

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Leela M. Dham
(Applicant)

MICROFILMED

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho; and I do
solemnly swear that the

Notice Of Application For Water Right

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for 2
consecutive issues, the first publication hav-

ing been made on August 14, 1985
and the last publication having been made
on August 21, 1985.

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston



Subscribed to and sworn to before me
this August 22, 1985

Roger O. Blum
Notary Public.
(SEAL)

My commission expires life

RECEIVED

SEP 9 1985

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

35-8139
JOHNSON, RUSSELL &/or LETHA
RT. 1, BOX 148, ROBERTS, ID 83444
Source: GROUNDWATER
Date Filed: 05/09/1983
Diversion Pt: SESE Sec 17 T 04N R 37E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS) DOMESTIC
(0.04 CFS)
In: SESE Sec 17 T 04N R 37E FOR 1
ACRES

35-8198
DRAKE, VERNON R.
ROBERTS, ID 83444
Source: GROUNDWATER
Date Filed: 07/01/1983
Diversion Pt: SESE Sec 32 T 04N R 37E
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.02 CFS) DOMESTIC
(0.04 CFS)
In: SESE Sec 32 T 04N R 37E FOR 2
ACRES

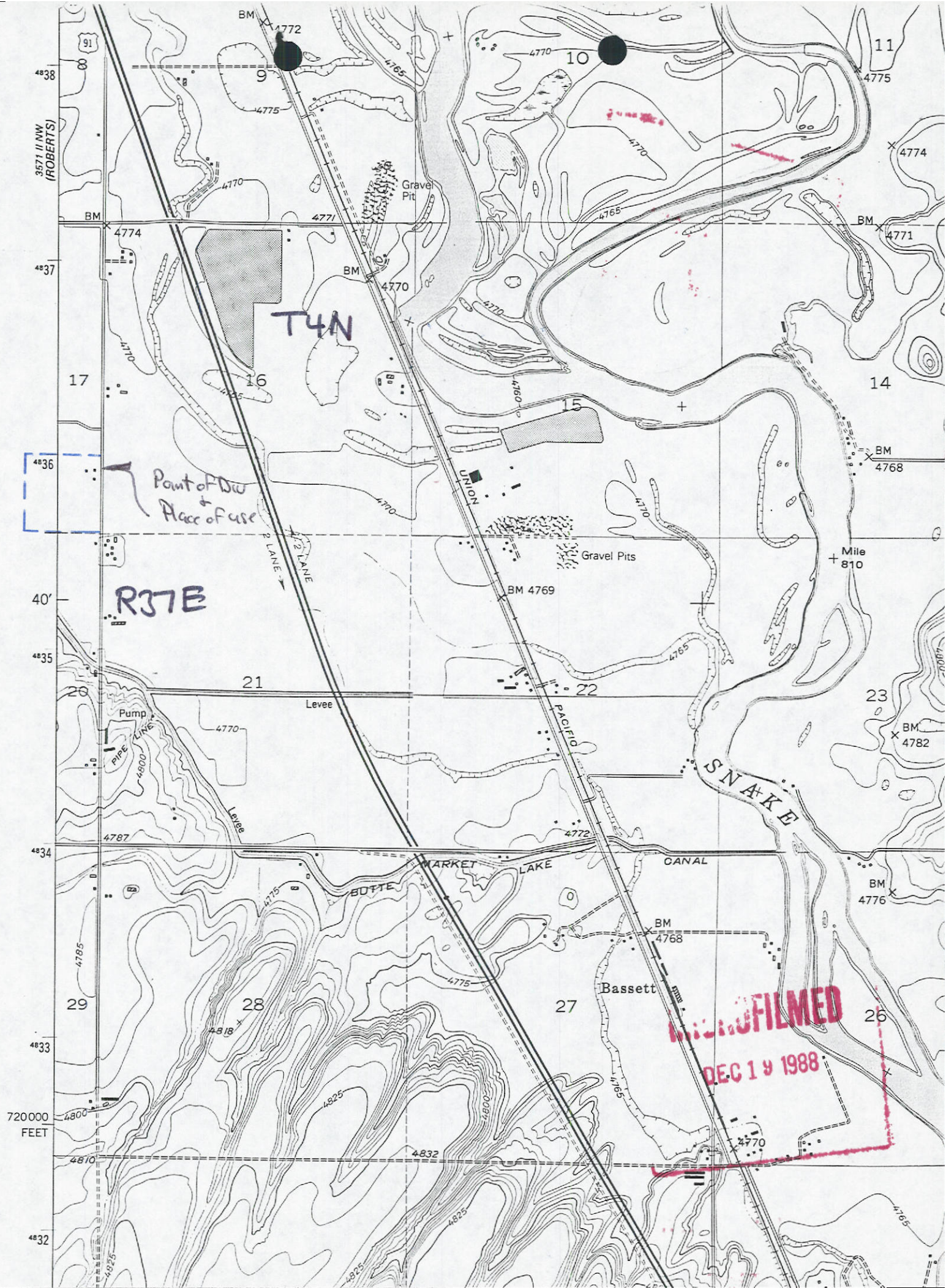
The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept., of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before SEPTEMBER 2, 1985.
KEN DUNN,
Director

Publ. Aug. 14 and 21, 1985RS

9-23-85

MICROFILMED

35-8139





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

35-8139
JOHNSON, RUSSELL
JOHNSON, LETHA
RT. 1, BOX 148
ROBERTS, ID 83444

Mailing address:
Statehouse
Boise, Idaho 83720

138659

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

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DEC 19 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08139

Priority: May 9, 1983 Amount: 0.04 CFS 1.2 AFA

This is to certify, that RUSSELL JOHNSON
LETHA JOHNSON

RT. 1 BOX 148

ROBERTS, ID 83444

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 9, 1983, and has submitted proof to the Department of Water Resources on July 3, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA

LOCATION OF POINT OF DIVERSION(S): SESE, Sec. 17, Township 04N, Range 37E
JEFFERSON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

04N 37E 17 SESE

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 8TH day of DECEMBER, 1988.

Acting for the Director

Norman C. Young
MICROFILMED

DEC 19 1988

Pd. May 6-83

77.6.5777

35 8139

Form 202
3 78

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1 Name of applicant Russell or Letha Johnson Phone 228-6341
Post office address Rt. 1 Box 148 Roberts, Idaho 83444
2 Source of water supply Groundwater which is a tributary of _____
3 Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 4N
Range 37E B.M. Jefferson County, additional points of diversion if any _____

4. Water will be used for the following purposes

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stock purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5 Total quantity to be appropriated:

a 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. well/pump with line to
one home, water trough + sprinkler

b Height of storage dam _____ feet, active reservoir capacity _____ acre-feet, total reservoir capacity _____ acre feet, materials used in storage dam _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c Proposed well diameter is 6 inches, proposed depth of well is NA feet

7 Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years)

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water. SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 4N
Range 37E B.M.

(2) Amount of power to be generated _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 50 head of cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	37E	17																1	1

Total number of acres to be irrigated 1

c. Describe any other water rights used for the same purposes as described above. None

9 a. Who owns the property at the point of diversion Applicants

b. Who owns the land to be irrigated or place of use Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

Proposed Priority 5/9/83

Received by

Assist by HWJ
CW

Date 5-9-83

Time 4:20p

Preliminary check by

KW

Fee \$

30.00

Received by

BP

Date 5/10/83

28189

Publication prepared by

CT

Date

8-7-85

Published in

Jefferson Star

Publication dates

8-15 & 8-22-85

Read 9-5 & 9-12-85

Publication approved

CW

Date

10-4-85

Protests filed by:

none

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

EMC

KW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 35-8139, and said application is hereby APPROVED.

1 Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 86

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other

Witness my hand this

17th

day of October, 1985.

J. Glen Saylor

Chief, Operations Bureau

MICROFILMED

THE JEFFERSON STAR
RIGBY, IDAHO

OCT 4 1985

AFFIDAVIT OF
PUBLICATION

Department of Water Resources
Eastern District Office

STATE OF IDAHO }
County of Jefferson } ss

I, Terry Weatherston
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho, and I do
solemnly swear that the

Notice Of Application

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for 2
consecutive issues, the first publication hav-

ing been made on September 4, 1985
and the last publication having been made

on September 11, 1985

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

Terry Weatherston

Subscribed to and sworn to before me
this September 12, 1985

James C. Garner
Notary Public.

(SEAL)

My commission expires life

NOTICE OF APPLICATION
FOR WATER RIGHT

The following applications have been filed
to appropriate the public waters of the
State of Idaho and are being readvertised to
allow evaluation of the public interest
criteria under Section 42-203C, Idaho
Code.

35-8139
PETERSON, FRED

BOX 230, LEWISVILLE, ID 83431

Source: GROUNDWATER

Date Filed: 06/17/1983

Diversion Pt: NWNW Sec 08 T 04N R 38E

Use: IRRIGATION (0.03 CFS)

STOCKWATER (0.02 CFS)

In: NWNW Sec 08 T 04N R 38E FOR 1
ACRES

35-8139
JOHNSON, RUSSELL &/or LETHA

RT 1, BOX 148, ROBERTS, ID 83444

Source: GROUNDWATER

Date Filed: 05/09/1983

Diversion Pt: SESE Sec 17 T 04N R 37E

Use: IRRIGATION (0.02 CFS)

STOCKWATER (0.02 CFS) DOMESTIC
(0.04)

In: SESE Sec 17 T 04N R 37E FOR 1
ACRES

35-8198
DRAKE, VERNON R.

ROBERTS, ID 83444

Source: GROUNDWATER

Date Filed: 07/01/1983

Diversion Pt: SESE Sec 32 T 04N R 37E

Use: IRRIGATION (0.04 CFS)

STOCKWATER (0.02 CFS) DOMESTIC
(0.04 CFS)

In: SESE Sec 32 T 04N R 37E FOR 2
ACRES

35-8223
CITY OF ROBERTS

ROBERTS, ID 83444

Source: GROUNDWATER

Date Filed: 08/12/1983

Diversion Pt: SWNE Sec 32 T 05N R 37E

Use: MUNICIPAL (1.50 CFS)

In: City limits of Roberts

35-8587
BANK OF COMMERCE, OREGON

SHORTLINE RAILROAD CO., UNION

PACIFIC RAILROAD CO.

P.O. BOX 1887, IDAHO FALLS, ID 83403

Source: GROUNDWATER

Date Filed: 06/11/1985

Diversion Pt: SENE Sec 27 T 04N R 37E

Use: COMMERCIAL (0.12 CFS)

DOMESTIC (0.02 CFS)

In: SENE Sec 27 T 04N R 37E

The permit(s) will be subject to all prior
water rights. Protests are limited to the
public interest criteria under Section

42-203C, Idaho Code. Protests must be filed
with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho, 83402 on or before

September 23, 1985.

KEN DUNN
Director

Publ. Sept 4 and 11, 1985RS.

MICROFILMED

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO {
County of Jefferson } ss

I, Terry Weatherston,
being first duly sworn, depose and say, that I am
the printer of THE JEFFERSON STAR, a weekly
newspaper printed and published weekly at
Rigby, Jefferson County, Idaho, and I do
solemnly swear that the

Notice Of Application For Water Right

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to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for 2
consecutive issues, the first publication hav-

ing been made on August 14, 1985
and the last publication having been made

on August 21, 1985

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes, that it has at least two
hundred bona fide subscribers living within the
county of publication, and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice

Terry Weatherston

Subscribed to and sworn to before me
this August 23, 1985

Roger O. Feltner
Notary Public.
(SEAL)

My commission expires life

NOTICE OF APPLICATION
FOR WATER RIGHT

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

35-8139
JOHNSON, RUSSELL &/or LETHA
RT. 1, BOX 148, ROBERTS, ID 83444
Source: GROUNDWATER
Date Filed: 05/09/1983
Diverston Pt: SESE Sec 17 T 04N R 37E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS) DOMESTIC
(0.04 CFS)
In: SESE Sec 17 T 04N R 37E FOR 1
ACRES

35-8198
DRAKE, VERNON R.
ROBERTS, ID 83444
Source: GROUNDWATER
Date Filed: 07/01/1983
Diverston Pt: SESE Sec 32 T 04N R 37E
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.02 CFS) DOMESTIC
(0.04 CFS)
In: SESE Sec 32 T 04N R 37E FOR 2
ACRES

The permit(s) will be subject to all prior
water rights. Protests must be filed with the
Director, Dept., of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before SEPTEMBER 2, 1985.

KEN DUNN,
Director

Publ. Aug. 14 and 21, 1985RS

MICROFILMED

December 13, 1988

RUSSELL JOHNSON
LETHA JOHNSON
RT. 1 BOX 148
ROBERTS, ID 83444

RE: PERMIT NO. 35-08139

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

DEC 19 1988

November 17, 1988

RUSSELL JOHNSON
LETHA JOHNSON
RT. 1 BOX 148
ROBERTS, ID 83444

RE: PERMIT NO. 35-08139

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

DEC 19 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

35-8139
Permit No.
251 1/86

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval
☒ Computer Data Proof Report
☒ Copy of U.S.G.S. Quad
☐ Check for Government Lots. If so, make a copy of Government Plat
Check of P/D index 201 3/30/87 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
Check of P/U index 201 3/30/87 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
Aerial Photo
Required? ☐ yes ☒ no If yes: ☐ copy attached?
Scheduling Letter sent? _____ (Initial and date)
☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☐ Photographs of Point of Diversion and Place of Use
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 5-29-87 ^{S.R.} C.S. (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent 201 6-02-87 (Initial and date)
Exam Reviewed by Manager of Regional Office SM 7-9-87 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

35-8139

A. GENERAL INFORMATION

Permit No. 35-8139

- 1 Owner Russell or Letha Johnson Phone No 228-6341
Current Address Rt. 1 Box 148 (Hwy #100 N 1100 W) Roberts ID 83444
2 Accompanied by Letha Johnson EXAM DATE 5-29-87
Address: same Phone No 228-6341
Relationship to Permit Holder: owner
3 Source: groundwater tributary to _____

B. OVERLAP REVIEW

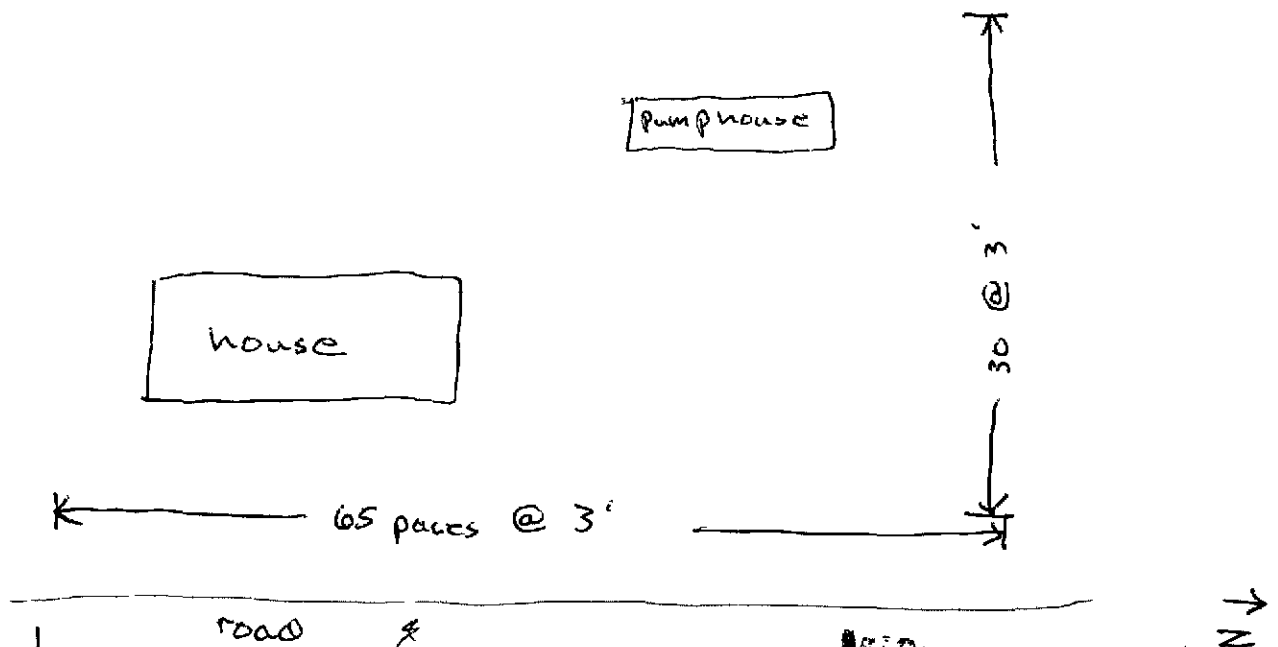
- 1 Other water rights with same place of use: canal shares

☐ Copies Attached
2 Other water rights with same point of diversion: none

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 16 Scale.

- 2 ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required) ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement: Indicate pressure, number of sprinklers, etc.)

pump to house → lawn watered using hoses from house; only 4 sticks (2 pigs & 2 valves)

depth = 325' approx pump invisible

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	17	4N	37E	Jefferson	USGS MAP

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	37E	17																0	
																		one unit	

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

allow 0.04 cfs for use in single Domestic unit

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method.

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N / _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses

allow 1.2 afa for Domestic use (including 1/2 acre or less of irrig. & watering attendant household stock)

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1 Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
domestic	1/1	12/31	.04	1.02
~~stock~~	~~1/1~~	~~12/31~~	~~.02~~	
Totals:			0.04 cfs	1.02 afa

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

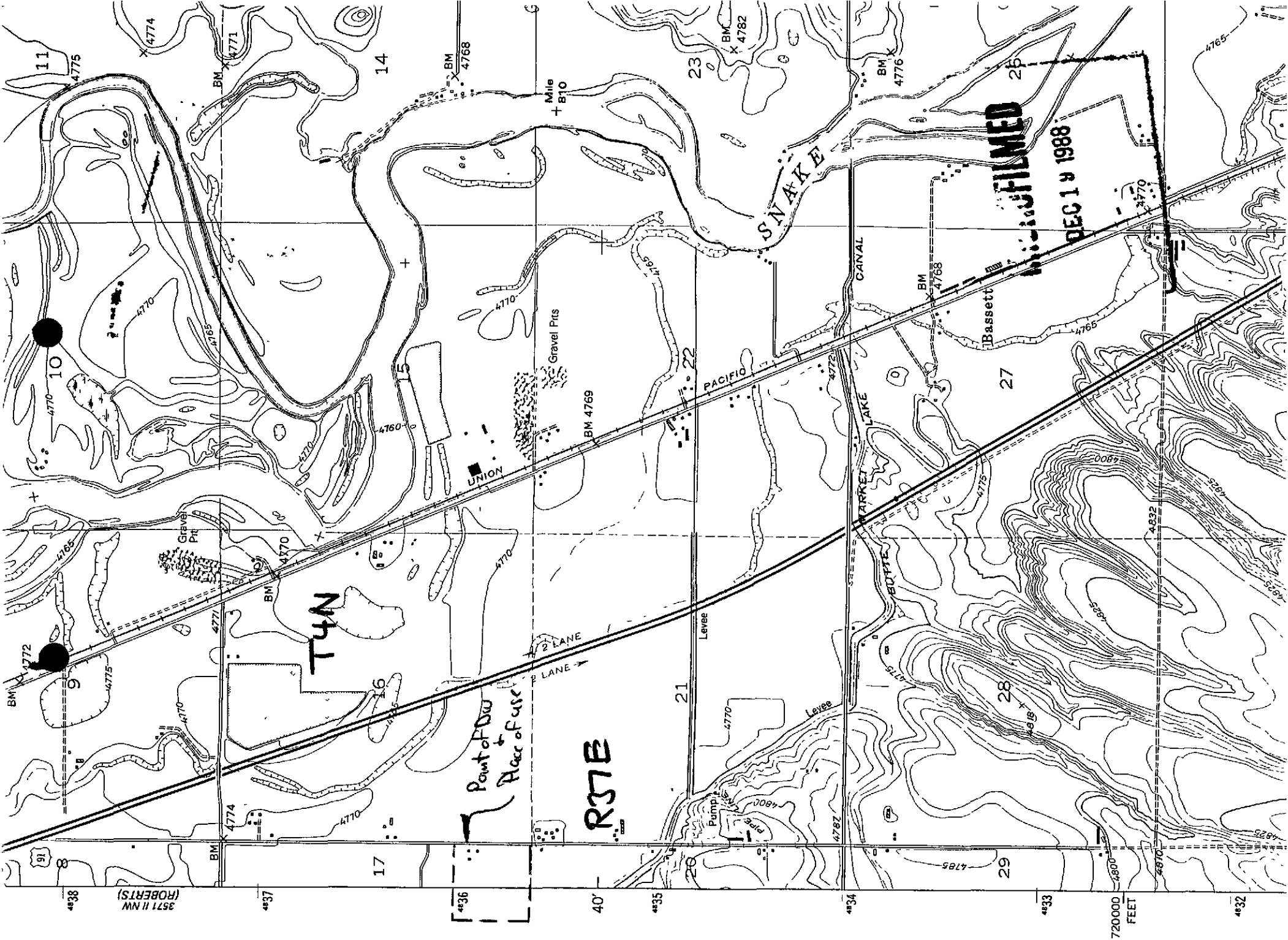
J. AUTHENTICATION

Field Examiner's Name Samuel Fletti Carol Slaughterbeck
Signature Samuel Fletti Carol Slaughterbeck
Certification Date July 9, 1987
Field Report Preparation Date 6-02-87 CONSULTANT SEAL Steve McLaughlin
7-987

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Roxanne McCarthy

11/2/88
MICROFILMED
DEC 19 1988



35-8139



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

August 1, 1986

35-8139
JOHNSON, RUSSELL
JOHNSON, LETHA
RT. 1, BOX 148
ROBERTS, ID 83444

Dear Permit Holder:

On April 30, 1986, this Department sent you a certified letter explaining the recent statutory changes in the licensing procedure that will pertain to the above referenced permit. The new statutes provide the permit holder with a choice of who will perform the licensing field examination. You may either choose a certified water rights examiner from the private sector, or select the Department. If you elect to have the examination done by the Department there is now a fee for this service based on the amount of water being diverted.

The letter advised you had a period of 60 days to notify the Department of your decision. You were to notify the Department by returning the examination fee information form which accompanied the certified letter and the appropriate examination fee, provided you wanted the Department to do the examination. As indicated in the certified letter, failure to return the form and submit the examination fee within the 60 days would cause the priority of your permit to be advanced.

Our records indicate you did not respond within the 60 day period. Starting with June 30, 1986, the priority of your permit will be advanced one day for each day your response is late. Failure to submit a completed examination fee information form, with the examination fee, by April 30, 1987, will result in the permit being lapsed.

As always our staff is available to assist you or answer questions concerning the above matter. For your convenience, we have enclosed another examination fee information form.

Respectfully submitted,

Ernest Carlsen

Ernest Carlsen
Assistant Regional Supervisor

EC/md

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DEC 19 1988

4/86

Use stated below
reflects actual use by the
Johnsons as per tele-con + office visit
by Mrs. Johnson HWT (No Fee requ.)

For Office Use Only
Fee Received N.A.
Date 8-18-86
Receipt # _____
Receipt by _____
Sent to S.O. _____

RECEIVED
AUG 13 1986

Dep. _____
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED
AUG 21 1986

1. Permit No. 35-8139

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Russell A. or Lecha M. Johnson
3. Post Office Address: Rt. 1 Box 148 Roberts, Ida. 83444
Telephone No. 208-228-6341

4. Source of Water: Ground Water

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 50/range (No. and type of stock)
Irrigation 1/2 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.04 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

July 1968

8. Person to contact to accompany the department representative during the field examination:

Russell A. Johnson
(Name)

Rt. 1 Box 148
(Address)

Roberts, Ida. 83444 - 208-228-6341
(Telephone Number)

☐ I choose to have the field examination conducted by a certified high examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

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DEC 19 1988

Date _____

Lecha M. Johnson
Signature of Permit Holder (and title, if appropriate)

copy returned for file

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

*450.00
before they can
be used*

0000000000

0000000000



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

35-8139
JOHNSON, RUSSELL
JOHNSON, LETHA
RT. 1, BOX 148
ROBERTS, ID 83444

Mailing address:
Storehouse
Boise, Idaho 83720

138659

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee to the department to conduct the field examination, but you may submit the fee to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

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DEC 19 1988

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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DEC 19 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

RUSSELL A. JOHNSON
RT. 1, BOX 148
ROBERTS

ID 83444

RE: Permit No. 35-8139

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
S/HAROLD W. JONES
Sr. Resource Agent

150 Shoup, Suite 103
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 3, 1988

NOT RECORDED

DEC 19 1988

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
JUL 3 1985

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8139

Name(s) of Permit Holder:

Russell A. Johnson

Post Office Address:

Box 148 Rt. #1 Roberts, Id.
83444

Telephone No. 208-228-6341

Source of Water:

Domestic Well

Extent of Use:

Domestic 1 (number of households)

Stockwater 15 Cows (number and type of stock)

Irrigation 30 (acres)

Other/Remarks

The flood irrigate from Market Lake Canal.

Indicate the date water was first diverted and beneficially used under this permit: September 1967

Measuring Device: Required?
Installed?

☒ Yes
☒ Yes

☒ No
☒ No None

Flow Measurement Port: Required?
Required?

☒ Yes
☒ Yes

☒ No
☒ No

Domestic well.

Person to contact to accompany the Department representative during field examination:

Russell A. Johnson
Roberts, Id. 83444
(Address)

(Name)

Box 148 Rt. #1
208-228-6341
(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

June 28-85
Date

Russell Johnson
Signature of Permit
(and Title, if appropriate)

MICROFILMED

3-13-86
JY

October 18, 1985

RE: Permit No. 35-8139

Russell or Letha Johnson
Rt. 1, Box 148
Roberts, ID 83444

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is the statement of beneficial use that must be submitted when your project is completed.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KW APPLICATION NUMBER: 35 8139

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Released from Swan Falls (5th Dismissal)

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 9-2-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application. 9-23-85

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10-4-85
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
105 ☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? W.D. 1
5-9-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

app. released in 5th S.F. dismissal

By: Ernest Carlson Date: OCT 04 1985

STATE OFFICE REVIEW:

105, 216

☐ See attached sheet for more information.
By: KW Date: 10-11-85

Department of Water Resources

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RECEIVED

OCT 10 1985

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

October 1, 1985

Jefferson Star
P.O. Box 37
Rigby, ID 83442

RE: Application for Permit No. 25-7339 PETERSON
35-8198 DRAKE
35-8139 JOHNSON
35-8587 BANK OF COMMERCE
35-8223 CITY OF ROBERTS

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on September 5 and 12, 1985.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

August 19, 1985

RE: Applications for Permits No. 35-8139 JOHNSON
35-8198 DRAKE

Jefferson Star
P.O. Box 37
Rigby, ID 83442

ATTN: Legal Notice Department

Pursuant to our telephone conversation this date, this letter is written notice for the cancellation of the legal notice on the above referenced applications scheduled to be published on August 22, 1985.

If you have further questions, please feel free to contact this office.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

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S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161
AUGUST 7, 1985

The Risby Star
P. O. Box 37
Risby, Idaho 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 2, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region
Encl.

Published 8/15 & 8/22/85.

KEN DUNN, Dir.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before SEPTEMBER 2, 1985.

waters of the State of Idaho:

The following application(s) have been filed to appropriate the public

NOTICE OF APPLICATION FOR WATER RIGHT

35-8139

JOHNSON, RUSSELL &/or LETHA

RT. 1, BOX 148, ROBERTS, ID 83444

Source: GROUNDWATER

Date Filed: 05/09/1983

Diversion Pt: SESE Sec 17 T 04N R 37E

Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)

In: SESE Sec 17 T 04N R 37E FOR 1 ACRES

*Mr. D.P. Wentz
Appl. changed to include 8/29
to include 8/29
to include 8/29
to include 8/29*

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August 6, 1985

Ms. Cindy Cranston Felton
P.O. Box 1906
Twin Falls, ID 83303

Dear Cindy:

According to the provisions of the agreement signed October 25, 1984, applications limited to certain beneficial uses are eligible for dismissal from Ada County Civil Case 81375.

Based on our understanding of the definition "consumptive domestic" and "non-consumptive commercial, municipal, and industrial", we have identified applications that appear to comply with the criteria essential for dismissal. A profile of each application is enclosed for your consideration.

We are proceeding with the publication of notices advising these applications have been filed, but will continue to withhold other administrative action pending notification from your office that an application has been released.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

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