

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-31256

Priority: June 07, 2001

Maximum Diversion Rate: 0.24 CFS
Maximum Diversion Volume: 54.0 AF

It is hereby certified that JEFF JOHNSON
23672 WALKER RD
PARMA ID 83660 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated June 07, 2001 and has submitted Proof of
Beneficial Use on September 03, 2013. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	0.24 CFS	54.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4SW1/4 Sec. 6, Twp 05N, Rge 04W, B.M. CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 04W 6									31.0	.2		15.8					47.0
										L 6							

Total Acres: 47

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.0 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

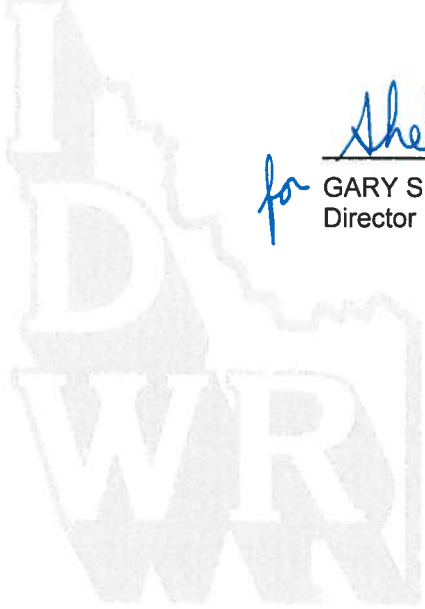
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-31256

5. This right does not grant any right-of-way or easement across the land of another.
6. The following rights are diverted through point(s) of diversion described above: 63-31256 and 63-32236.

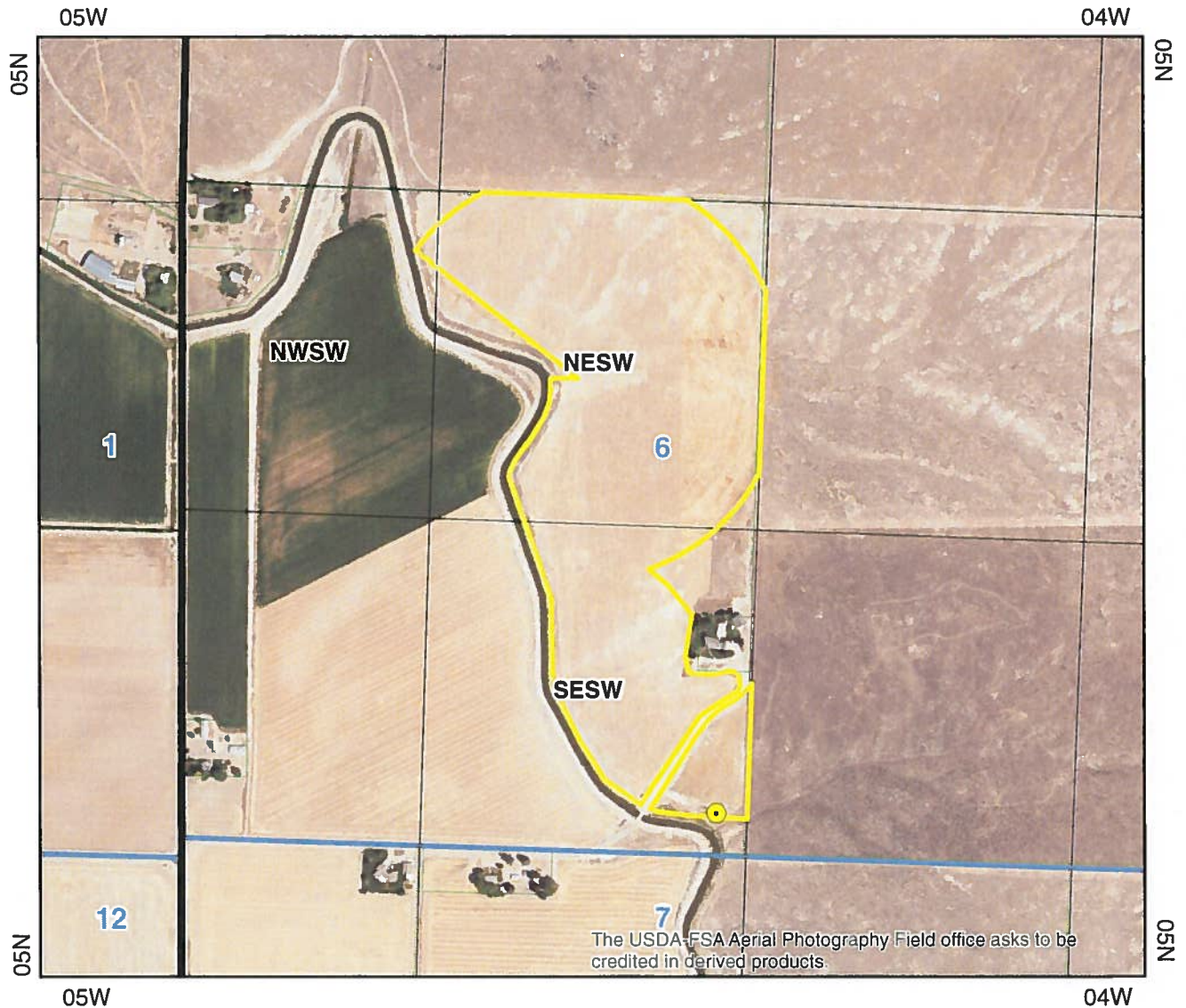
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 22nd day of October, 2015.


Shelley W. Keen
for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources
Attachment to Water Right License
63-31256

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.075 0.15 0.3 Miles





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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 26, 2015

JEFF JOHNSON
23672 WALKER RD
PARMA ID 83660

RE: License Nos. 63-31256 & 63-34137

Issuance of Licenses

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right Licenses confirming that water rights have been established in accordance with your permits. Please be sure to thoroughly review the conditions of approval and remarks listed on your licenses. Also enclosed are copies of the approved applications for amendment.

The licenses are PRELIMINARY ORDERS issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela Skaggs

Water Rights Supervisor

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2015, I mailed true and correct copies, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Licenses) to the person(s) listed below:

RE: WATER RIGHT NOS.

63-31256 & 63-34137

**JEFF JOHNSON
23672 WALKER RD
PARMA ID 83660**

**SPF WATER ENGINEERING LLC
C/O TERRY SCANLAN
300 E MALLARD DR STE 350
BOISE ID 83706**



**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 63-31256

RECEIVED

OCT 21 2015

DEPARTMENT OF
WATER RESOURCES

Date of Priority: June 07, 2001

Maximum Diversion Rate: 0.24 CFS
Maximum Diversion Volume: 54.0 AF

Comes now JEFF JOHNSON
23672 WALKER RD
PARMA ID 83660

and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 63-31256, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.24 CFS	54.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE1/4SW1/4 Sec. 6, Twp 05N, Rge 04W, B.M.
CANYON County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	04W	6									31.0	.2		15.8					47.0
												L 6							

Total Acres: 47

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 12th day of OCTOBER, 2015.


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-31256

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$100.00 Received by dh # C101118 Date 10-21-15

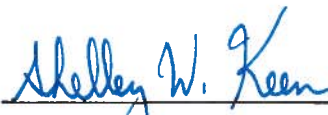
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-31256 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.0 acres within the authorized place of use in a single irrigation season.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right does not grant any right-of-way or easement across the land of another.
6. The following rights are diverted through point(s) of diversion described above: 63-31256 and 63-32236.

Witness my hand this 22nd day of October, 2015.



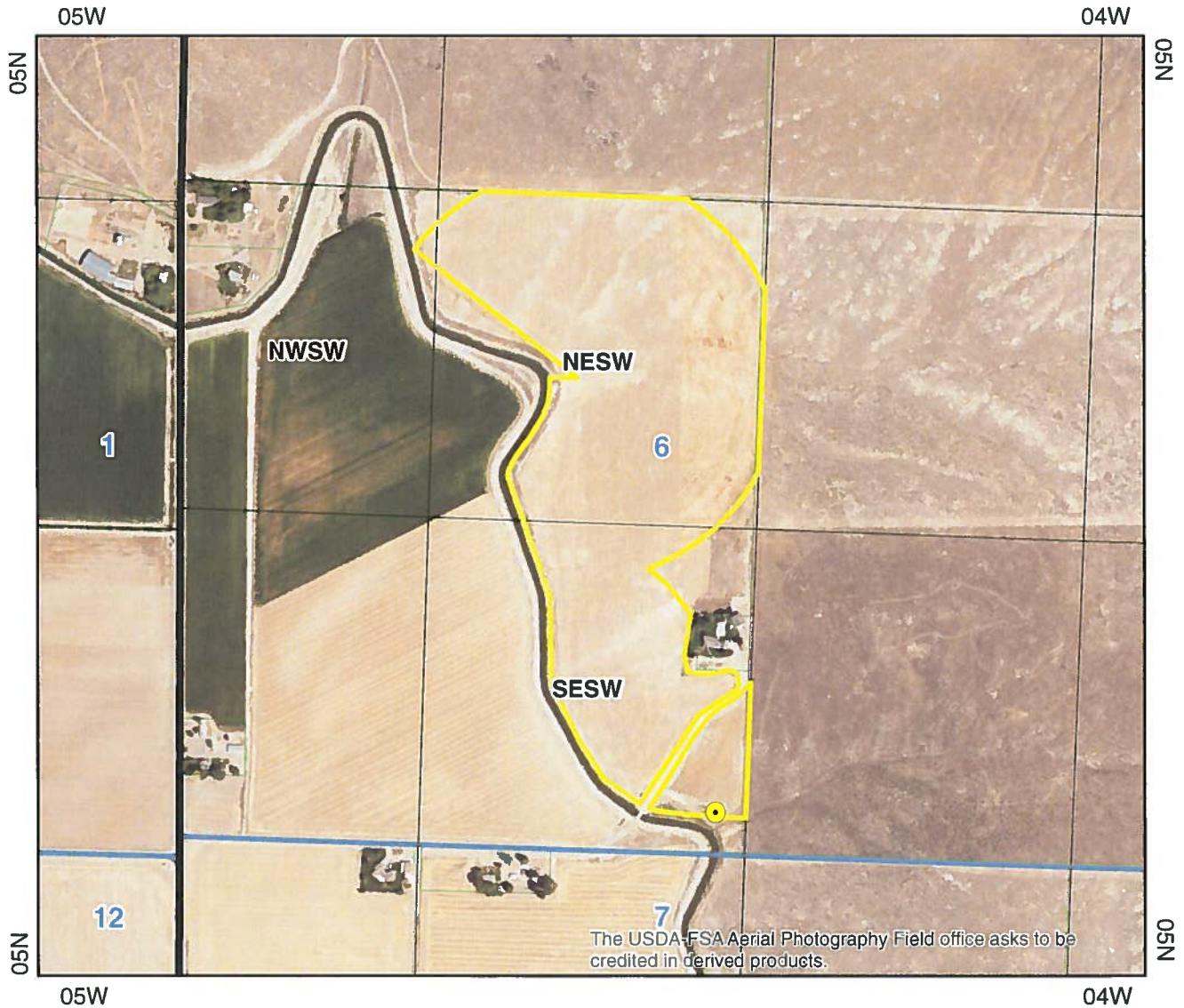
for GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Attachment to Application for Amendment for Licensing Purposes

63-31256

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles





RECEIVED

OCT 21 2015

DEPARTMENT OF
WATER RESOURCES

October 20, 2015

Pam Skaggs
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

Subject: Permit Nos. 63-31256 and 63-34137 Licensing Amendments

Dear Pam:

Enclosed on behalf of Jeff Johnson are signed licensing amendments for the above permits. Check No. 10158 for \$200 is enclosed for the associated fees (\$100/permit).

Please let me know if you have any questions regarding these documents.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lori Graves", is written over a horizontal line.

Lori Graves
Water Rights Specialist

Enclosures

cc: Jeff Johnson

File: 341.0020



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

10/07/2015

JEFF JOHNSON
23672 WALKER RD
PARMA ID 83660

RE: Water Right Permit No. 63-34137 (part of 63-31256)

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

_____ **Point(s) of Diversion**

_____ **Place(s) of Use**

 X **Other** – Change in nature of use from irrigation to domestic use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at (208)287-4951.

Sincerely,

for Pamela S. Skaggs
Water Rights Supervisor

Enclosure(s)

cc: SPF WATER ENGINEERING LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

10/07/2015

JEFF JOHNSON
23672 WALKER RD
PARMA ID 83660

RE: Water Right Permit No. 63-31256 (part)

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

_____ Point(s) of Diversion

 X Place(s) of Use

_____ Other

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at (208)287-4951.

Sincerely,

for Pamela S. Skaggs
Water Rights Supervisor

Enclosure(s)

cc: SPF WATER ENGINEERING LLC

Certified Examiner Report Review

WR #	63-31256 & Split 63-34137	
Name	Jeff Johnson	
Representative &/or Examiner	Terry Scanlan @ SPF Water Engineering	
PROOF OF COMPLETION REVIEW		
Date Due	9/1/2013 (Sunday)	
Date Rcvd	9/3/2013 (9/2 Labor Day)	
Timely or Priority Advanced	Timely; weekend & holiday don't count.	Order - No
Conditions	None	
Completed & Signed	Yes	
EXAM REVIEW		
Owner(s)	1) Current property owner for 12 acres irrigation & 55 acre PPU is Edward G & Nancy M Johnson. 2) Jeff Johnson owns home related to domestic & 1 acre irrigation.	
Overlap Review	Two PODs & Systems: 1) Irrigation of 12 acres within a 47 acre PPU with Right 63-32236 that shares the same irrigation POD. 2) Domestic & 1 Acre irrigation in SESW, S6, 5N, 4W All within canal company rights service area, no evidence of SW use. No apparent overlaps with other rights. (See attached POU Overlap Report)	Amendment - Yes Change in Nature of Use for Domestic/Irr split
POD	Split right; 1 POD each right. Irrigation POD shared by Right 63-32236	Amendment - No
POU	1) 12 acres irrigation in 47 acre PPU & common system with Right 63-32236; Lot 6 (NWSW), S6, 5N, 4W added. 2) Domestic & 1 Acre irrigation in SESW, S6, 5N, 4W.	Amendment - Yes for larger Irrigation system
Diversion & Delivery Description i.e.. Diversion & System Photos	For each system the exam describes the wells, pumps, and includes detailed drawing of delivery systems.	
Map &/or Aerial Photo	Yes	
Well &/or Pump Information	Yes, for each well	
Flow Measurements	Measurements & pump curves support recommendations.	
Narrative	Complete narrative and recommendation for splitting right.	
Permit Conditions i.e.. Measuring Device, Mitigation	Permit conditions addressed; drilling permit provided.	Action - No
Flow Calculation	Good	
Volume Calculations	Good	
Recommendations i.e.. Use, Season, Rate, Volume	Split right, 1 POD each right. Irrigation POD shared by Right 63-32236. Allow 47 acre PPU with Right 63-32236 as common irrigation system.	
Recommended Amendments	Both split rights will require an amendment. 1) Add Lot 6 (NWSW), S6, 5N, 4W to irrigation right POU. 2) Change portion of irrigation use to domestic use; reduce irrigation by 2 acres for domestic use & no enlargement (See Split & Change in Nature of Use Evaluation below).	Yes
Authentication i.e.. Current Certified Examiner	Yes, current at this time.	
Attachments	Photos of each well & POU, pivot system requirements information.	

Certified Examiner Report Review

[illegible]

	A	B	C	D	E	F	H	I	J	K	L	M	N	O
1	Notes	Basin	Sequence	Process	Basis	Status	Priority Date	Current Owner	Rate	Volume	Acre Limit	Acres	Source List	Water Use
2	Lot 6 (NWSW) -NE above canal-other land	63	8375	Water Right	License	Active	10/12/1976	FRANK, JUDY M; FRANK, STANLEY R	0.140	17.0		4.0	GROUND WATER	DOM, IRR
3	Overlaps part of 63-8375 - other land	63	32551	Water Right	Decreed	Active	10/12/1976	GOULD, JUDY M	0.090	7.9		2.0	GROUND WATER	DOM, IRR
4	Overlaps other part of 63-8375 - other	63	32552	Water Right	Decreed	Active	10/12/1976	TUTTLE TENGs, TRACEY	0.050	7.9		2.0	GROUND WATER	IRR
5	Lot 7 (SWSW) - other land	63	21393	Water Right	Decreed	Active	3/1/1950	WAGSTAFF, HAZEL ILEEN; WAGSTAFF, JOHN L	0.040				GROUND WATER	DOM
6		63	2878	Water Right	Decreed	Active	8/30/1951	BLACK CANYON IRRIGATION DIST	18.540				ELIJAH DRAIN, WILSON DRAIN	IRR
7		65	2900	Water Right	Decreed	Active	9/13/1965	BLACK CANYON IRRIGATION DIST	75.600	16,344.8	51.0		TUNNEL NO 2 DRAIN	IRR
8	No evidence of canal company use	63	2322	Water Right	Decreed	Active	10/4/1918	UNITED STATES OF AMERICA ACTING THROUGH	120.000				ELIJAH SLOUGH, WILSON	IRR
9		65	2433	Water Right	Decreed	Active	9/19/1938	UNITED STATES OF AMERICA ACTING THROUGH	1,200.000		57,020.0		PAYETTE RIVER	IRR
11														
12	No POU overlaps found for 63-31256 & 63-32236 in the SW, S6, T5N, R4W.													
13														
14	Pam Skaggs 09-02-2015													

	A	B	C	D	E	F	H	I	J	K	L	M	N	O
1	Notes	Basin	Sequence	Process	Basis	Status	Priority Date	Current Owner	Rate	Volume	Acre Limit	Acres	Source List	Water Use
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7		65	2900	Water Right	Decreed	Active	9/13/1965	BLACK CANYON IRRIGATION DIST	75.600	16,344.8	51.0		TUNNEL NO 2 DRAIN	IRR
8	No evidence of canal company use	63	2322	Water Right	Decreed	Active	10/4/1918	UNITED STATES OF AMERICA ACTING THROUGH	120.000				ELIJAH SLOUGH, WILSON	IRR
9		65	2433	Water Right	Decreed	Active	9/19/1938	UNITED STATES OF AMERICA ACTING THROUGH	1,200.000		57,020.0		PAYETTE RIVER	IRR
11														
12	No POU overlaps found for 63-31256 & 63-32236 in the SW, S6, T5N, R4W.													
13														
14	Pam Skaggs 09-02-2015													

License Review - POU Overlaps 63-32236

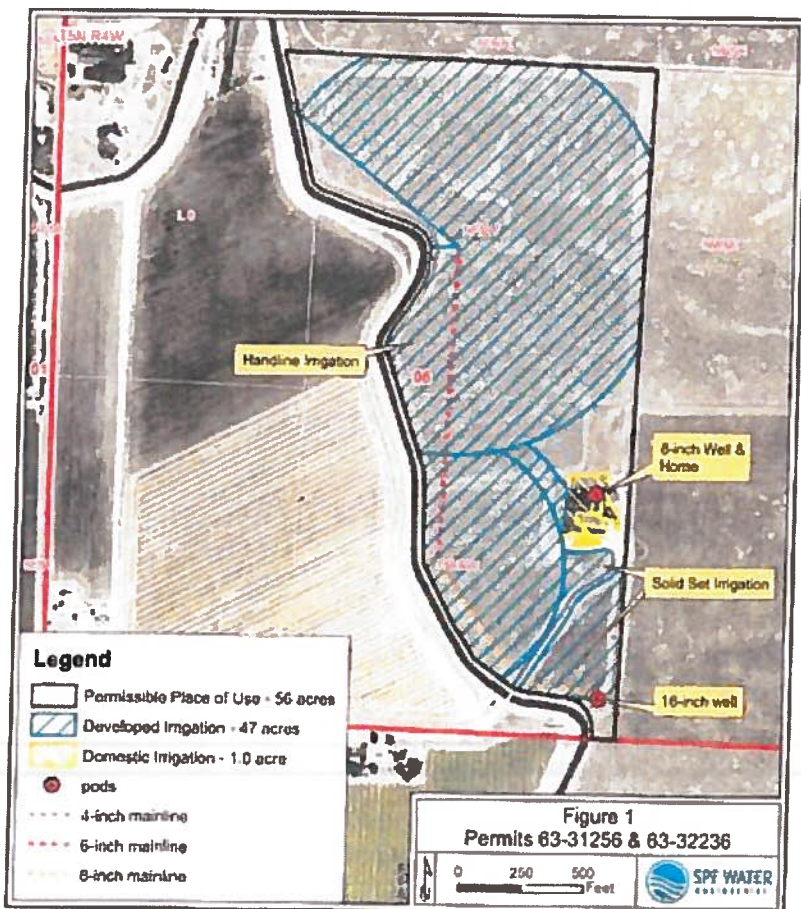
Skaggs, Pam

From: Lori Graves <LGraves@spfwater.com>
Sent: Monday, October 05, 2015 8:20 AM
To: Skaggs, Pam
Cc: Terry Scanlan
Subject: RE: Beneficial Use Field Reports 63-31256 Johnson & 63-32236 Johnson Research LLC
Attachments: Developed Irrigation - 47 acres.sbn; Developed Irrigation - 47 acres.sbx; Developed Irrigation - 47 acres.shp; Developed Irrigation - 47 acres.shx; Developed Irrigation - 47 acres.dbf; Developed Irrigation - 47 acres.prj; Domestic Irrigation - 1.0 acre.prj; Domestic Irrigation - 1.0 acre.sbn; Domestic Irrigation - 1.0 acre.sbx; Domestic Irrigation - 1.0 acre.shp; Domestic Irrigation - 1.0 acre.shp.xml; Domestic Irrigation - 1.0 acre.shx; Domestic Irrigation - 1.0 acre.dbf

Pam,

Attached are the requested shapes. Have a good week.

From: Terry Scanlan
Sent: Friday, October 02, 2015 3:17 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: RE: Beneficial Use Field Reports 63-31256 Johnson & 63-32236 Johnson Research LLC



2011 Photo

Skaggs, Pam

From: Terry Scanlan <TScanlan@spfwater.com>
Sent: Friday, October 02, 2015 3:16 PM
To: Skaggs, Pam
Cc: Lori Graves
Subject: RE: Beneficial Use Field Reports 63-31256 Johnson & 63-32236 Johnson Research LLC

Pam –

No problem regarding eliminating the PPU. Lori will send over the shapes.

Terry

From: Skaggs, Pam [mailto:Pam.Skaggs@idwr.idaho.gov]
Sent: Friday, October 02, 2015 11:07 AM
To: Terry Scanlan
Subject: FW: Beneficial Use Field Reports 63-31256 Johnson & 63-32236 Johnson Research LLC

Terry,

Looks like I didn't have the correct email for you after all. Please let me know if you receive this email.

Thanks,
Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951

From: Skaggs, Pam
Sent: Tuesday, September 29, 2015 8:38 AM
To: tscanlon@spfwater.com
Subject: FW: Beneficial Use Field Reports 63-31256 Johnson & 63-32236 Johnson Research LLC

Terry,

Here is a copy of the email we discussed this morning.

Hope to hear from you soon to wrap these proposed licenses up.

Thanks,
Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-495

From: Skaggs, Pam
Sent: Monday, September 21, 2015 8:40 AM

To: 'tscanlon@spfwater.com'

Subject: Beneficial Use Field Reports 63-31256 Johnson & 63-32236 Johnson Research LLC

Terry,

I am reviewing the exams you provided for licensing Permits 63-31256 and 63-32236. Right 63-31256 is proposed split to show the separate domestic and irrigation of 1 acre from one well and system, and the balance of the right is combined with 63-31256 to provide 47 acres of irrigation through partial pivots and hand lines.

You recommended a permissible place of use of 55 acres for the irrigation system that includes small areas outside the existing sprinkler system on the same parcel of land. I haven't found any imagery that supports the irrigation of the additional acres during the development period of these two permits from approval in 2008 and 2009 until Statement of Completion was filed in 2013. Since the system wasn't developed as a permissible place of use shifting acres from year to year to other areas, the irrigation use should reflect the actual 47 acre system. If you have other information to provide to support the permissible place of use recommendation, please provide it now for licensing review.

The maps provided with these applications include shapes for both the smaller 1 acre irrigation system and the 47 acre irrigation system within the larger 55 acre parcel. Please provide these shapes if they are available.

My recommendations should be completed soon and licensing amendments sent out for both portions of the split right to address the change in nature of use and the addition of Lot 6(NWSW), Section 6, Township 5N, Range 4W in the 47 acre place of use. Please respond within the next 14 days to allow completion of the licensing recommendations.

Thank you for your assistance in this matter.

Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700