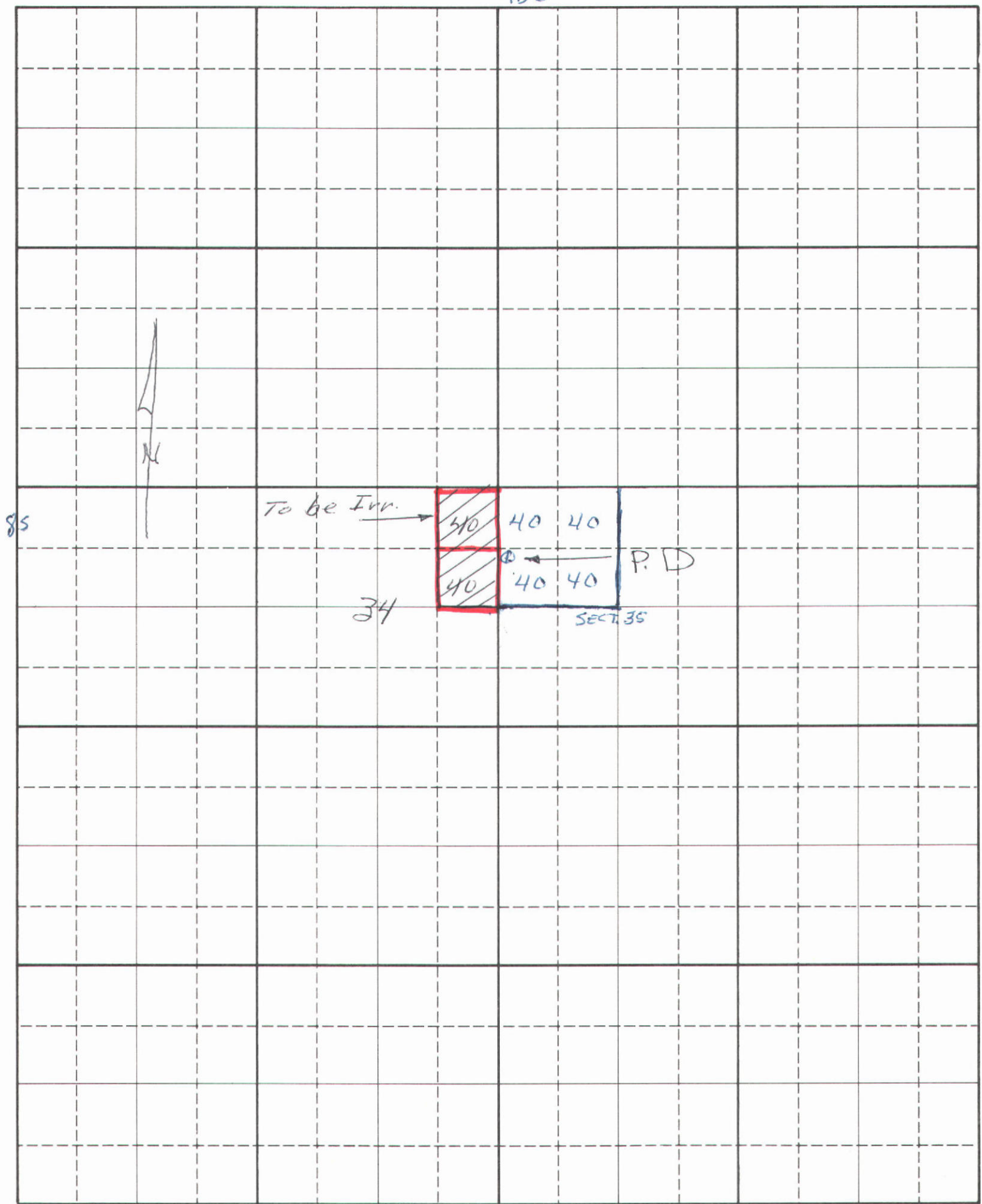


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

15E



Scale: 2 inches equal 1 mile

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.

Elmer Johnson Jr.
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Gordon O. Glasmann, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 11 day of April, 19 74, and the date of the last publication was on the 18 day of April, 19 74.

GORDON O. GLASMANN

Subscribed and sworn to before me this 22 day of April, 19 74.
(SEAL)

Shirley Cannon
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho COST OF PUBLICATION

Number of Lines in Notice	<u>32</u>	<u>32</u>	<u>32</u>
Number of Insertions	<u>2</u>	<u>2</u>	<u>2</u>
Lines tabular at		315c	
<u>32</u> Lines straight at	<u>32</u>	21c	<u>6.72</u>
<u>32</u> Subsequent lines at	<u>32</u>	15c	<u>4.80</u>
TOTAL COST			<u>11.52</u>

COPY OF NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Elmer Johnson, Jr. Rt. 2, Wendell, Idaho 83355 has on 4-3-74 submitted Application No. 36-7462 for a permit to appropriate 1.6 cubic feet per second of water from groundwater by means of pump, motor, sprinklers within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T 8S, R 15E, B.M., Gooding Co. to be used from Mar. 15 to Nov. 15 for irrigation of 80 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34, T 8S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Apr. 29, 1974.

R. KEITH HIGGINSON
Director
Pub. 4-11,18

RECEIVED

APR 23 1974

Department of Water Administration
Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

whiz #
5656
4/19/74 CW
No 15

36 7462

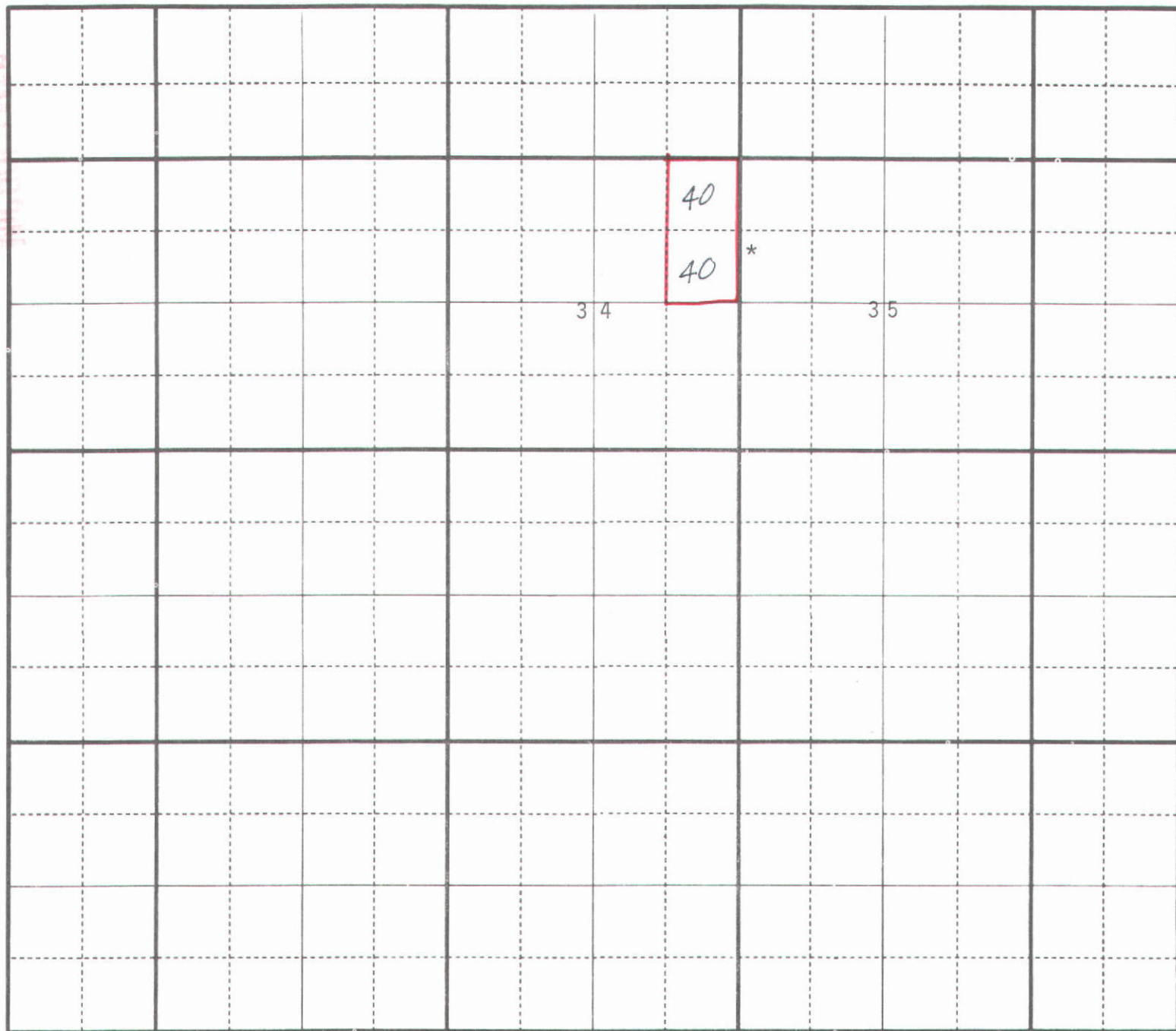


Diagram of System

SD-0611-2 Basin: 36 Starting Water Right: 07462

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	36-07462	JOHNSON, JR., ELMER	C	04/03/1974	L/	GROUNDWATER	IRR	WR
	X36-07462	JOHNSON JR, ELMER	C	04/03/1974	L/	GROUNDWATER	IRR	WR
		JOHNSON, JUDY	C					
	36-07462	JOHNSON JR, ELMER	C	04/03/1974	D/	GROUNDWATER	P DECR	AJ
		JOHNSON, JUDY	C					
	A36-07462	JOHNSON JR, ELMER	C	04/03/1974	L/	GROUNDWATER	IRR	AJ
		JOHNSON, JUDY	C					

* Decreed copied to Water Right Database (GOLD7=This Query)
 (Enter=Continue) (GOLD6=Print Profile Rpt) (GOLD8=Cancel) (Menu _____)

MICROFILMED

NOV 25 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5156
WATER RIGHT NO(S). 36-07342/36-07462

This is to certify that: ELMER JOHNSON JR
JUDY JOHNSON
3520 S 2100 E
WENDELL ID 83355

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07342 : IRRIGATION Priority: 06/20/1973	04/01 to 10/31	2.23 CFS	604.0 AF
Right No. 36-07462 : IRRIGATION Priority: 04/03/1974	04/01 to 10/31	0.89 CFS	320.0 AF
TOTAL:		3.12 CFS	924.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 36-07342 : SWNW , Sec. 35, Township 08S, Range 15E
Right No. 36-07462 : SENE , Sec. 34, Township 08S, Range 15E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
Right No. 36-07342 :						
08S 15E 35	NENW	40	NWNW	36	SWNW	40
	SENW	35				151
Total number of acres irrigated:						151
Right No. 36-07462 :						
08S 15E 34	NENE	40	SENE	40		80
Total number of acres irrigated:						80

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NOV 25 1998

TRANSFER NO. 5156
WATER RIGHT NO(S). 36-07342/36-07462

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Water used under Right 36-07462 is combined with water from North Side Canal Co. Ltd.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Right 36-07462 and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. Right 36-07462 shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

Dated this 16th day of November, 1998.


Chief, Water Allocation Bureau

MICROFILMED

NOV 25 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7462 Priority April 3, 1974 Amount 1.6 cfs

THIS IS TO CERTIFY, that ELMER JOHNSON, JR.
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7462 issued pursuant to Application for Permit dated April 3, 1974,
and has submitted proof to the Department of Water Resources on June 2, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.12 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u> at <u>1.6</u> cfs and <u>320</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.6 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
320 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 8S,
Rge. 15E, B. M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	15E	34	40			40													80

Total number of acres irrigated 80

A measuring device of a type approved by this Department shall be maintained as part of the diverting works.

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of

August, 19 78.

Director

Identification No. _____

Application No. 36-7462

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Elmer Johnson, Jr.
post office address Rt. 2, Wendell, Idaho 83355
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 8S
Range 15E B.M. Gooding County; additional points of diversion if any: _____

- ☒ If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 1.6 cfs for Irr purpose from March 15 to November 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

- a. 1.6 cfs cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Deep well pump & motor and sprinkling system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

- c. Proposed well diameter is 16 inches; proposed depth of well is 115 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.

- b. Estimated construction cost is \$ 15,000.00.

8. Description of proposed uses:

- a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

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

(3) List number of each kind of livestock to be watered _____

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

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

36 7462

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

TWP.	RANGE	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	
8 S	15 E	34	40			40													80

Total number of acres to be irrigated 80

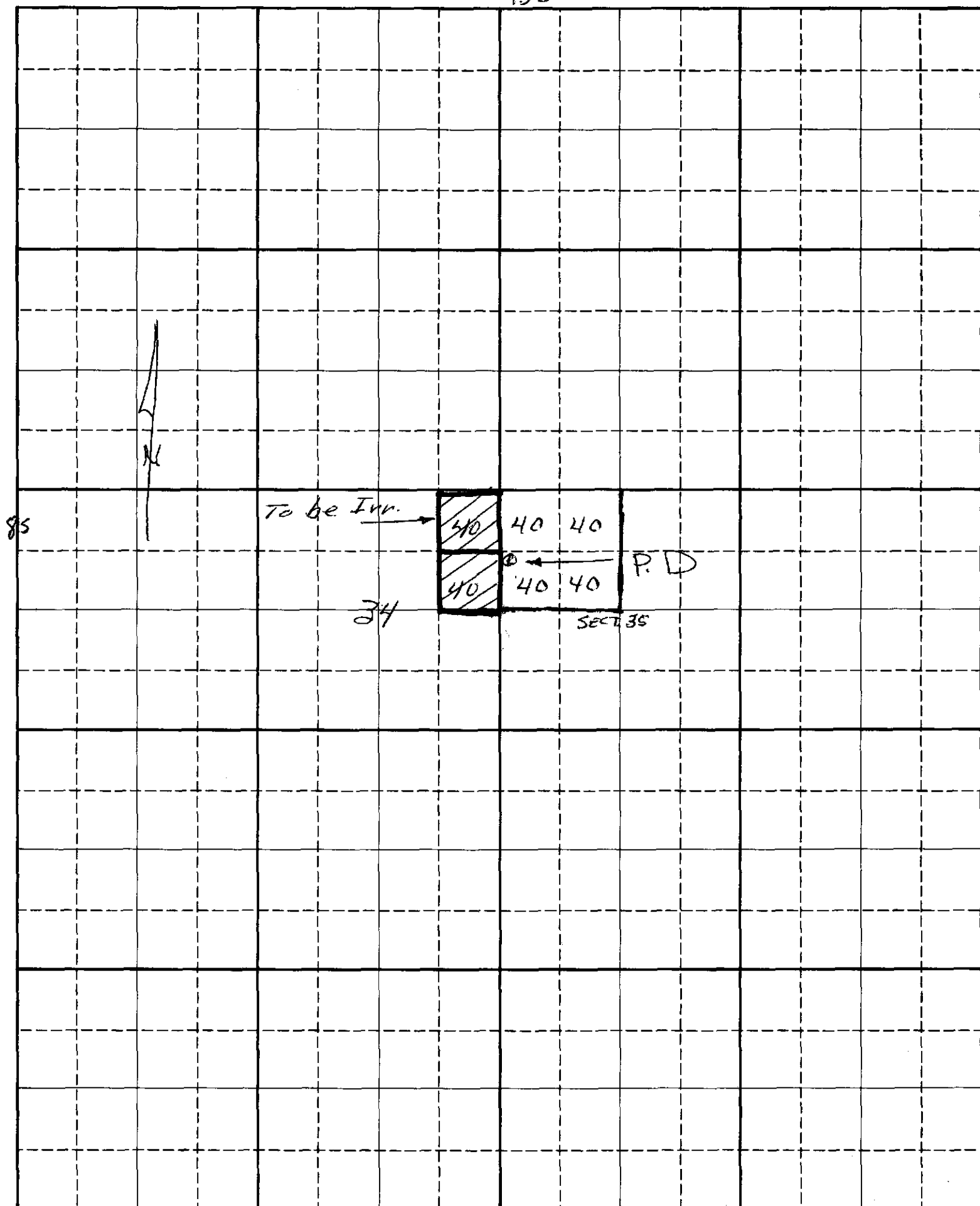
c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Howard Viccum
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Lease Contract

10. Remarks

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

15E



Scale: 2 inches equal 1 mile

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.

Elmer Johnson Jr.
(Applicant)

Received by SLF Date 4-8-74 Time 3:15 P.M.
Preliminary check by MLS Fee \$ 35.00 (13872)
Receipted by LT Date 4-3-74
Publication prepared by LT Date 4-4-74
Published in Gooding Co. Leader
Publication dates 4-11 & 4-18-74
Publication approved LT Date 4-23-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7462, 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 June 1, 19 75.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 6 day of _____ May 19 74.

R. Keith Higin
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-7462 }
in the name of ELMER JOHNSON, JR. }

ORDER OF REINSTATEMENT

WHEREAS, on April 3, 1974, Elmer Johnson, Jr. filed an application for permit with the Department of Water Resources (formerly the Department of Water Administration) to appropriate 1.60 cubic feet per second of groundwater from within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 8S, Rge. 15E, B.M., Gooding County, to be used for irrigation purposes; and,

WHEREAS, on May 6, 1974, the Department approved said application and issued Permit No. 36-7462 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1975; and,

WHEREAS, on March 31, 1975, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on June 2, 1975, the permit holder's required proof of beneficial use was received by the Department of Water Resources Southern District Office in Twin Falls; and,

WHEREAS, on June 4, 1975, a notice of lapsing was sent to the permit holder by the Boise Office; and,

WHEREAS, Permit No. 36-7462 was inadvertently lapsed;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-7462 be REINSTATED without a loss of priority.

Dated this 12th day of June, 1975.


A. KENNETH DUNN
Administrator, Operations Division

jfr

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DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>mls</u>	<u>4.4.74</u>	Application No. <u>36-7462</u> <u>Elmer Johnson Jr.</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>mls</u>	<u>4-4-74</u>	In form to receipt Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U. S. F. S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>mls</u>	<u>4-4-74</u>	In form for advertising
(6)	<u>KOF</u>	<u>4-26-74</u>	Located within Water District No. <u>36</u>
(7)	<u>KOF</u>	<u>4-26-74</u>	Critical groundwater area: yes ☐ no ☒
(8)	<u>KOF</u>	<u>4-26-74</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>LT</u>	<u>4-23-74</u>	Affidavit of Publication received (date) <u>4-23-74</u>
(11)			Final date for protests <u>4-29-74</u> Protests received: yes ☐ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)			All requested information received from agencies or applicant yes ☒ no ☐
(14)			Action recommended: ☒ Approve Priority <u>4-3-74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Southern</u>	By <u>Bob Haynes</u>	Date <u>4-24-74</u>

36 7462

RECEIVED
APR 29 1974
Department of Water Administration

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Gordon O. Glesmann being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 11 day of April

19 74, and the date of the last publication was on the 18

day of April, 19 74.

GORDON O. GLESMANN

Subscribed and sworn to before me this 21

day of April, 19 74.
(SEAL)

Shirley Cannon
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32 32 32

Number of Insertions 2 2 2

Lines tabular at 315c

32 Lines straight at 32 21c 6.72

32 Subsequent lines at 32 15c 4.80

TOTAL COST 11.52

COPY OF NOTICE

NOTICE APPLICATION FOR WATER PERMIT

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Apr. 29, 1974.

R. KEITH HIGGINSON
Director
Pub. 4-11,18

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

Whiz #
5656
4/19/74 cu
No. 15

36 7462

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: : : Long: : :

1. WELL TAG NO. D 0002959
 DRILLING PERMIT NO. 36-98-S-0183-000
 Other IDWR No. 7462

2. OWNER:

Name Elmer Johnson
Address 35205 210DE
City Wendell State WY Zip 83355

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N

W E S

Twp. 8 North ☐ or South ☒

Rge. 15 East ☒ or West ☐

Sec. 34

Gov't Lot _____

Lat: : : Long: : :

Address of Well Site SAME

County Gooding 1/4 SE 1/4 NE 1/4

10 acres 40 acres 160 acres

City Wendell

(Give at least name of road + distance to Road or Landmark)

Lt.	Blk.	Sub.	Name
-----	------	------	------

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	18	700 ^{lbs}	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Yes ☒ No How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
12	1	18	25	Steel	☒	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 1' Length of Tailpipe 2'

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

104 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft Describe access, port or
control devices: Well CAP

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. 85° Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
15	0	6	Top So.1		
15	6	18	CLAY LAUA		
12	18	26	" "		
	26	28	Crevasse no returns		
1	28	68	Hard		
	68	69	Broken		
	69	88	Hard		
	88	89	Broken		
	89	99	Med Hard		
	99	106	Med hard + breaks		
	106	108	Broken		
	108	114	Hard		
	114	118	Soft broken Cinders	X	
	118	121	Broken LAUA	X	
	121	127	Hard		
	127	134	Loose Cinders	X	
X	134	140	Med hard breaks + Cinders	X	

RECEIVED RECEIVED

MAR	02	1999
-----	----	------

~~FEB 11 1999~~

Department of Water Resources
Southern Region

Department of Water Resources

Completed Depth 138 (Measurable)
Date: Started 1-19-99 Completed 1-20-99

13. DRILLER'S CERTIFICATION

1/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Eaton Drilling Firm No. 26

Firm Official Ray Wilson Date 1-20-99

Driller or Operator Love Corp Date 1-20-99

(Sign once if Firm Official & Operator)

MEMORANDUM

TO: Files 36-07342 & 36-07462

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5156

DATE: September 30, 1998

Transfer 5156 changes the point of diversion under Right 36-07462, and changes the rates of diversion under both Rights 36-07342 and 36-07462 to separate the systems and remove the point of diversion overlap combined limits.

These rights were developed from the same well [✓] and are both currently owned by the applicant. The second right developed, 36-07462, was given a combined right diversion rate limit of the capacity of the well, 3.12 cfs. Each right was given an inch per acre diversion rate that when combined exceeds the capacity limit. The applicant is now proposing to drill a new well for the second right and have two separate systems under these rights.

In order to eliminate any expansion in use, both rights are being modified to reflect more accurately the individual uses and limits of these rights. The applicant has been advised of this proposal and agrees with the following recommendations. The full circle pivot system under Right 36-07342 requires 1000 gpm or 2.23 cfs to run according to the applicant and will be retained under this right. He will adjust the system from the proposed well to divert the remaining balance of the combined rights, 399 gpm or 0.89 cfs, under Right 36-07462 to serve the half pivot. Each right still provides the full irrigation volume requirement following this adjustment.

Recommended conditions include drilling permit requirements & supplemental groundwater conditions under Right 36-07462, and measuring & annual reporting requirements, irrigation overlap, & standard conditions under both rights.

MICROFILMED
NOV 25 1998

**SRBA
SUBCASE SUMMARY REPORT
36-07462**

[Return to SRBA Home Page](#)

SRBA
09-21-1998

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-07462 FILE#: 01085
CLAIMANT: JOHNSON JR, ELMER
STATUS: ADMIN PROCEED PENDNG
WATER SOURCE: GROUNDWATER,

***** PARTIES INVOLVED *****

ELMER JOHNSON JR

PRO SE

***** ROA ENTRIES *****

10-30-1997 NOTICE OF ADMINISTRATIVE PROCEEDING
(42-222 TRANSFER #5156)

AZ 11-02-1998 0500

[Return to SRBA Home Page](#)

9/21/98

MICROFILMED

NOV 25 1998

11:53:03 AM

SPLIT RIGHT SUMMARY
9/21/98
TRANSFER 5156

D-0611-2 Basin: 36 Starting Water Right: 07462

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
---	36-07462	JOHNSON, JR., ELMER	C	04/03/1974	L/	GROUNDWATER	IRR	WR
---	T36-07462	JOHNSON JR, ELMER	C	04/03/1974	L/	GROUNDWATER	IRR	WR
---	36-07462	JOHNSON JR, ELMER	C	04/03/1974	D/	GROUNDWATER	P DECR	AJ
---		JOHNSON, JUDY	C					
---	36-07462	JOHNSON JR, ELMER	C	04/03/1974	D/	GROUNDWATER	P DECR	AJ
---		JOHNSON, JUDY	C					
---	A36-07462	JOHNSON JR, ELMER	C	04/03/1974	L/	GROUNDWATER	IRR	AJ
---		JOHNSON, JUDY	C					

MICROFILMED
NOV 25 1998

MEMORANDUM

TO: FILE 36-07462
FROM: PAM SKAGGS *CS*
RE: TRANSFER # 5156
DATE: 9-30-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-07342.

MICROFILMED

NOV 25 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 6, 1978

Re: Permit No. 36-7462

Elmer Johnson, Jr.
Route #2
Wendell, ID 83355

Dear Mr. Johnson:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2215

C. Stephen Allred
Director

July 3, 1978

Re: Permit No. 36-7462

Elmer Johnson, Jr.
Route #2
Wendell, ID 83355

Dear Mr. Johnson:

A representative of this Department made an examination of the works covered by your Permit No. 36-7462 on June 1, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.6 cfs Source: groundwater

The maximum quantity diverted shall not exceed 320 acre feet per
year.

Point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 8S, Rge. 15E, B. M.

Beneficial use: Irrigation of 80 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 35,
Twp. 8S, Rge. 15E, B. M.

Priority date established: April 3, 1974

If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

MICROFILMED
AN GROVER
Water Rights Supervisor
JG/kw

FIELD REPORT

1. Name of permit holder

Phone

Person to contact: _____

Phone

(name spring, stream, etc.)

Tributary to

Amount 1.60 c.f.s. for Irrigation
 AF/Annum (nature of use)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Other uses:

Max Rate of Diversion 1.60 cubic feet per second and annual volume _____ AF/Annum.

Township 8S N/S, Range 15E E/W, B.M., Section 35, Subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$, Gooding
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County _____

Other Points of Diversions:

Description of diverting works: 125 hp, 130 feet deep

Measuring device required: yes ☒ no ☐

[illegible]**TOTAL ACREAGE**

80

Permit No. 36-7462
Examination for b/w

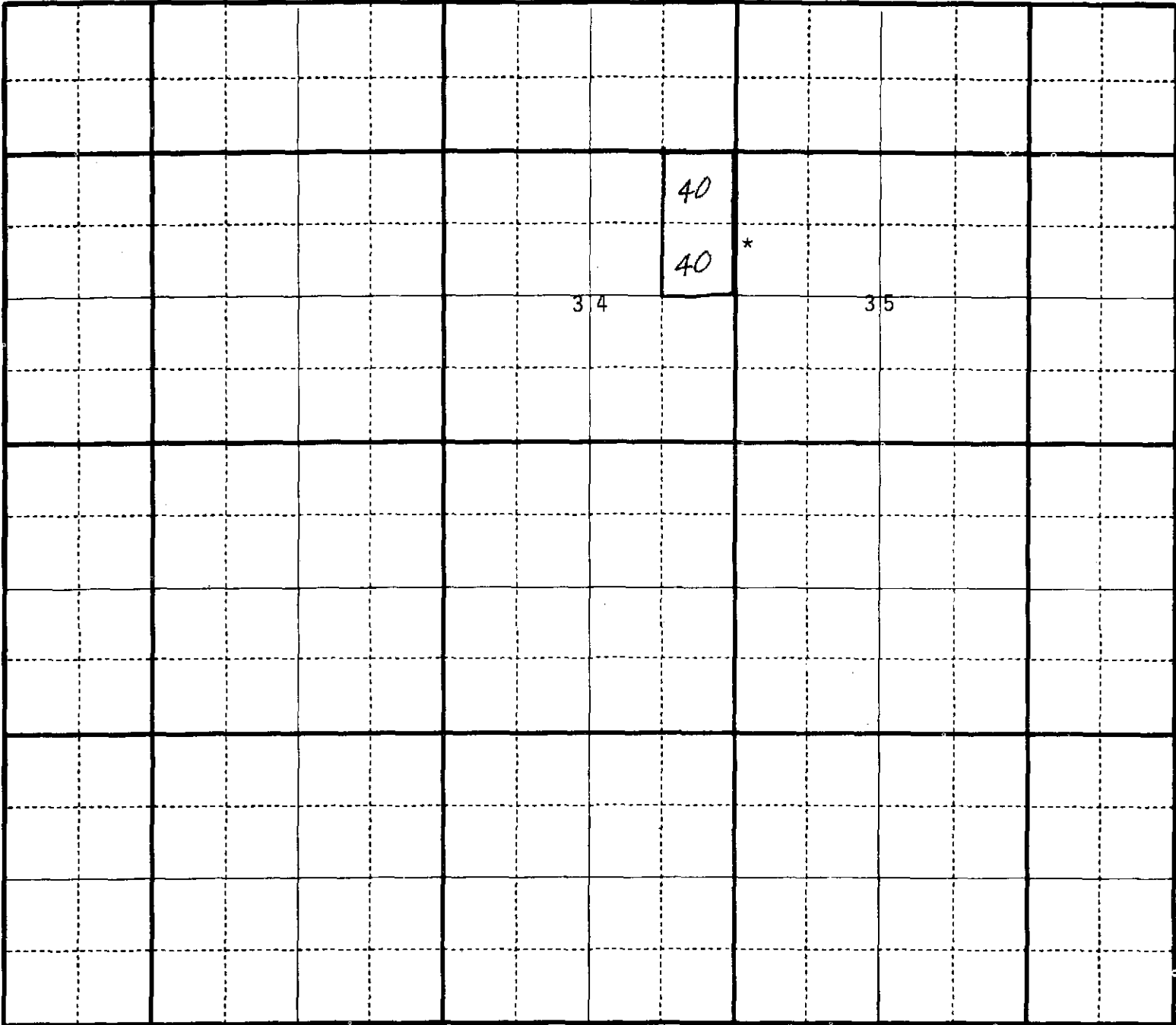


Diagram of System

DATE OF EXAM 6-1-1976

ACREAGE
Found 80
Recommended 80

Irrigation Requirement 4.0 Ac Ft/Ac

245 days

USE
Irrigation Q = 1.6 c.f.s. V = 320 AF/Ann. from March 15 to Nov. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 3.12 c.f.s. Method of measurement Badger

Total Q recommended 1.6 c.f.s. Meter No. M0588447 Type 12" Condition New

Total V recommended 320. Ac Ft/ANN.

Recommended Amendments:

P.D. W
Place of Use W
Other _____
None ✓

MEASUREMENT CALCULATION:

$Q = 3.12 \text{ c.f.s. } (1700 \text{ gpm}) \div (448.8 \text{ gpm/cfs})$
 $Q = 1.6 \text{ c.f.s. Amount Applied for}$
 $V = 320 \text{ Ac Ft/ANN. (Irr. Req } 4.0 \text{ Ac Ft/Ac.) (} 80 \text{ Acres)}$

SYSTEM DESCRIPTION:

125 Hp Motor Serial # BK J220102
Layne & Bowler Pump Serial # 45296
Sprinkler System

REMARKS: permit # 36-7342 use this same system

Examiner's Signature Larry Lunderburg Date 6-1-1976

Checked by Larry L. Blau Date 6-28-76

Approved by Michael L. Stuhl Date 8-26-76

Identification No. _____

Permit No. 36-7462

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 2 1975 *okjr*

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources
Southern District Office

1. a) Name of Permit Holder Elmer Johnson, Jr.
b) Post Office Address Route #2, Wendell, Idaho 83355
2. Permit Number 36-7462
3. Date of Priority that you are prepared to establish April 3, 1974
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35
Township 8S, Range 15E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 1.6 cfs for Irrigation purposes from March 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.6 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: Deep well, pump & motor & sprinkling system
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 125 H.P. 130 feet deep.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Meter
c) Give well driller's name and address and the date the well was completed: George Gailey - Filer, Idaho
February 1973
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 6-11-75 by *js*

RECORDED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	15E	34	40			40													80

Total number of acres irrigated 80

10. Remarks: _____

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

6-2-75
(Date)

Elmer Johnson Jr
(Signature)

State of Idaho)
County of Lewis & Clark) ss.

On this second day of June, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Harmon

My commission expires 2-22-77



June 16, 1976

Re: Permit No. 36-7462

Mr. Elmer Johnson, Jr.
Route 2
Wendell, Idaho 83355

Dear Mr. Johnson:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. We are enclosing an Order of Reinstatement; please note that your permit has been reinstated without a loss of priority.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Twin Falls.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosure: Order of Reinstatement



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1975

CERTIFIED MAIL

Re: Permit No. 36-7462

Elmer Johnson, Jr.
Route #2
Wendell, ID 83355

Dear Mr. Johnson:

One of the conditions of approval of your water Permit No. 36-7462 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECORDED
INDEXED

WATER RESOURCE BOARD:

John F. Straiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 4, 1975

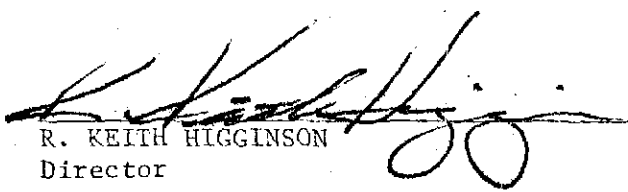
Re: Permit No. 36-7462

Mr. Elmer Johnson, Jr.
Route 2
Wendell, Idaho 83355

Dear Mr. Johnson:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 36-7462 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

RECEIVED

WATER RESOURCE BOARD:

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Member

Joseph H. Nettleton
Member

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 55¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
----------------	---------------	-------------

26647

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4.

DATE OF DELIVERY

4-1-75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

March 31, 1975

CERTIFIED MAIL

± 26647

Re: Permit No. 36-7462

Elmer Johnson, Jr.
Route #2
Wendell, ID 83355

Dear Mr. Johnson:

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Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg

Enc: Proof affidavit

MICROFILMED

May 6, 1974

Re: Permit No. 36-7462

Elmer Johnson, Jr.
Box 2
Wendell, Idaho 83355

Dear Mr. Johnson:

Enclosed is a copy of your approved Application for Permit No. 36-7462. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

36 7462

April 4, 1974

RE: Application No. 36-7462 - Elmer Johnson, Jr.

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Bob Haynes
Southern District Engineer

BH:lt

enc.

Bill submitted 4-23-74 LT

36 7462

gally proof

**NOTICE OF
APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Elmer Johnson, Jr. Rt. 2, Wendell, Idaho 83355 has on 4-3-74 submitted Application No. 36-7462 for a permit to appropriate 1.6 cubic feet per second of water from groundwater by means of pump, motor, sprinklers within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T 8S, R 15E, B.M., Gooding Co. to be used from Mar. 15 to Nov. 15 for irrigation of 80 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34, T 8S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Apr. 29, 1974.

R. KEITH HIGGINSON
Director
Pub. 4-11,18

OK.

*OK LT
4-10-74*

36 7462

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Elmer Johnson, Jr.

Rt. 2, Wendell, Idaho 83355

has on 4-3-74 submitted Application No. 36-7462

for a permit to appropriate 1.6 cubic feet per second ~~acre feet per annum~~
of water from groundwater

by means of pump, motor, sprinklers

within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T 8S, R 15E, B.M., Gooding Co.

to be used from Mar. 15 to Nov. 15

for irrigation of 80 acres

within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34, T 8S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Apr. 29, 1974.

R. KEITH HIGGINSON

Director

Published in the Gooding Co. Leader

on 4-11 and 4-18-74

36 7462