

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 63-33487

1. Name of applicant(s) Jordan Johnson Phone 208-599-0768
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 155 Dale Dr. #5 City Idaho Falls, ID
State ID Zip 83402 Email: jordanjohnson88@gmail.com

2. Source of water supply Ground Water which is a tributary of Boise River

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4N	3W	16			NW	NE	Canyon	Ground Water	

4. Water will be used for the following purposes:

Amount 53 AF for Recreation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 53 AF for Aesthetic Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) N/A cubic feet per second (cfs) and/or (b) 53 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. excavate for shallow ground water pond

b. Height of storage dam N/A feet; active reservoir capacity 35 acre-feet; total reservoir capacity 35 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Use is for recreation & aesthetics at a proposed water sports complex

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8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	3W	16		X															N/A

Total number of acres to be irrigated: N/A

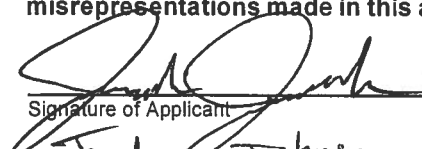
9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None

10. a. Who owns the property at the point of diversion? David Lynn Johnson (see attached deed)
b. Who owns the land to be irrigated or place of use? SAME
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Son and business Partner

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Plan to dig a pond 500 x 500 ft. with a water depth of 6 ft. for a sports complex. Because of the abundance of water in the area and a naturally filling pond, mitigation should not be necessary. Excavated materials from the pond will be used in property improvements & road construction. Pond capacity will be 35 AF. Evaporation loss will be 18 AF, naturally occurring from shallow ground water replenishing the pond. Total right will therefore be 53 AF. See attached worksheet about pond.

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant
Jordan Johnson
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 3-24-11 Time 1022 Preliminary check by [Signature]
Fee \$ 250 Received by DB Receipt No. W039027 Date 3/3/11

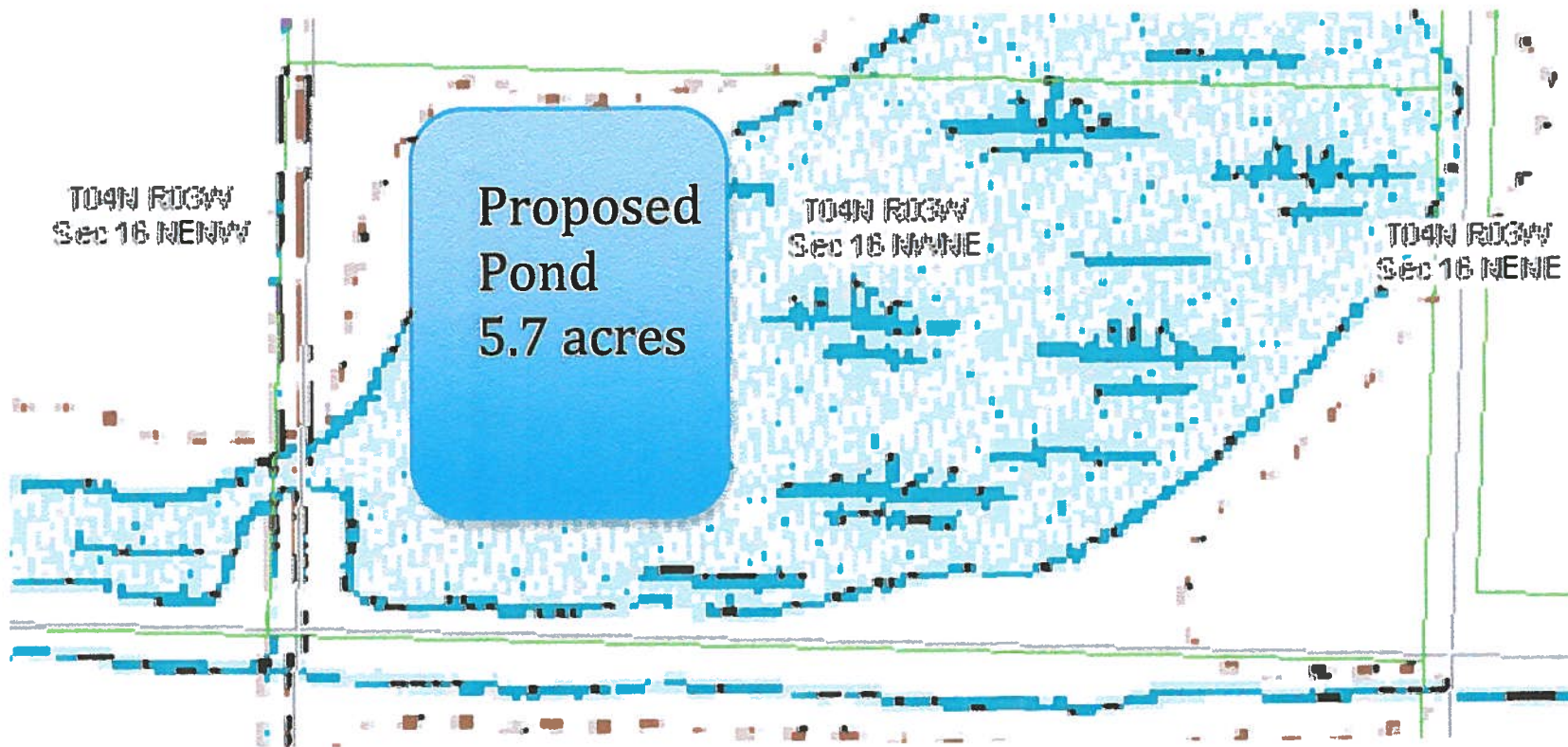
per original

21780 Gravel Lane Recreational Pond (Aerial View)



63-33487

21780 Gravel Lane Recreational Pond (USGS Quadrangle View)



63-33487

POND WORKSHEET

Area $\frac{500 \times 500}{43,560} = 5.7$ acres

Depth 6 ft

Capacity $5.7 \times 6 = 34.2$ AF

Evaporative loss/natural refill

Pond evaporation map¹ $\frac{45}{12} \times 5.7 = 21.4$ AF

ETidaho website² $753 \text{ mm} = 2.47 \text{ ft}$
 $2.47 \times 5.7 = 14.1$ AF

Both estimates include assumptions, average is reasonable compromise:

$$\frac{21.4 + 14.1}{2} = 17.8 \text{ AF}$$

Conclusions

Round up for flexibility.

Capacity 35 AF

Evap/refill 18 AF

Total 53 AF

¹ 45 inches/year per unit of area for Canyon County.

² Caldwell Station, open water-shallow systems, precipitation deficit, 753 mm/year per unit of area.

63. 33487

Water Rights Authorization

I, David Lynn Johnson, owner of the property known as

South One-Half of the Northwest Quarter of the Northeast Quarter of Section
16, Township 4 North, Range 3 West of the Boise Meridian, Canyon County,
Idaho

Do authorize Jordan Johnson to hold water rights on above said property.

David Lynn Johnson David Lynn Johnson Date: 3-21-2011
(Print) (Signature)



Notary Public [Signature]

My commission Expires: 11-18-12

63.33487

775 S. Rivershore Lane, Suite 120, Eagle
Idaho 83616 / (208) 938-8075

323770

WARRANTY DEED

For Value Received CONLEY V. FREEMAN and LYNDA M. FREEMAN, Husband and
Wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

DLJ DAVID LYNN JOHNSON and LORI ANN JOHNSON, Husband and Wife

hereinafter referred to as Grantee, whose current address is 7264 N. River Rd., Idaho Falls, ID 83402
the following described premises, to-wit:

The South One-Half of the Northwest Quarter of the Northeast Quarter of Section 16, Township 4
North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the
said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free
from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made,
suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications,
easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and
assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that
Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

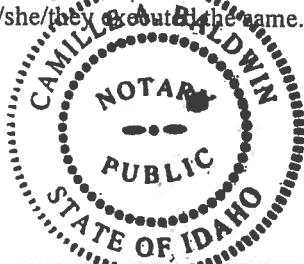
Dated: January 26, 2011

Conley V. Freeman
Conley V. Freeman

Lynda M. Freeman
Lynda M. Freeman

STATE OF Idaho, County of Ada, ss.

On this 27th day of January, in the year of 2011,, before me The Undersigned, notary public
personally appeared Conley V. Freeman and Lynda M. Freeman known or identified to me to be the
person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that
he/she/they are the name.



63.33487

Camille A. Baldwin
Camille A. Baldwin
Notary Public of Idaho

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MAR 03 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 63-334871. Name of applicant(s) Jordan Johnson Phone 208 589 0768Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 155 Dale Dr. #5 City Idaho FallsState ID Zip 83402 Email: jordanjohnson88@gmail.com2. Source of water supply Grand Water which is a tributary of N/A

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
4N	3W	16		NW	NE		Canyon	Grand Water	

4. Water will be used for the following purposes:

Amount 34.2 a.f. for Recreation Storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 34.2 a.f. for Aesthetic Storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 34.2 a.f. for Wild life storage purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 34.2 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Storage only, no diversionsb. Height of storage dam N/A feet; active reservoir capacity 34.2 acre-feet; total reservoir capacity 34.2 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ Noc. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? N/A; drilling firm N/A;Well was drilled for (well owner) N/A; Drilling Permit No. N/A.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. N/Ab. Stockwatering; list number and kind of livestock. N/Ac. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. N/Ad. Domestic; show number of households N/Ae. Other; describe fully. use for recreational sports, aesthetics, & wild life storage

Supercenter

ORIGINAL

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below. N/A
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated: N/A

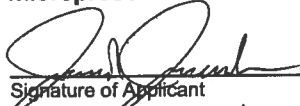
9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? N/A

10. a. Who owns the property at the point of diversion? David Lynn Johnson
- b. Who owns the land to be irrigated or place of use? David Lynn Johnson
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: I am his son + business partner

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. We plan to dig a pond 500ft by 500ft with a water depth of 6ft (34.2 acre foot) for the purpose of recreation. ~~the~~ Because of the abundance of water in the area and naturally filling ponds, mitigation should not be necessary. Excavated materials from pond will be used in property improvements and road construction.

12. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant

Jordan Johnson
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use: B

Received by B Date 3.3.11 Time 1:42 PM Preliminary check by _____
Fee \$ 250.00 Received by DB Receipt No. W039027 Date 3/3/11



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 31, 2011

CANYON DITCH CO.
ATTN: MARJORIE MAXWELL
PO BOX 1437
CALDWELL ID 83606-1437

Re: Application for Permit No(s). 63-33487

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by April 25, 2011.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s), or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, March 31, 2011 4:00 PM
To: Rex Barrie, WD-63
Subject: Comment Letters - Transfer 74686 & App. for Permit 63-33487
Attachments: Comment Letter to WD63.Doc; 63-33487 APP.pdf; X-fer 74686 APP.pdf

Attached is a cover letter and copy of an Application(s), for your review &/or comments. If you have any questions regarding the attached information, please feel free to contact our office.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

March 31, 2011

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR, ID 83669-0767

RE: Transfer No. 74686
Water Right No(s). 63-11270, 63-161AC, 63-32977, 63-32979

RE: Application for Permit: 63-33487

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, March 30, 2011 2:22 PM
To: Press Tribune
Subject: LEGAL NOTICE
Attachments: Canyon County - Cover Letter.Doc; Canyon County Ads.Doc

Attached please find (1) legal notice being submitted for publication. Please contact me immediately if you have any questions, or if you are not able to publish the ad on the dates requested.

Thank you in advance,

*Denise Buffington
Administrative Assistant I
Dept of Water Resources
Western Region
(208) 334-2190*

March 30, 2011

LEGAL NOTICE DEPARTMENT

PRESS-TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application For Permit No(s): 63-33487

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/25/2011. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-33487

JORDAN JOHNSON

155 DALE DR #5

IDAHO FALLS, ID 83402

Point of Diversion NWNE S16 T04N R03W CANYON County Source GROUND WATER Tributary BOISE RIVER

Use: RECREATION STORAGE 01/01 to 12/31 53 AF

Use: AESTHETIC STORAGE 01/01 to 12/31 53 AF

Total Diversion: 53 AF

Date Filed: 3/3/2011

Place Of Use: RECREATION STORAGE AND AESTHETIC STORAGE

T04N R03W S16 NWNE

Water bearing zone to be appropriated is from 1 to 6 feet for an excavated shallow ground water pond covering about 6 acres.

Use will be for a proposed water sports complex.

For a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before April 25, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 4/7/2011 and 4/14/2011



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

March 15, 2011

JORDAN JOHNSON
155 DALE DR #5
IDAHO FALLS ID 83402

Re: Application for Permit No. 63-33487

Dear Applicant:

The Idaho Department of Water Resources (IDWR) is expediting your application as you requested. The application needs to be amended as outlined in this letter. A draft amended application is included for your consideration.

- ✓ 1) Applicant Name – See item 6 below if the applicant needs to be changed. Complete this section of the application.
- ✓ 2) Tributary – Add Boise River for the shallow ground water source.
- ✓ 3) Amount of Water – Storage applications should cover the capacity plus any refill for losses etc. In this case, refill is the evaporative loss volume as explained in the amended application. This does not increase the filing fee.
- ✓ 4) Beneficial Uses – Wildlife should be omitted unless specific benefit to wildlife can be shown. The Idaho Department of Fish & Game has previously commented that wildlife applications often do not demonstrate actual benefits to wildlife populations. If you add this to application item #4, please submit more specific information in this regard. This will not affect the total amount of water in the application.
- ✓ 5) Place of Use – This was incomplete in the original application.
- ✓ 6) Property Ownership and Possessory Interest – An applicant must show possessory interest in the place of use to obtain a water right on another owner's property. The original application listed David Johnson as the owner. You explained your ability to operate on his property ("son and business partner"). The county tax lot information identifies Conley Freeman as the current owner. Please confirm who currently owns the

3/24/11 AMENDED APPL OK
c. these items - JG 3/28/11

Application for Permit No. 63-33487

March 15, 2011

Page 2

land. The application should be assigned to the current owner (see enclosed form), or you should provide written confirmation from the owner authorizing you to hold a water right on that property.

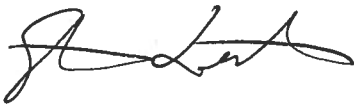
- ✓ 7) Time – Since the intended beneficial use of water will not occur until phase 2 of the project as noted in your cover letter, it is probably better to propose the maximum 5 year development period to establish a new water right. This provides greater flexibility for your project.
- ✓ 8) Water Bearing Zone – Ground water applications for the local area must identify the proposed water bearing zone to be developed from the aquifer. You noted the pond will be 6 feet deep. The proposed zone is 1 to 6 feet unless otherwise specified in your reply.
- ✓ The application maps are fine and have been retained in the IDWR file.

Please complete the amended application, including the applicant signature. Include the completed assignment of application form if applicable. Additional fees are not needed. The completed application will be processed when received.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications.

Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosures: Amended Application Form
Assignment of Application Form

Lester, Steve

From: Jordan Johnson [jordanjohnson88@gmail.com]
Sent: Wednesday, March 09, 2011 9:15 PM
To: Lester, Steve
Subject: Request to expedite application
Attachments: Steve Lester.docx

Attached is a letter requesting that our application be expedited. Thank You

Jordan Johnson
208-589-0768

To: Mr. Steve Lester

From: Jordan Johnson

Date: March 9, 2011

Subject: Request to expedite water right application

I am writing you to request your help in expediting my water rights application. For the past few months I have been working closely with Canyon County planning and zoning seeking approval for a conditional use permit. Public hearing is tentatively schedule for the end of April. This has been a long process and I fear that it will be postponed until your agency submits its approval.

Essentially our project is the creation of a water sports complex to be located on Caldwell Idaho. Our project has several different phases. Phase one begins with the mining/excavation of the property. This is a long and lengthy process that needs to begin as soon as possible. Once we have excavated the property, this gravel pit will naturally fill up with ground water. It is not until later in phase 2 that we actually desire to use this water for beneficial purposes (water sports complex).

I was originally informed that we would be able to begin excavation without your agencies approval and then at a later date request water rights. However, I have just recently been informed that we will not be able to move forward until I have your agency's approval. It is my desire that we are able to expedite the processing of my water rights application, so that we will able to obtain our permits and begin our work.

I appreciate your consideration. Thank You

-Jordan Johnson
208-589-0768