

M E M O R A N D U M

Date: August 01, 2003
To: Transfer 70732
From: dcarlson
Re: transfer evaluation

This transfer proposes to drill an additional well and use the existing well to provide Irrigation for this POU. The existing well is going dry, but will be reserved as a backup. The POU is changed into a larger pivot and this GW right is used with Twin Lakes Canal water.

Authority to File:

Applicant is the owner of record of the water license and provided tax records to show they still own the ground.

Water Right Validity:

This water right is being used to irrigate this POU. Current landsat photo show irrigation through out the 1990s Forfeiture is not an issue.

Injury to Other Water Rights:

Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70132

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Applicant J-7 LLC c/o Jeff Johnson Phone 208-747-3953
Address 1990 N. 4000 W. Dayton, ID 83232

PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

Describe the reason for the proposed changes I want to use my ground water
right as part of my pivot. Twin Lakes canal water is also
used for this purpose. I want to change to a different well
in the same 1/4 of 1/4 because original well is starting to fail.
AND KEEP OLD NEW AS A BACKUP

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
13-2215 7629	8/20/1960	1.09 cfs	Irrigation	4/01 to 10/31

Total amount of water being transferred 1.09 cubic feet per second and/or _____ acre-feet per annum.

Source of water Groundwater tributary to _____

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NW	11	15S	38E	Franklin	NEW WELL
		SW	NW	11	15S	38E	Franklin	OLD WELL

Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	11		25	25		36	3.4	3.4	36									128.8

* Limited to 82.6 acres within
The pivot permissible place of use

* Total Acres 128.8
P.P.U.

12 of 6

PART 1

Transfer No. 70732

General Information:

Description of diversion system WELL/PUMP TO SPRINKLERS & PIVOT

Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Jeff Johnson Family Trust
Clarence J. Funk Family Trust } constitute LLC
Reed Funk
Donna Funk

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

page 3 of 4

T-70732

Page 1

Transfer No. _____
Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 13-7629

Priority Date: 08/20/1960
Origin: Water Right
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION		1.09 CFS		
	Total Diversion	1.09 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNW 15S 38E 11 FRANKLIN

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	
15S 38E 11			34.0				8.6	40.0									82.6

Total Acres: 82.6

Conditions/Remarks:

1. Approval of this transfer does not confirm the validity of this water right.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NWNW

NENW

NWNE

3.405

35.925

25.293

3.410

36.048

25.483

SWNW

SENW

SWNE

well location

T 70732

page 4 of 6

273L II

Donc $\in \pi_1$

Page 6 of 10
CHANGES IN NATURE OF USE

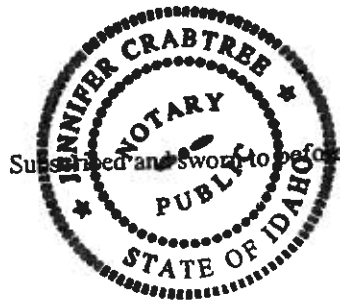
PART 3

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
			to
			to

Quantity and quality of return flows and location of discharge:

Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



Subscribed and sworn to before me this 15th day of April, 20 03.

(Signature of Applicant)

(Notary Public)

My commission expires 9/23/03

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by HWT Date 4-15-03 Protest filed by _____

Prelim. Check by _____ Fee \$290.00

Received by HWT # E028671 Date 4-15-03

Published in Preston Citizen (web) Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

ATTACHMENT T 70732
1 OF 5

FRANKLIN COUNTY ASSESSOR
51 WEST ONEIDA
PRESTON, IDAHO 83263

2002
ASSESSMENT NC E
& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:

TN 3
11-15-38
INST 3 200958
INST # 193348

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208)852-1091

PARCEL ADDRESS:

J7,LLC IDAHO LIMITED LIABILITY
% JOHNSON, JEFFREY C. MANAGER
1990 NORTH 400 WEST
DAYTON, IDAHO 83232

Appeals of your property value must be filed in
writing, on a form provided by the County, by:
06/21/2002

Tax Code Area: 21

Parcel Number: 1488.00

STATE #:

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALU
1 IRRGTD AGRICUL. .9 WASTE	51.75 3.00	34,931	34,931
SUBTOTAL:	54.75	34,931	34,931
LESS HOMEOWNERS EXEMPTION:		34,931	34,931
NET TAXABLE PROPERTY VALUE:		34,931	34,931

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	176.05	176.05	(208)852-1090	09/03/2002
DAYTON CEMETERY	7.06	7.06	(208)747-3430	08/28/2002
WESTSIDE SCHOOL #202	207.38	207.38	(208)747-3502	06/19/2002
LIBRARY DISTRICT	29.08	29.08	(208)852-0478	09/04/2002
COUNTY ROAD	3.52	3.52	()	NO RESPONSE
FIRE DISTRICT	44.52	44.52	(208)852-1817	09/04/2002
SUBTOTAL:	467.61	467.61		
FEES:	.00	.00		
TOTAL PROPERTY TAXES & FEES:	467.61	467.61		

THIS IS NOT A BILL. DO NOT PAY
See the back of this Notice for details.

T 70732
ATTACHMENT 2 OF 5

FRANKLIN COUNTY ASSESSOR
51 WEST ONEIDA
PRESTON, IDAHO 83263

2002

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL.
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TN 4
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1990 NORTH 400 WEST
DAYTON, IDAHO 83232

Appeals of your property value must be filed in
writing, on a form provided by the County, by:
06/21/2002

Tax Code Area: 21

Parcel Number:

1489.00

STATE #:

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AGRICUL. 19 WASTE	82.20 3.00	58,711	55,485
SUBTOTAL:	85.20	58,711	55,485
LESS HOMEOWNERS EXEMPTION:		58,711	55,485
NET TAXABLE PROPERTY VALUE:		58,711	55,485

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	295.89	279.63	(208)852-1090	09/03/2002
DAYTON CEMETERY	11.87	11.21	(208)747-3430	08/28/2002
WESTSIDE SCHOOL #202	348.57	329.41	(208)747-3502	06/19/2002
LIBRARY DISTRICT	48.87	46.19	(208)852-0478	09/04/2002
COUNTY ROAD	5.92	5.59	()	NO RESPONSE
FIRE DISTRICT	74.82	70.71	(208)852-1817	09/04/2002
SUBTOTAL:	785.94	742.74		
FEES:	.00	.00		
TOTAL PROPERTY TAXES & FEES:	785.94	742.74		

THIS IS NOT A BILL. DO NOT PAY
See the back of this Notice for details.

T 70732
ATTACHMENT 3 OF 5

T-17833
5.7
2000
Jeff C. Johnson

T-17834 NHEL/W
2
43.7

39.3 NHEL/W

Non-Ac
Dairy

2000
Jeff C.
Johnson

T-17835
19.3
2000
Jeff C.
Johnson

19.5 NHEL/W
2000
Jeff C.
Johnson

43.6 NHEL/W

T-17836
8.0
T-322 NHEL/W
2
37.8

39.7 NHEL/W

2000
Jeff C.
Johnson

4.4
17
1449
Gene Coats

3 NHEL/W
37.9

38.5 NHEL/W

39.1 NHEL/W

29.2 1961
Richard Reeder

2 NHEL/W
3.7

38.1



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for J7, LLC](#)]

J7, LLC

1990 N 4000 W
DAYTON, ID 83232

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 03 Dec 2001

State of Origin: IDAHO

Date of 18 Feb 1997

Origination/Authorization:

Current Registered Agent: JEFFREY C. JOHNSON
1990 N 4000 W
DAYTON, ID 83232

File Number: W3587

Date of Last Annual Report: 20 Dec 2001

Amendments:

Amendment 0 filed 18 Feb ARTICLES OF
1997 ORGANIZATION

[View Document](#)
[Online](#)
[Download \(TIFF](#)
[format\)](#)

Annual Reports:

Report for year 1997 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1998 ANNUAL REPORT

[View Document Online](#)
[Download \(TIFF format\)](#)

Report for year 1999 ANNUAL REPORT

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Report for year 2000 ANNUAL REPORT

[View Document Online](#)
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Report for year 2001 ANNUAL REPORT

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[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

No. W 3587		Due no later than Feb 28, 2002 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. Name of Registered Agent and Office NO PO BOX J7, LLC JEFFREY C. JOHNSON 1990 N 4000 W DAYTON, ID 83232		JEFFREY C. JOHNSON 1990 N 4000 W DAYTON, ID 83232	
NO FILING FEE IF RECEIVED BY DUE DATE		3. New Registered Agent Signature			
4. Limited Liability Companies: Enter Names and Addresses of Managers					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
MEMBER	CLEARANCE FUNK	5370 BUREFORD ST	SAN DIEGO	CA	92111
MEMBER	REED FUNK	4 DELWARE DR	EAST BRUNSWICK	NT	08816
MEM/MGR	JEFF JOHNSON	1990 N. 4000 W.	DAYTON	ID	83232
5. Organized Under the Laws of:			6. Signature <u>Jeffrey C Johnson</u> Date <u>11/11/2001</u>		
IDAHO W 3587			Name <u>JEFF JOHNSON</u> Title <u>MGR.</u>		
Issued 12/03/2001			Do Not Tape or Staple		
			731		



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
August 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department

PRESTON CITIZEN

PO BOX 472

PRESTON ID 83263

RE: Transfer No's. 70718, 70722, 70732

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 September 22, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

mailed
8/27/03
sc

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70718: LAWRENCE B FOX, 16205 N CLEVELAND RD, PRESTON ID 83263, has filed Application No. 70718 for changes to the following water rights within FRANKLIN County:

Right No. 13-657

Priority 5/1/1875

Source NORTH HOOPS CREEK

Use IRRIGATION (0 acres) 0.70 CFS

Total Amount 0.70 CFS

Point(s) of Diversion S10 T12S R40E

Place of Use S11 T12S R40E

Right No. 13-662

Priority 6/1/1901

Source NORTH HOOPS CREEK

Use IRRIGATION (0 acres) 0.24 CFS

Total Amount 0.24 CFS

Point(s) of Diversion S10 T12S R40E

Place of Use S11 T12S R40E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant want to change the place of use for the above two water rights and use them in combination within Sec 11 T12S R40E for a total of 47 acres.

TRANSFER NO. 70722: EL RAY BALLS and/or JANICE BALLS, 203 N WESTSIDE HWY, WESTON ID 83286, has filed Application No. 70722 for changes to the following water rights within FRANKLIN County:

Right No. 13-2209

Priority 6/13/1960

Source GROUND WATER

Use DOMESTIC 2.87 CFS

IRRIGATION (403 acres)

Total Amount 2.87 CFS

Point(s) of Diversion S36 T15S R37E

Place of Use S10, S11 and S16 T16S R38E

S31 T15S R38E

S36 T15S R37E

S8 and S9 T16S R38E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant is changing his point of diversion to the NWNE Sec 8 T16S R38E to an existing well that has been being used to irrigated 130 acres within Sec 10 and Sec 11 T16S R38E.

TRANSFER NO. 70732: J7 LLC, C/O JEFFREY C JOHNSON, 1990 N 4000 W, DAYTON ID 83232, has filed Application No. 70732 for changes to the following water rights within FRANKLIN County:

Right No. 13-7629

Priority 8/20/1960

Source GROUND WATER

Use IRRIGATION (82.6 acres) 1.09 CFS

Total Amount 1.09 CFS

Point(s) of Diversion S11 T15S R38E

Place of Use S11 T15S R38E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicants wants to drill an additional well in the SWNW Sec 11 T15S R38E and re-arranging his acres within SEC 11 T15S R38E and making a permissible place of use.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 22, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on September 3 and 10, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

August 27, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

J7 LLC
C/O JEFFREY C JOHNSON
1990 N 4000 W
DAYTON ID 83232

RE: Application for Transfer No 70732
Water Right No(s) 13-7629

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Preston Citizen on September 3 and 10, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


W. Roger Warner
Water Right Supervisor

No 5620

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Rodney Boone
being duly sworn,

deposes and says:

That he is the Editor of THE PRESTON
CITIZEN, a weekly newspaper published at Preston, in the County of
Franklin and State of Idaho; that said paper has been and is in general
circulation in the county aforesaid, and in the vicinity of Preston; that the
advertisement, a copy of which is attached hereto, was published in said
newspaper once a week for 2 consecutive weeks in the regular
and entire issue of said paper during the period of time of publication, and
was published in the newspaper proper and not a supplement; that said
paper has been established and regularly published for more than seventy-
eight consecutive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with

Sept. 3, 2003, and ending

with the issue of Sept. 10, 2003

R Boone

Fee \$ 193.31

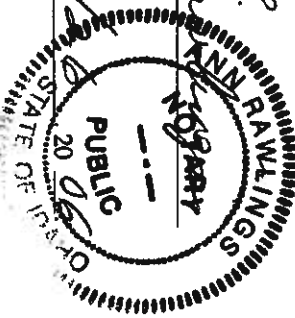
Subscribed and sworn to before me this 18 day

of Sept., 2003.

John P. Rawlings

Notary Public, Residing at Preston, Idaho

My Commission Expires 10/10/06



Received
9/24/03
g

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

TRANSFER NO. 70718
LAWRENCE F. FOX, 14305 N
CIEVELAND RD, PRESTON
ID 83423, has filed application
No. 70718 for changes to the
following water rights within
FRANKLIN County:

Right No. 13457
Priority 5/1/1875

Source: NORTH HOORS
CREEK

Use: IRRIGATION (0 acres) 0.70
CFS

Total Amount: 0.70 CFS
Point(s) of Diversion: S10 T12S
R40E

Place of Use: S11 T12S R40E

Right No. 13462
Priority 6/1/1901

Source: NORTH HOORS
CREEK

Use: IRRIGATION (0 acres) 0.24
CFS

Total Amount: 0.24 CFS
Point(s) of Diversion: S10 T12S
R40E

Place of Use: S11 T12S R40E

The purpose of the transfer
is to change a portion of the
above rights as follows:

The applicant wants to
change the place of use for the
above two water rights and use
them, in combination, within
Sec 11 T12S R40E for a total of
47 acres.

TRANSFER NO. 70722 **RE**
RAY BAILEY and/or JANCE
BAILEY, 203 N. WESTSIDE
Hwy, PRESTON ID 83286, has
filed application No. 70722 for
changes to the following water
rights within FRANKLIN
County:

Right No. 13426
Priority 6/7/1960

Source: GROUND WATER
USE DOMESTIC 2.87 CFS

Use: IRRIGATION (403 acres)

Total Amount: 2.87 CFS
Point(s) of Diversion: S26 T15S
R37E

Place of Use: S30, S11 and S16
T16S R38E

S31 T15S R38E
S36 T15S R37E
S8 and S9 T16S R38E

The purpose of the transfer is
to change a portion of the
above rights as follows:

The applicant is changing
the point of diversion to the
NWNW Sec 8 T16S R38E to an
existing well that has been be-
ing used to irrigated 130 acres
within Sec 10 and Sec 11 T16S
R38E.

TRANSFER NO. 70732 **JILL**
CLO. IRENE C. JOHNSON,
1990 N 4000 W, DAYTON ID
83262, has filed application
No. 70732 for changes to the
following water rights within
FRANKLIN County:

Right No. 13769
Priority 8/20/1960

Source: GROUND WATER
USE IRRIGATION (82.6 acres)

1.09 CFS

Total Amount: 1.09 CFS
Point(s) of Diversion: S11 T15S
R38E

Place of Use: S11 T15S R38E

The purpose of the transfer
is to change a portion of the
above rights as follows:

The applicants want to
drill an additional well in the
SWNW Sec 11 T15S R38E and
re-arranging his acres within
SEC 11 T15S R38E and making
a permissible place of use.

Protests may be submitted
based on the criteria of Sec 42-
221, Idaho Code.

Any protest against the
proposed change must be filed
with the Department of Water
Resources, Eastern Region, 500
N. Shoshone Dr. Ste A, Idaho Falls
ID 83402 together with a
protest fee of \$25.00 for each
application on or before Sep-
tember 22, 2003. The protestant
must also send a copy of the
protest to the applicant.

KARL J. DREHER,
DIRECTOR

Legal No. 5620 - Publish
Sept. 3 and 10, 2003.

The Prothon City 7 am.

Received
9/24/03
SC.