</u>
	() OTHER _____	YES()	NO()	_____

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>18E</u>	<u>35</u>	<u>SE</u>	<u>NW</u>	<u>NW</u>	<u>2</u>	<u>13</u>

SOURCE: G.W. TRIB: _____REVIEWED BY sec DATE 5-17-906-17-90

MAR 01 1993

PLACE OF USE REVIEW SHEET(IRRIGATION)

CLAIM # A37-02693FIELD EXAM REQUIRED: Y() N(☒)PRESUMPTION FLAG: Y() N(☒)ROOT WATER RIGHT NUMBERS 37-02693

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18E 35 NW NW</u>	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
	— — — — / —	— — — — / —	—	—	—
TOTAL ACRES					

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

REMARKS: INDUSTRIAL USE

REVIEWED BY

SW

DATE

5-17-90

MAR 01 1993

A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>INDUSTRIAL</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>.50</u> CFS
FOR	<u>DOMESTIC</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>.06</u> CFS
FOR	_____	FROM ____ TO ____	_____ CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>INDUSTRIAL</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>0.50</u> CFS
FOR	<u>DOMESTIC</u>	FROM <u>1-1</u> TO <u>12-31</u>	_____ CFS
FOR	<u>FIRE PROTECTION</u>	FROM <u>1-1</u> TO <u>12-31</u>	_____ CFS

PRESUMPTION FLAG:

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(~~X~~) N()

RECOMMENDED AS CLAIMED?

Y(~~X~~) N()

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y() N(~~X~~)

REMARKS:

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>INDUSTRIAL</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>0.5</u> CFS
FOR	<u>DOMESTIC</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>0.06</u> CFS
FOR	_____	FROM ____ TO ____	_____ CFS

REVIEWED BY SCC

DATE 3-5-90

MICROFILMED
MAR 01 1993

CLAIM # A37-02693

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

SRBA CLAIMED RATE: 0.50 CFS IDWR ROOT RIGHT RATE: 0.50 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y(☐) N(☒)

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: A37-04242 - - -

- - -

- - -

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES _____ X 0.02 CFS/ACRE = _____ CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☐) N(☐)

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES _____ X CONSUMPTIVE RATE FOR AREA _____ A.F./ACRE =

TOTAL CONSUMPTIVE USE _____ ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)

RECOMMENDED DIVERSION RATE: 0.50 CFS

RECOMMENDED CONSUMPTIVE USE: _____ AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY _____ DATE _____

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MAR 01 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-02693

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	<u>ACCEPTED AS CLAIMED</u>	<u>NEEDS REVIEW</u>
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
EXCESSIVE AMOUNT _____	()	()

THIS SRBA CLAIM CFS/ACRE _____

OTHER SRBA CLAIMS CFS/ACRE _____

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT # _____	SPLITS # _____	_____ CFS
_____ CFS	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	TOTAL CFS _____	

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAR 0 1 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-02693

LAST: JOHNSTON
ADDRESS: P. O. BOX 219
CITY: BELLEVUE
PHONE NUMBER: 208-788-3812

FIRST: CARL B.
STATE: ID ZIP: 83313

OWNER CODE: C

LAST: BILBRAY
ADDRESS: 1701 W. CHARLESTON BLVD.
CITY: LAS VEGAS
PHONE NUMBER: 208-000-0000

FIRST: JAMES H.
STATE: NV ZIP: 89101

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: USE FOR MINNIE MOORE MINES & PROPERTIES.

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A37-02693 PRIORITY DATE: 12-04-1963 STAGE: L

B. WR RECORD: # 37-02693 PRIORITY DATE: 12-04-1963 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
12-04-1963

REVIEWED BY _____

DATE _____

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-02693	02N	18E	35		NW	NW		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A37-04242	R37-04242

WR RECORDS IN SAME 40 ACRE TRACT

37-02752A
37-04242
37-08259

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-02693	02N	18E	35		NW	NW		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

37-02752A
37-04242

A PREFIX	R PREFIX
A37-04242	A37-04242
R37-04242	R37-04242

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
	Y	N		

REMARKS:

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OCT 26 1994

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

=====

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A. ROOT WATER RIGHT NUMBERS: A37-02693
R37-02693

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	35	NW	NW		JOHNSTON , CARL B.	A37-02693 /	37-02693 /			
						JOHNSTON , CARL B.	A37-04242 /	37-04242 /			
						JOHNSTON , CARL B.	R37-02693 /	- /			
						JOHNSTON , CARL B.	R37-04242 /	- /			
						JOHNSTON , HARRY E.		37-08259 /		1.0	
						JOHNSTON , HARRY E.		37-08308 /		4.0	
02N	18E	35				JOHNSTON , CARL B.	A37-02693 /	- /			
TOTAL ACRES						A37-02693					

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-02693	INDUSTRIAL	FROM 01-01 TO 12-31	.500 CFS
A37-02693	DOMESTIC	FROM 01-01 TO 12-31	.060 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.500 CFS .73 AF/A

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-02693	INDUSTRIAL	FROM 01-01 TO 12-31	.500 CFS .73 AF/A
37-02693	DOMESTIC	FROM 01-01 TO 12-31	.500 CFS
37-02693	FIRE PROTECTION	FROM 01-01 TO 12-31	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.500 CFS .73 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(____) N(____) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 37-4242

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-02693	INDUSTRIAL	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	.500 CFS	
A37-02693	DOMESTIC	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	.060 CFS	
A37-04242	INDUSTRIAL	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	6.000 CFS	
A37-04242	MINING	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	6.000 CFS	
R37-02693	INDUSTRIAL	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	.500 CFS	
R37-02693	DOMESTIC	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	.060 CFS	
R37-04242	INDUSTRIAL	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	6.000 CFS	
R37-04242	MINING	JOHNSTON , CARL B.	FROM 01-01 TO 12-31	6.000 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

1b. CALCULATIONS

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 0.7 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 0.73 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV		REC. DIV		REC. CONS.	
		RATE	CFS	VOL.	AF/A	USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
_____	_____		_____		_____		_____
_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			_____		_____		_____

REVIEWED BY: _____ DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-02693

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.500	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-02693	0.500	R37-02693	0.500	37-02693	0.500
A37-02693	R37-02693	0.500	R37-02693	0.500	37-02693	0.500
TOTAL CFS		1.000	1.000		0.500	

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	_____ _____

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

CLAIM NUMBER: A37-02693

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE								
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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