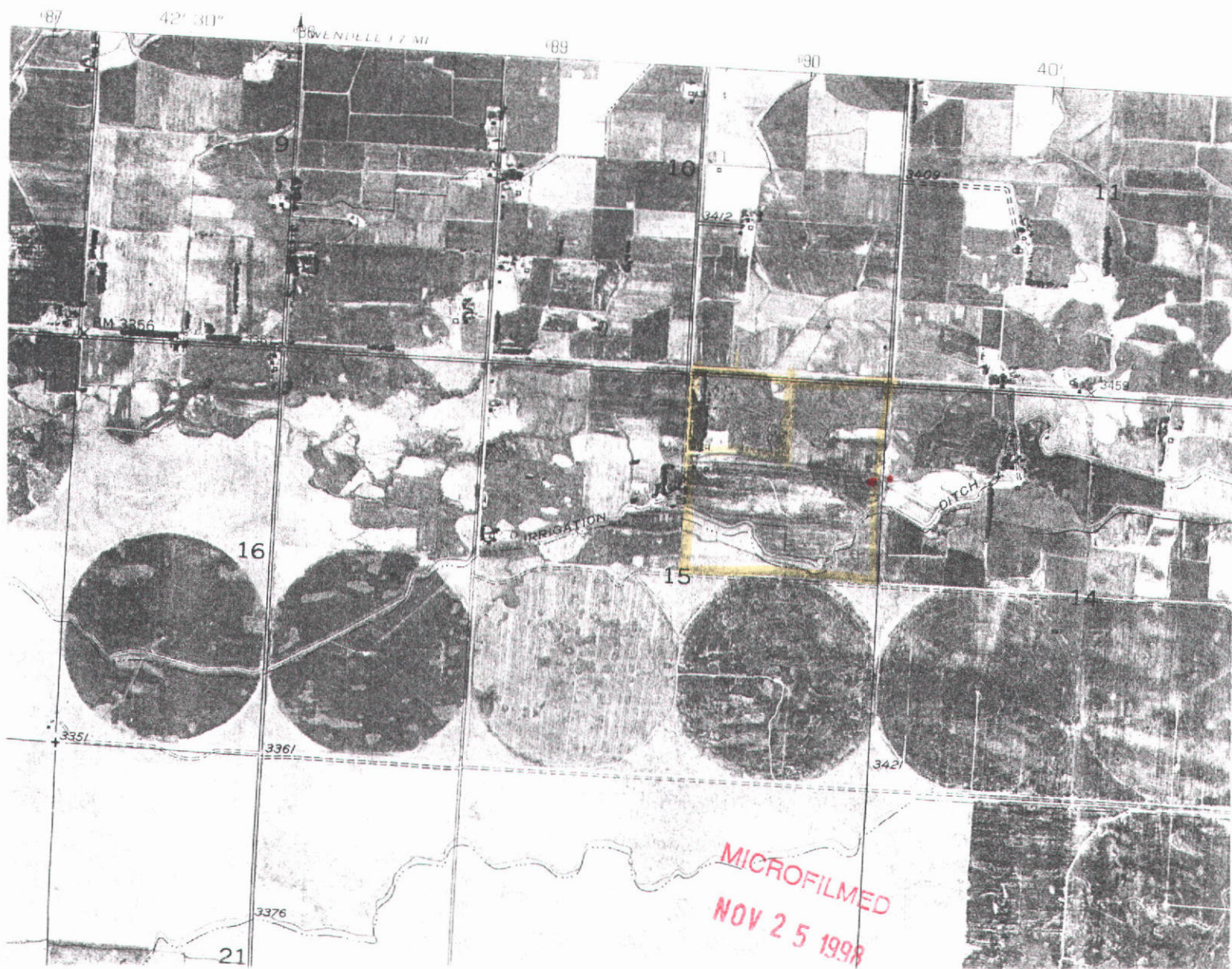
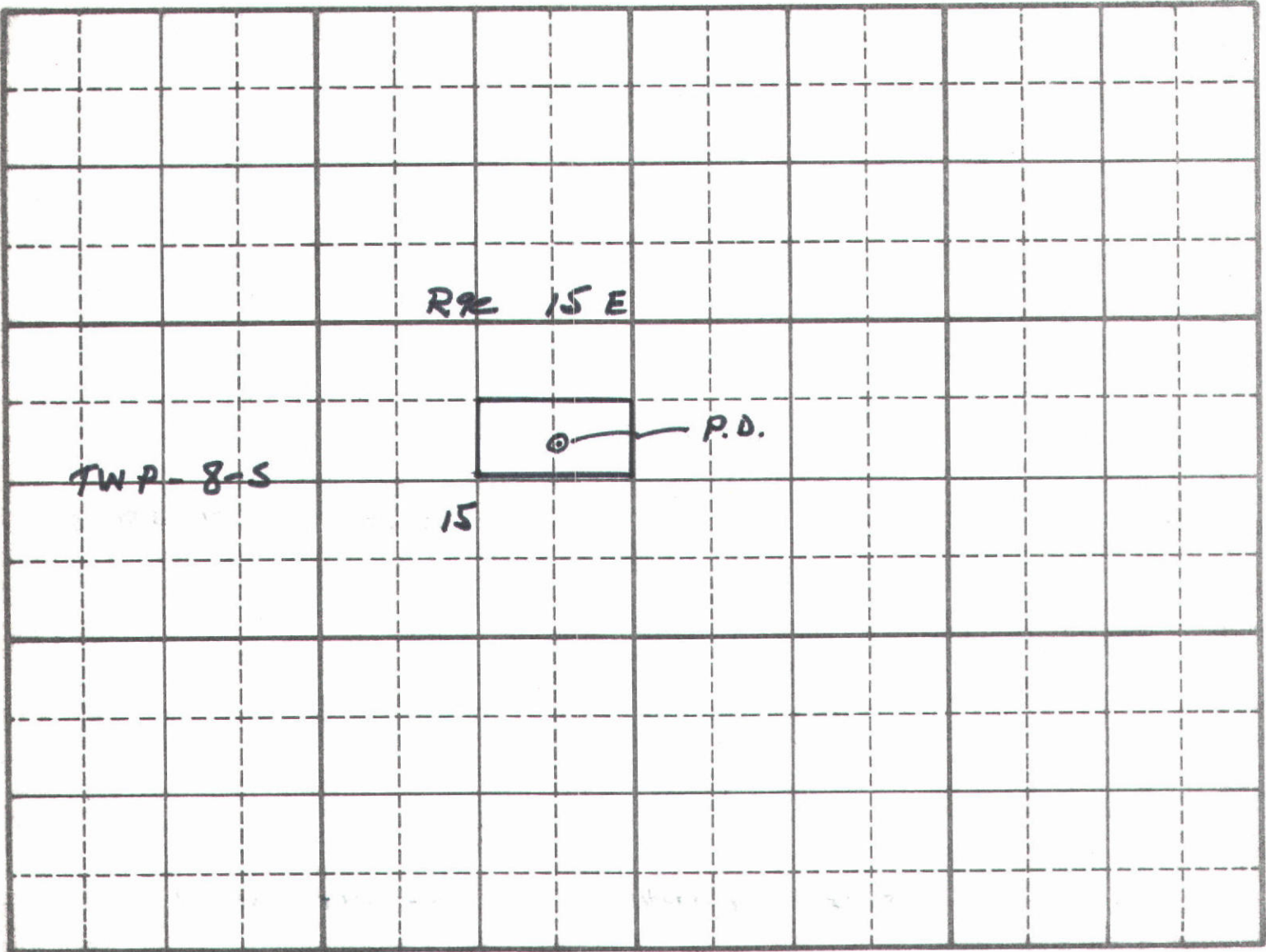


WR - 36-07173, A 36-07173
36-08263



Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Twin Falls, this 3 day of Feb, 19 78.
Eldon K. Johnston
(signature)

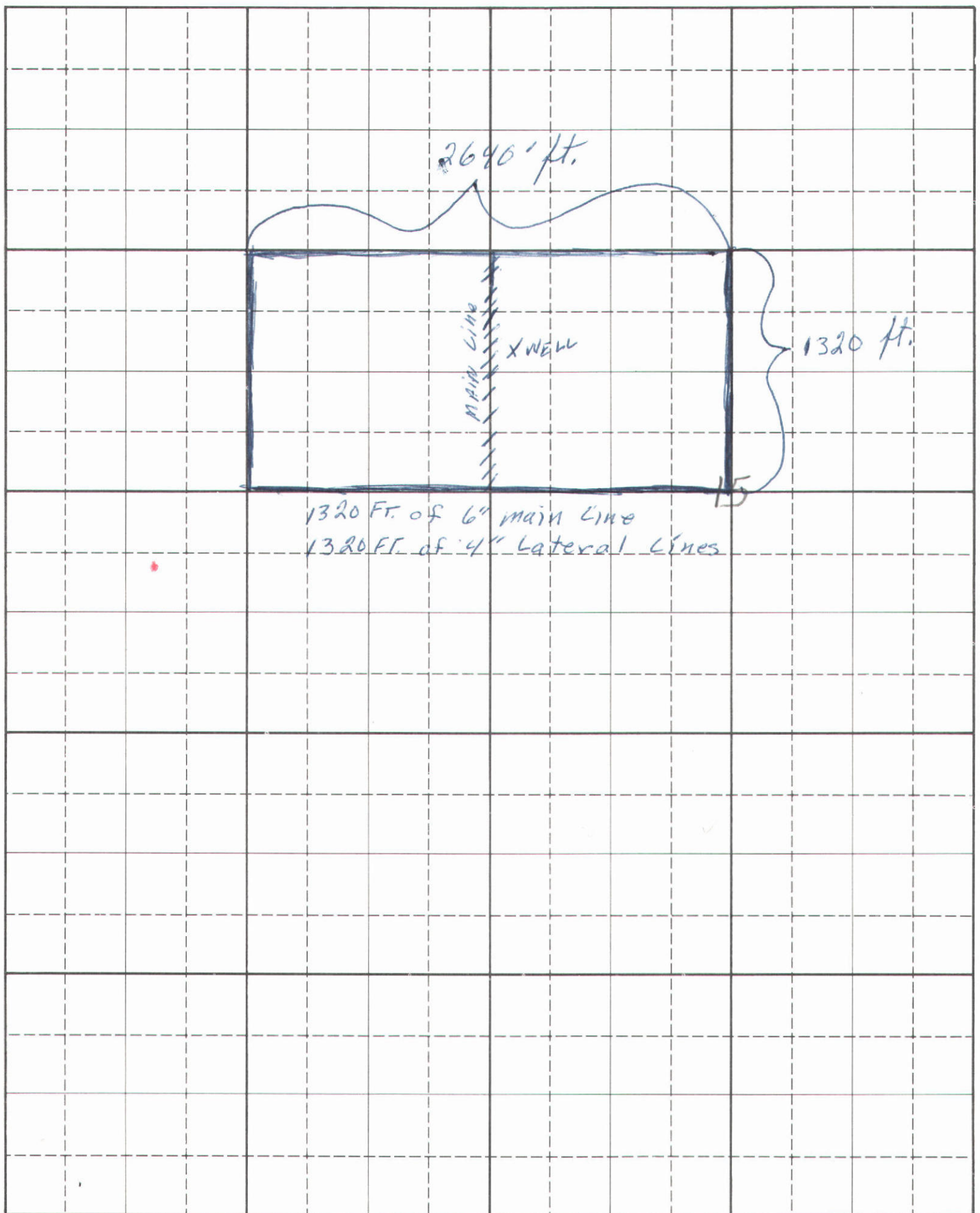
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby APPROVE the above application for amendment for Permit No. 36-7173.

Witness my hand this 9 day of March, 19 78.

C. Stephen Allred
Director

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



Scale: $\frac{1}{4}$ inches equal $\frac{1}{2}$ 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.

Eldon K. Johnston
(Applicant)

35 7173

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. Hagen 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 27 day

of May, 1971, and the date of the last publication

was on the 3 day of June, 1971

Subscribed and sworn to before me this 3

day of June, 1971
(SEAL)

Andrey C. Behler
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____

Number of Insertions _____

_____ Lines at 14¢ _____

_____ Lines at 10¢ _____

TOTAL COST _____

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eldon K. Johnston, Route 2, Wendell, Idaho, has on April 30, 1971, submitted Application No. 36-7173 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and pump within the SE 1/4 NW 1/4 Sec. 15, T. 8S, R. 15E, B.M., Gooding County, to be used from April 1 to October 15 for the irrigation of 80 acres within the S 1/2 NW 1/4 Sec. 15, 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, Statehouse, Boise,

Idaho, 83707, on or before June 14, 1971.

R. Keith Higginson
Director

5-27-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive insertions 10c

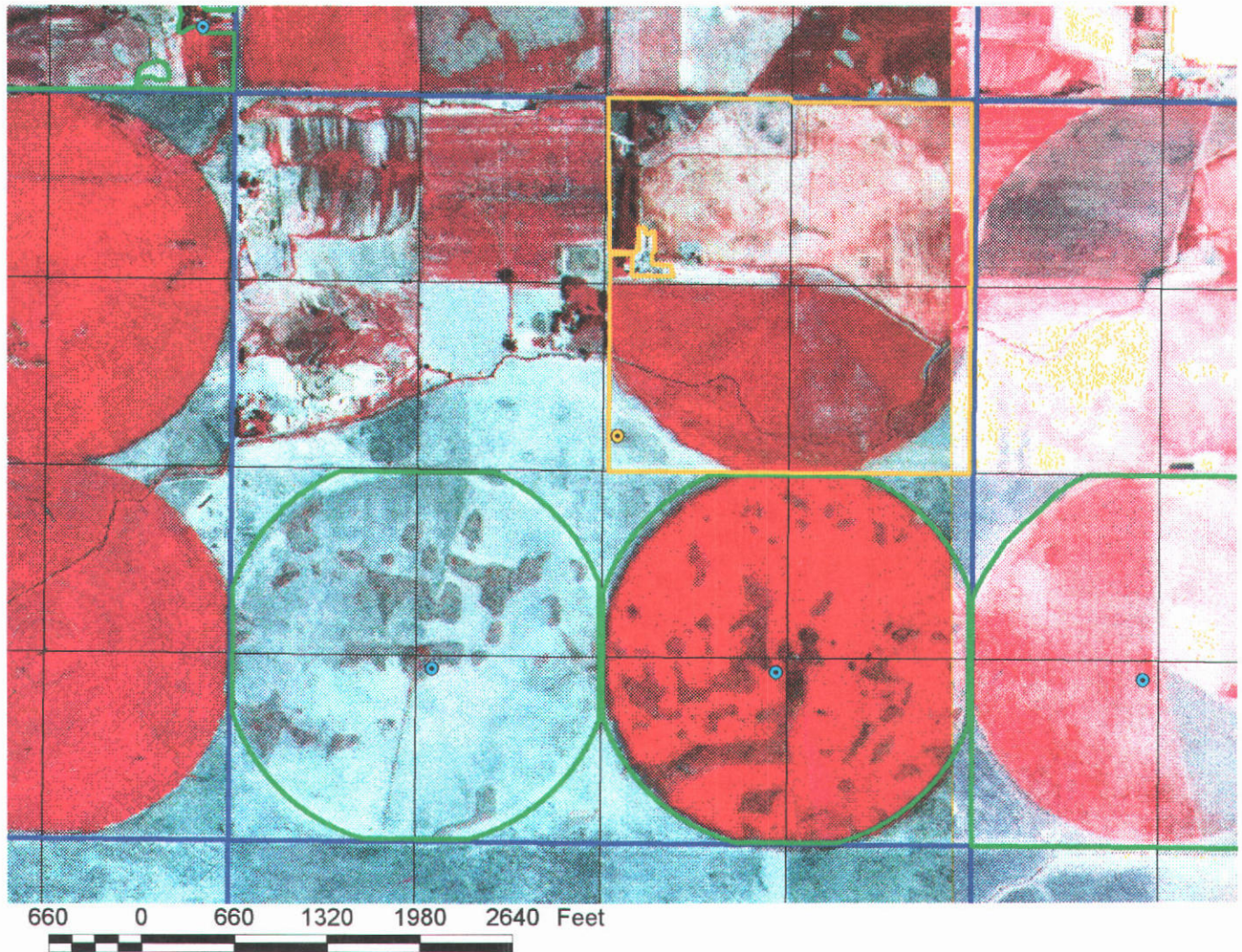
No 1163

36 7173

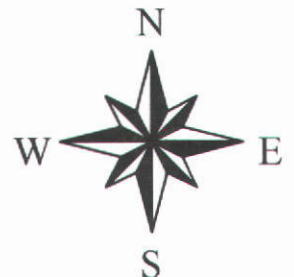
IDAHO DEPARTMENT OF WATER RESOURCES

36-07173

ELDON & KANDIS JOHNSTON



TNS 8S, RNG 15E,
SEC 15, NE1/4



● Recommended Point of Diversion

□ Recommended Place of use

— Section lines

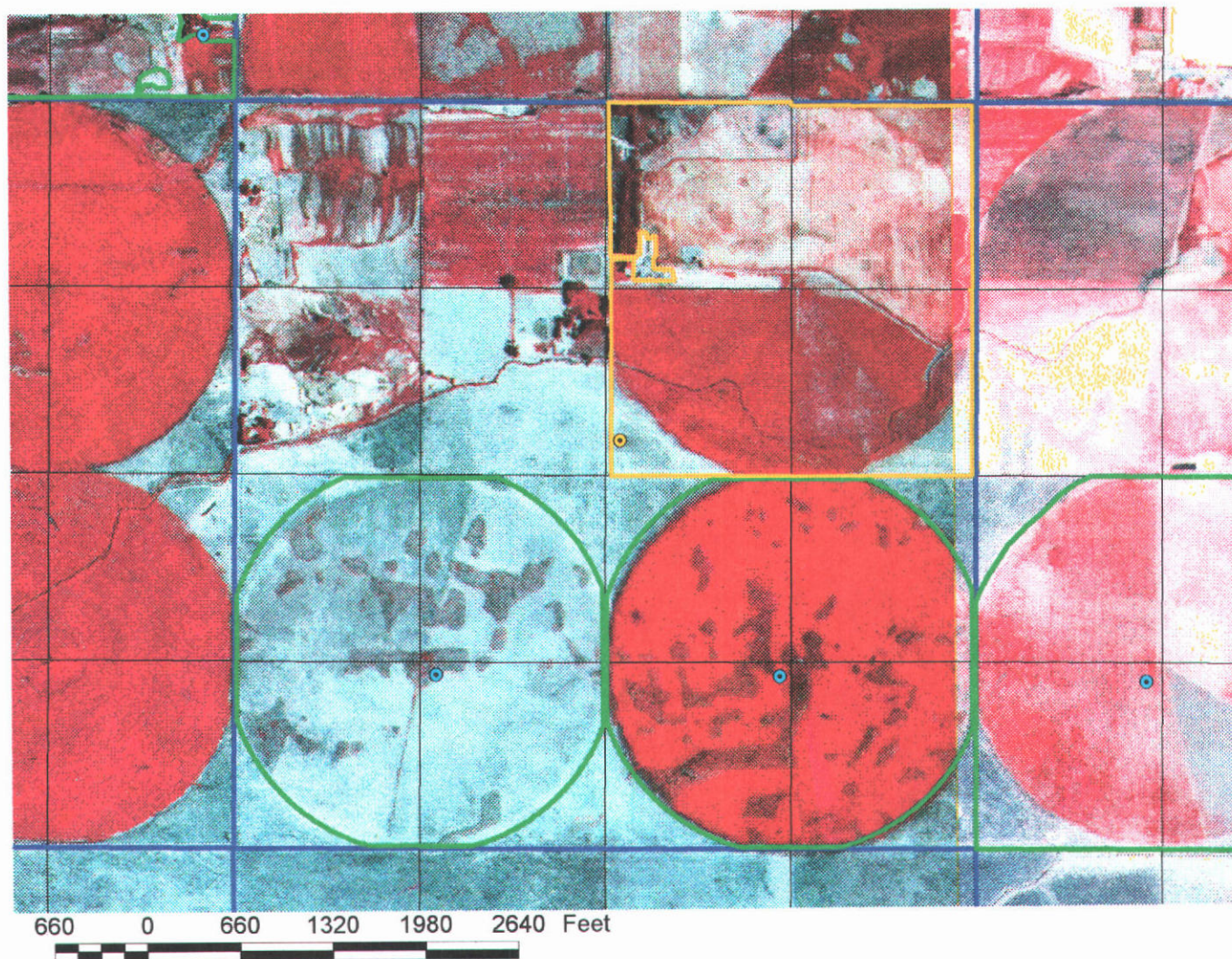
□ Quarter/Quarter Lines

MICROFILMED
NOV 25 1998

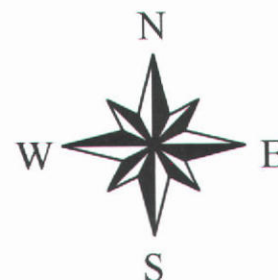
GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 22, 1997
BY KELLY K CHRISTENSEN

IDAHO DEPARTMENT OF WATER RESOURCES

36-07173
ELDON & KANDIS JOHNSTON



TNS 8S, RNG 15E,
SEC 15, NE1/4



● Recommended Point of Diversion

□ Recommended Place of use

— Section lines

□ Quarter/Quarter Lines

MICROFILMED

NOV 25 1998

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 22, 1997
BY KELLY K CHRISTENSEN

AFFIDAVIT of PUBLICATION

RECEIVED

COPY OF NOTICE

NOTICE OF AMENDMENT TO WATER PERMIT

NO. 36-7173

Notice is hereby given that Eldon K. Johnston, Wendell, ID 83355, has an approved Permit NO. 36-7173 issued by the Department of Water Resources authorizing the diversion of 1.0 cubic feet of water per second from ground water in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M., Gooding County, to be used for irrigation purposes of 80 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M.

On February 3, 1978, the Department received an Application for Amendment from the permit holder proposing to amend the point of diversion and place of use under said permit to SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M. to be used for irrigation purposes of 78 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M.

Any protest against approval of the amending of said permit as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. N., Twin Falls, ID 83301, on or before March 6, 1978.

/s/ C. Stephen Allred
Director

Pub: 2-16, 23

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

Nº 1542

State of Idaho, }
County of Gooding } SS.

FEB 24 1978

Department of Water Resources
Southern District Office

Kim R. Compton, 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 16 day of February

19 78, and the date of the last publication was on the 23

day of February, 19 78.

Subscribed and sworn to before me this 23

day of February, 19 78.
(SEAL)

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 48
Number of Insertions 2
Lines tabular at 315c
Lines straight at 48 21c 10.08
Subsequent lines at 48 15c 7.20
TOTAL COST 17.28

MICROFILMED

23864

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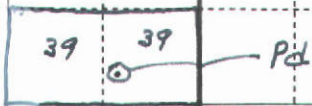


Diagram of System

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
OCT 06 1998
Department of Water Resources
Southern Region
RECEIVED

OCT 13 1998

1. Water Right No(s).: 36-07173 Department of Water Resources
decreed
- Adjudication Claim No(s).: A36-07173
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Johnston, Eldon K, & Kaudis L.
3224 S. 2050 E., WENDELL, IDA. 83355
4. New Owner/Claimant(s): JIM SCARROW
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: 3184 S. 1900 E
City, State and ZIP Code: Wendell, Idaho 83355
New Telephone Number: (208) 536-2374 or 536-5739
5. Date you acquired the property: 3/7/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate 128 Number and type of stock Ground water
- Diversion rate in CFS _____ Number of homes 0 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Jim S. Scarrow
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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NOV 25 1998

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

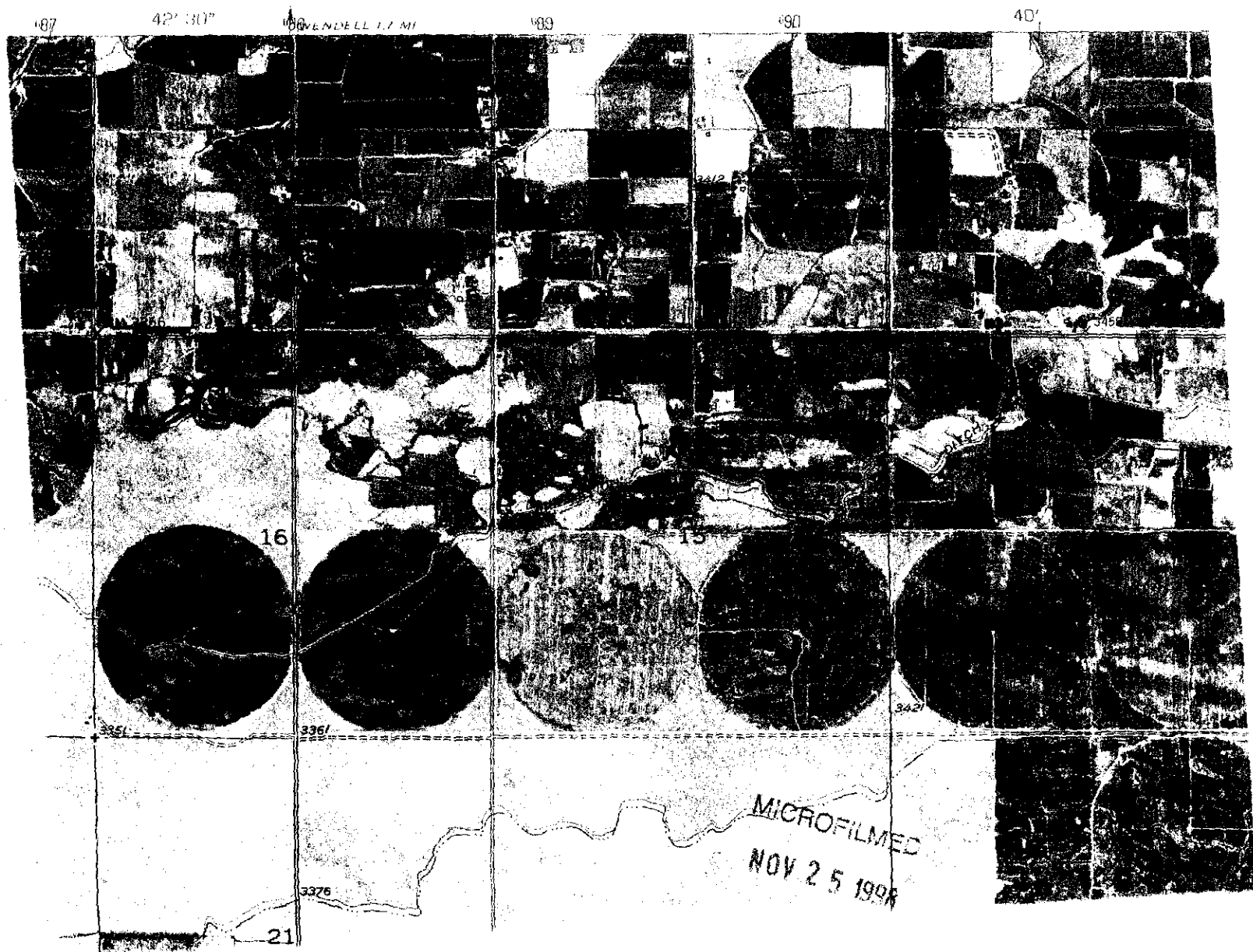
IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

MICROFILMED

NOV 25 1998

WR - 36-07173, A 36-07173
36-08263



COMMONWEALTH LAND TITLE INSURANCE COMPANY

OWNERS POLICY

SCHEDULE A

FILE NO.	POLICY NO.	DATE OF POLICY	AMOUNT	PREMIUM
G-24715	207-260793	March 7, 1997 at 3:44 P.M.	\$300,000.00	\$1,155.00

1. Name of Insured: JIMMIE D. SCARROW and CHRISTINE F. SCARROW,
husband and wife

2. The estate or interest in the land which is covered by this Policy is:

fee simple

3. Title to the estate or interest in the land is vested in:

Jimmie D. Scarrow and Christine F. Scarrow,
husband and wife

4. The land referred to in this Policy in said instrument, is situated in the County of Gooding, State of Idaho, and is identified as follows:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 15: E $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$;

LAND TITLE AND ESCROW, INC.

Countersigned: _____

Authorized Officer or Agent

This Policy is valid only if Schedule B is attached.

MICROFILMED

NOV 25 1998

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that on the 7th day of March, 1997,

Eldon K. Johnston and Kandis L. Johnston, Husband and Wife,
of Wendell, County of Gooding, State of Idaho, the party of the first part, for

and in consideration of the sum of One Dollar and Other Valuable Consideration DOLLARS, of the United State of America, to them in hand paid by

Jimmie D. Scarrow and Christine F. Scarrow, Husband and Wife

of Wendell, County of Gooding, State of Idaho, the party of the second part, the

receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto the said party of the second part, their executors, administrators and assigns

One Reinke 130 acre pivot along with deep well and pump and accesories , valves, mainlines for complete operation of irrigation system.

15 Horsepower motor GE 5K324066GX8391

Ingersolrand Pump A4257652RVH15

100 Horsepower motor C2885-01-270-JC100T253

US motor GE panel

3 Crown AM Wheel lines

TO HAVE AND TO HOLD the same to the said party of the second part, their executors, administrators and assigns, forever; and the said party of the first part does for their heirs, executors, administrators, covenant and agree to and with the party of the second part, executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels hereby made, unto the said party of the second part, their executors, administrators and assigns, against all and every person and persons whomever, lawfully claiming or to the claim the same.

IN WITNESS WHEREOF, the said party of the first part hereunto set their hand and seal on the day and year first above written.

Eldon K. Johnston
ELDON K. JOHNSTON

Kandis L. Johnston
KANDIS L. JOHNSTON

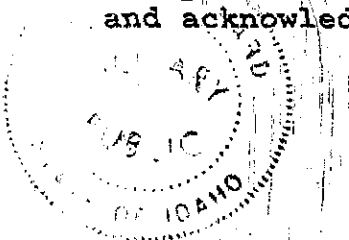
STATE OF IDAHO)
) ss.
COUNTY OF GOODING)

MICROFILMED
NOV 25 1998

On this 7th day of March, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Eldon K. Johnston and Kandis L. Johnston, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public

Residing at Buhl, Idaho
My commission expires: 8-21-99



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07173

NAME & ADDRESS: ELDON K JOHNSTON
KANDIS L JOHNSTON
3224 S 2050 E
RT 2
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 1.00 CFS
312.0 AFY

PRIORITY DATE: 04/30/1971

POINT OF DIVERSION: T08S R15E S15 SWSENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	1.00 CFS 312.0 AFY

PLACE OF USE:	IRRIGATION	Within GOODING County			
	T08S R15E S15	NENE 39	NWNE 37	SWNE 39	SENE 39
	154 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH WATER SUPPLIED BY THE NORTH SIDE CANAL
CO. FOR USE ON THE PLACE OF USE LISTED ABOVE IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 154 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

All or Part of the
SRBA Decree file
has been merged into
this Water Right file.

See Adjudication microfilm
for additional SRBA
information.

MICROFILMED

NOV 25 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7173 Priority April 30, 1971 Amount 1.0 cfs

THIS IS TO CERTIFY, that ELDON K. JOHNSTON
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7173 issued pursuant to Application for Permit dated August 30, 1971,
and has submitted proof to the Department of Water Resources on May 14, 1976,
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 1.32 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
Irrigation	from <u>April 1</u> to <u>October 15</u> at <u>1.0</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 1.0 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15,
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	15			39	39													78

Total number of acres irrigated 78

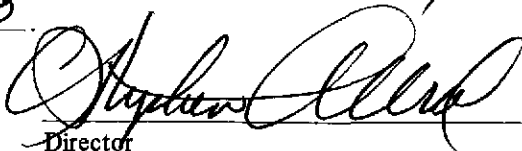
CONDITION: A measuring device of a type approved by the Department shall be
maintained as a part of the diversion works.

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 27 day of

February, 1978


Director

Receipt # 7515

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern District Office

APPLICATION FOR AMENDMENT

Permit No. 36-7173

Comes now Elden K Johnston of (address) _____

R#2 Wendell, Idaho 83355, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7173, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15 Twp. 8S
Rge. 15 E, B.M., County of Gooding. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.0 cfs for Extraction purposes from April 1 to Oct. 15 (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated:

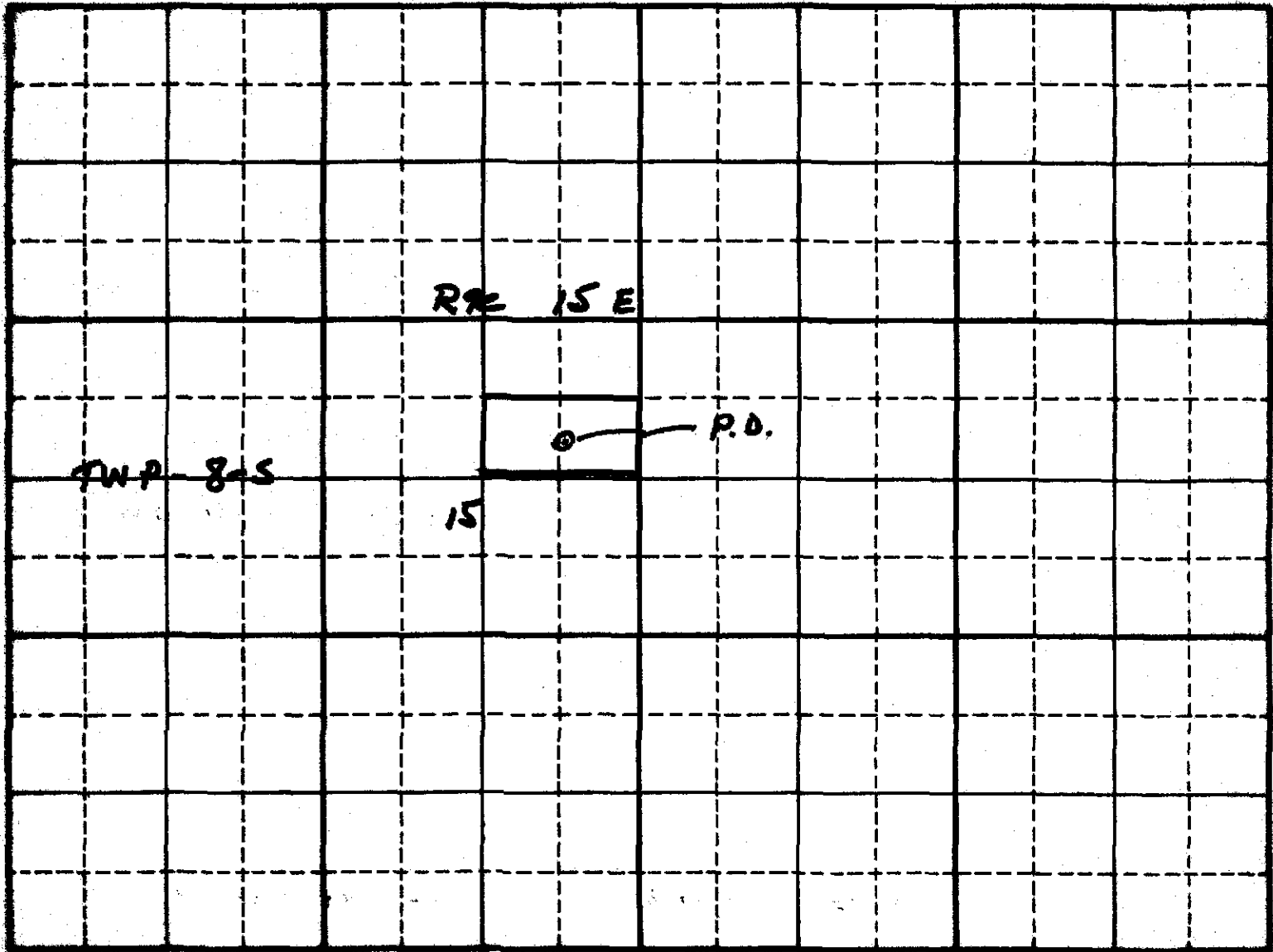
[illegible]

Total number of acres to be irrigated

78

שולחן ערוך

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Twin Falls, this 3 day of Feb, 19 78.

Eldon K. Johnston
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby APPROVE the above application for amendment for Permit No. 36-7173.

Witness my hand this 9 day of March, 19 78.
C. Stephen Allred
Director

Identification No. 36-7173
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION **APPROVED**
APPLICATION FOR PERMIT

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

1. Name of applicant ELDON K. JOHNSTON
post office address Route #2 Wendell, Idaho
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of N.W. ~~NE~~ $\frac{1}{4}$ of Section 15 Township 8S
Range 15E B.M. Gooding County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Pipe Line at a point in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 15 Township 8S Range 15E B.M. _____
4. Water will be used for the following purposes:
Amount 1 CFS for IRRIGATION purpose from April 1 to OCT 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. ONE 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, main line
Sprinklers

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 12 inches; proposed depth of well is 180 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 16,000.00.
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: _____

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	
85	15E	15							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.

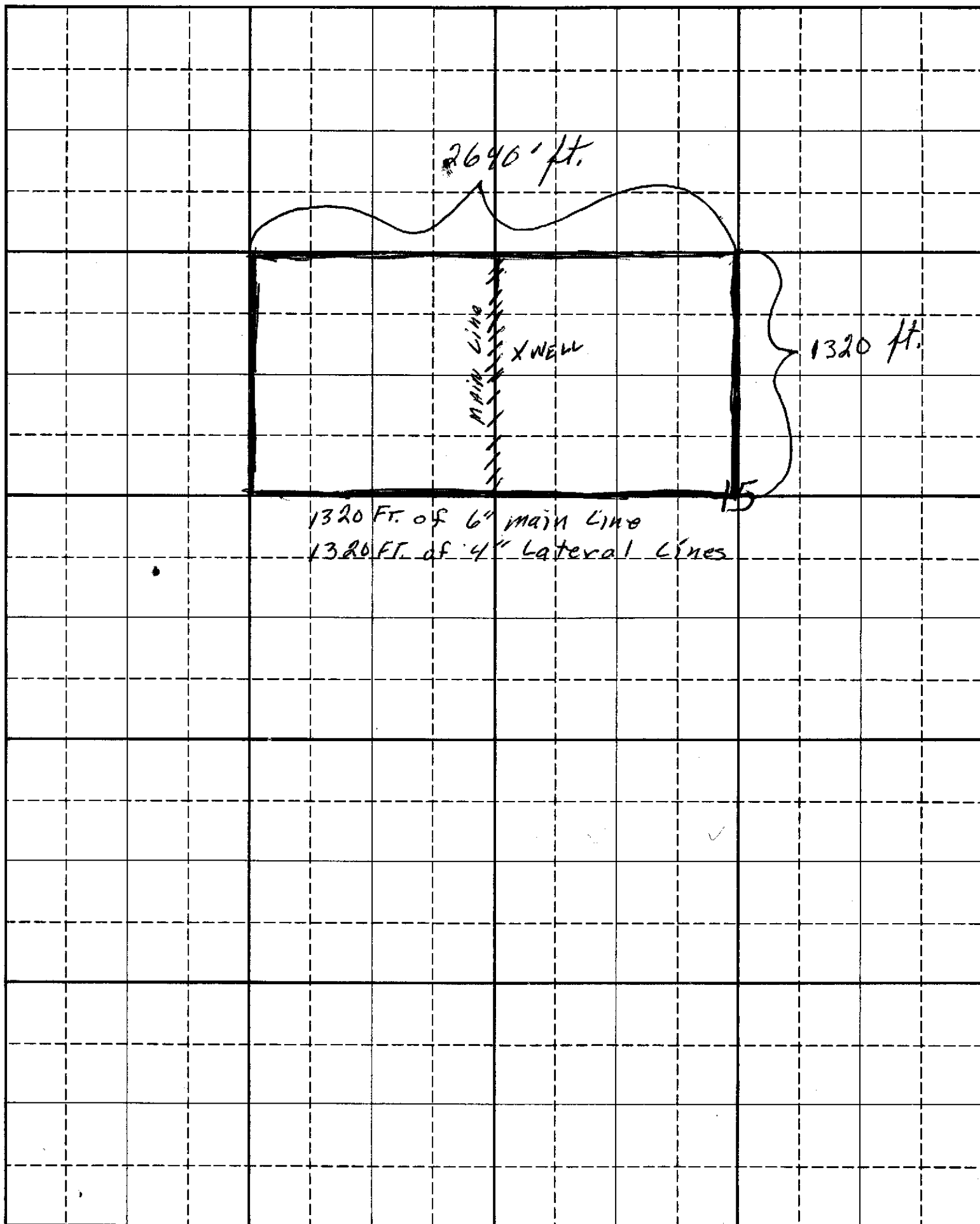
9. a. Who owns the property at the point of diversion ELDON K. JOHNSTON

b. Who owns the land to be irrigated or place of use ELDON K. JOHNSTON

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

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



Scale: $\frac{1}{4}$ inches equal $\frac{1}{2}$ 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.

Eldon K. Johnston
(Applicant)

35 7173

36 7173

Received by K.A. Date 4-30-71 Time 8:00 AM
Preliminary check by du Fee \$ 20.00
Receipted by du Date 5-3-71
Publication prepared by dr Date 5-18-71
Published in Gooding County Leader
Publication dates 5-27 & 6-3, 1971
Publication approved du Date 6-9-71
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by du BDFOK

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. 36-7173, 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 July 1, 19 76.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

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

Witness my hand this 6th day of July, 19 71.

R. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 36-7173 Name Eldon K. Johnston
 Source Well
 Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 8S, R. 15E, B.M., Gooding County
 Quantity 1 cfs Use Irrigation Period April 1 - Oct. 15
 Quantity Use Period
 Quantity Use Period
 Well Size Diameter 12" Proposed Depth 180 Feet
 Use 80 acres
 Date Forwarded 5-18-71 Date Returned 5-26-71 Received by S.S.

COMMENTS: D/W is approx. 42⁺ feet. Primary aquifer is broken basalt. Well development appears to be light. Water levels show little or no long term changes. Aquifer is capable of supporting additional development.

RECOMMENDED:

Applied: Qty. 1.0 Use IRR. Period 4/1-10/15 AF/A 4.0 AF 259
 Qty. Use Period AF/A AF
 Qty. Use Period AF/A AF
 Maximum: Qty. 1.6 Use IRR. Period 3/15-11/15 AF/A 4.0 AF 320
 Qty. Use Period AF/A AF
 Qty. Use Period AF/A AF

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Castelin Title W.R.I. - I
 Date May 26, 1971

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Alfred E. Hagen, 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 27 day

of May, 1971, and the date of the last publication

was on the 3 day of June, 1971

Subscribed and sworn to before me this 3

day of June, 1971
(SEAL)

Andrey C. Behler
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____

Number of Insertions _____

_____ Lines at 14¢ _____

_____ Lines at 10¢ _____

TOTAL COST _____

COPY OF NOTICE

Title of Notice

Water Permit
Title of Notice

Eldon K. Johnston

FOR WATER PERMIT

Notice is hereby given that Eldon K. Johnston, Route 2, Wendell, Idaho, has on April 30, 1971, submitted Application No. 36-7173 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and pump within the SE 1/4 NW 1/4 Sec. 15, T. 8S, R. 15E, B.M., Gooding County, to be used from April 1 to October 15 for the irrigation of 80 acres within the SE 1/4 NW 1/4 Sec. 15, T. 8S, R. 15E, B.M. ex 2

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 De-

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

No 1163

36 7173

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

438 Idaho Street
Gooding, Idaho 83330

July 12, 1971

Re: Eldon K. Johnston
Permit No. 36-7173

State of Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

We are writing to notify you that we have made a loan to Eldon K. Johnston, and the rights under water permit No. 36-7173 are mortgaged to FHA. Our Mortgage was recorded on June 3, 1971, Microfilm No. 035805.

Sincerely,

Dell E. Taylor

DELL E. TAYLOR
County Supervisor

36 7173



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 9, 1998

JIM SCARROW
3184 S 1900 E
WENDELL ID 83355

RE: WATER RIGHTS 36-07173/36-08263

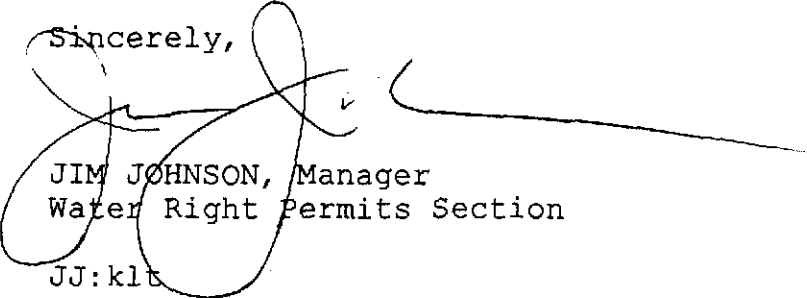
Dear Mr. Scarrow:

The Department is in receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klb

Enclosure

MICROFILMED

NOV 25 1998

Memorandum

Staff Review of Ownership Change

Right 36-~~0712~~⁰⁷¹⁷³

Steps for copying AJ Partial Decrees to WR database and for merging AJ files with WR files. Initial each step when completed.

Getting prepared for the change.

- | | |
|---|--------------|
| 1. Check WRQ11 for all splits related to parent right. | Done 11/6/98 |
| 2. Determine which water rights should be copied from the AJ Database. Also identify which water right in the WR Database should be replaced or renumbered. | Done 11/6/98 |
| 3. Check for location of AJ files affected by the process using the barcode menu. Request AJ files, if the region has not already forwarded the files to Boise. (File received from SRBA) | Done 11/6/98 |

Performing the change.

- | | |
|---|--------------|
| 4. Run AJM9 and enter all of the water rights to be copied from AJ database to WR database | Done 11/6/98 |
| 5. When merging the AJ files with the WR file insert the yellow SRBA Decree notice on top of the last recorded WR action on both sides of the file. | Done 11/6/98 |
| 6. Update the Barcode database using BCM1 to show that the AJ file has been merged with the WR file. | Done 11/6/98 |
| 7. Print Partial Decree from AJ menu | Done 11/6/98 |

Documents or reports to be placed in the WR file.

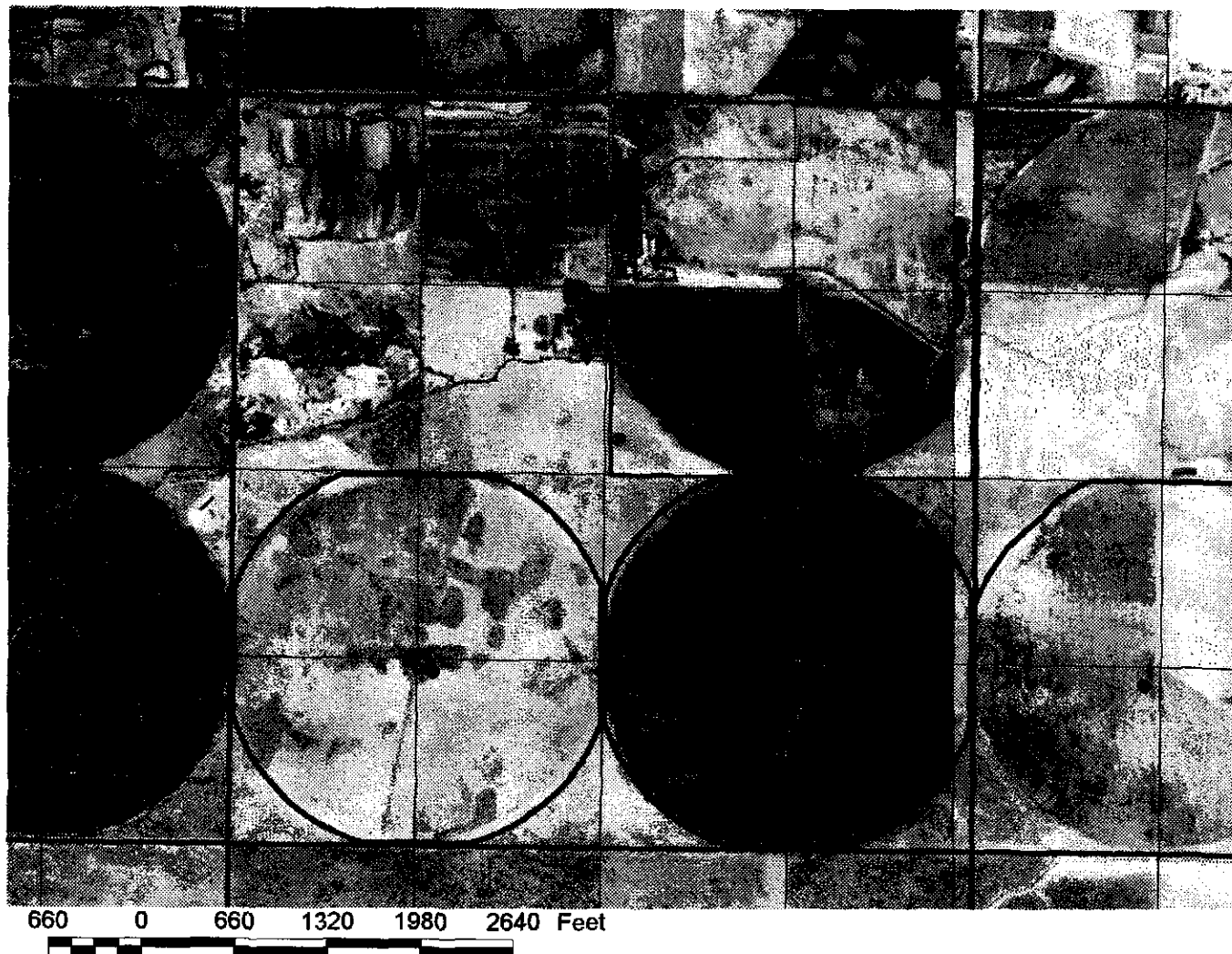
1. WR Summary Report
2. Print out or copy of Partial Decree ✓
3. Yellow Partial Decree merge notice ✓

MICROFILMED

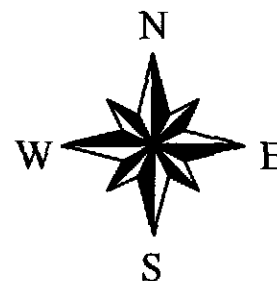
NOV 25 1998

IDAHO DEPARTMENT OF WATER RESOURCES

36-07173
ELDON & KANDIS JOHNSTON



TNS 8S, RNG 15E,
SEC 15, NE1/4



● Recommended Point of Diversion

□ Recommended Place of use

— Section lines

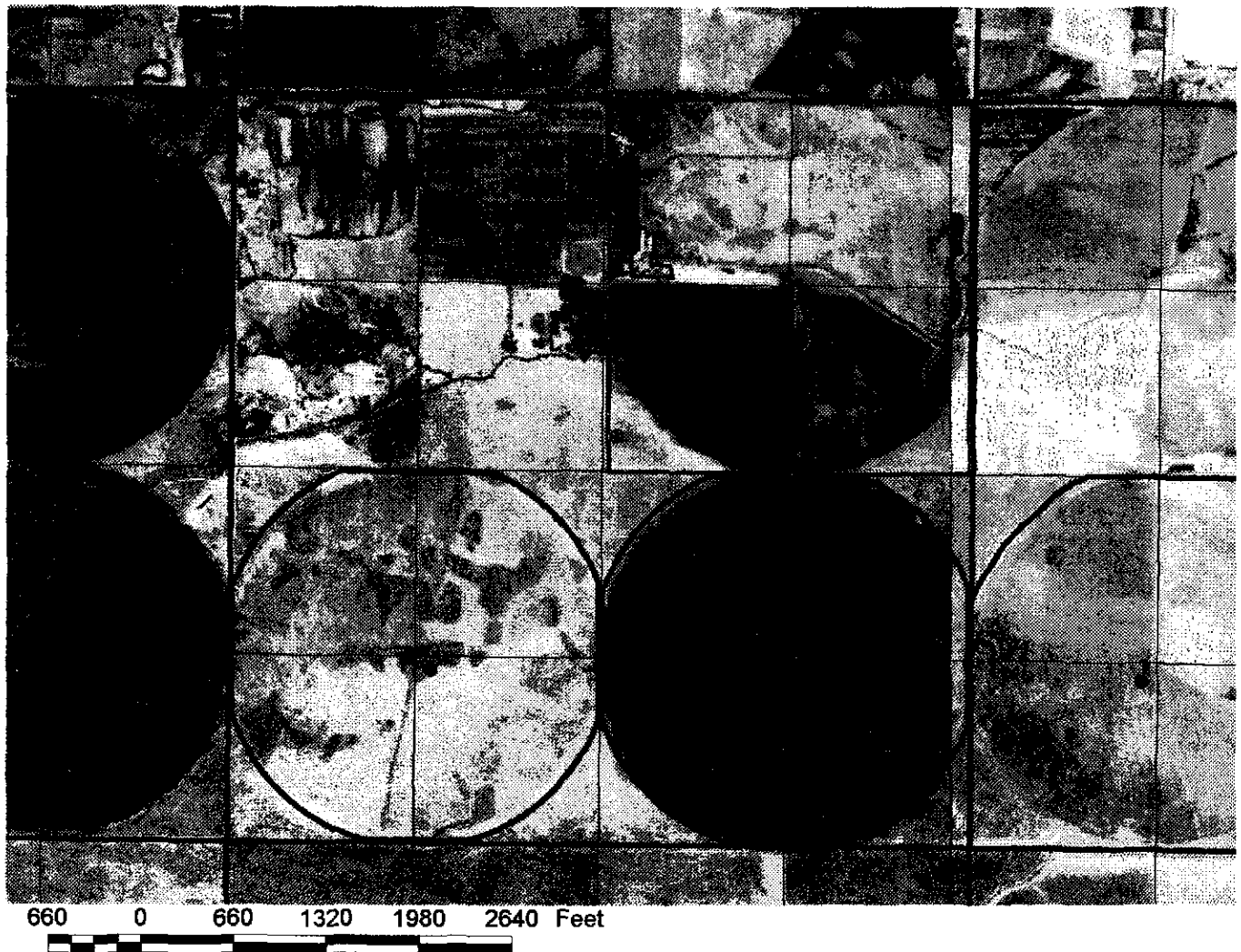
□ Quarter/Quarter Lines

MICROFILMED
NOV 25 1998

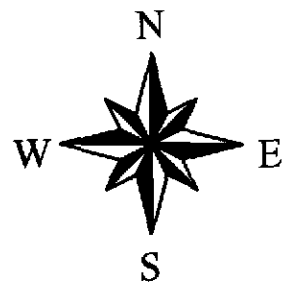
GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 22, 1997
BY KELLY K CHRISTENSEN

IDAHO DEPARTMENT OF WATER RESOURCES

36-07173
ELDON & KANDIS JOHNSTON



TNS 8S, RNG 15E,
SEC 15, NE1/4



● Recommended Point of Diversion

□ Recommended Place of use

∩ Section lines

□ Quarter/Quarter Lines

MICROFILMED

NOV 25 1998

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 22, 1997
BY KELLY K CHRISTENSEN

CLAIM NUMBERS 36-7123DATE 10-22-97

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT KKCTOTAL ACRES FROM RECOMMENDATION 154GEOGRAPHIC INFO SYSTEM 154

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	BS	15E	15	39	37	39	39												154
GIS				38.4	37.7	38.8	39												153.9
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

10/22

POLYGON CREATED ON 604

(X) 9-29

ATTRIBUTES OF B36-POU.SHP

636 10/22

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP

607 10/22

OK with canal shares
in a PP/4 per note in file.

P/D not marked in Adj file
location for GIS selected based upon
legal desc. no physical features obvious
on NAPP photo.

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes (X) no ()

SENT FOR DECREE yes () no ()

MICROFILMED

FEB 25 1998

MEMORANDUM

TO: SRBA File 36-07173

FROM: Corey Skinner *CS*

DATE: February 12, 1997

SUBJECT: Telephone Conversation

Late yesterday afternoon, Jim Scarrow called inquiring about water rights out of a well located on a farm that he was considering buying. Mr. Scarrow said the farm is owned by Eldon Johnston and is located 2.5 miles south of the center of Wendell and 1.5 miles east, on the south side of the road. I began my research, and told Mr. Scarrow I would call him back. I found groundwater rights 36-07173 and 36-08263 to be appurtenant to the property that Mr. Scarrow was talking about. After examining proof reports of the two water rights, I called Mr. Scarrow back. I told him that the well water was combined with North Side Canal water, and would probably be considered supplemental in nature. Mr. Scarrow inquired about exact numbers for the water rights, and I told him I wanted to examine the files and possibly contact our state office for further input (I was curious about some of the combination limits) and would get back to him the next morning.

After examining the files, and calling the state office, I called Mr. Scarrow back and told him the following:

Between the two water rights there was a total diversion rate of 1.85 cfs. The earlier priority right (36-07173) was recommended for 1.0 cfs for 78 acres within 154 acres and the later priority right (36-08263) was licensed for an additional 0.85 cfs for 128 acres out of the same 154 acres.

I again emphasized to Mr. Scarrow that the rights are used in connection with North Side Canal water and expansion problems may arise by attempting to transfer the ground water rights or canal shares. Mr. Scarrow said that he could understand the supplemental aspect of the later right, 36-08263, but did not agree with the supplemental aspect of the earlier right, 36-07173. He also inquired about possibly contesting the supplemental aspect. Mr. Scarrow talked as if he would purchase the Johnston property and then deal with the water right situation at a later date by coming by our office. I reminded Mr. Scarrow if he buys the water rights he would have to file change of ownership forms to show that he is the owner of the water right.

MICROFILMED

NOV 25 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:18:56
08/30/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07173

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		See 10-24-91	10/3	
POINT OF DIV	Y			Y	6			
SOURCE				N				
PLACE OF USE	Y			N (Y)	1, 2, 4, 6			
DIV. AMOUNT CFS/VOLUME				Y (Y)				
CONSUMPTIVE USE				N (Y)	6.			
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS				(Y)	6.			

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED

FEB 03 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

N/A

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07173

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.000

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-07173

1.000

-

36-07173

1.000

TOTAL CFS

1.000

1.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

NAME OF FIELD EXAMINER: _____

DATE: _____

TITLE: _____

MICROFILMED

FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:18:56
08/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07173

LAST: JOHNSTON
ADDRESS: 3224 S. 2050 E.
RT. 2
CITY: WENDELL
PHONE NUMBER: 208-536-2398
OWNER CODE: C

FIRST: ELTON K.

STATE: ID ZIP: 83355

LAST: JOHNSTON
ADDRESS: 3224 S. 2050 E.
RT. 2
CITY: WENDELL
PHONE NUMBER: 208-536-2398
OWNER CODE: C

FIRST: KANDIS L.

STATE: ID ZIP: 83355

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED

FEB 03 1993

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A36-07173

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-07173 PRIORITY DATE: 04-30-1971 STAGE: L
B. WR RECORD: # 36-07173 PRIORITY DATE: 04-30-1971 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
W

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
04-30-1971

REVIEWED BY W

DATE

10/11/90

MICROFILMED

FEB 03 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07173	08S	15E	15	SW	SE	NE		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-08263

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07173	08S	15E	15		SE	NE		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

36-08263

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

confirmed with orig lic exam

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
89	15E	15	SW	SE	NE	---	47

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

kw

DATE:

10/11/90

MICROFILMED

FEB 03 1993

A. ROOT WATER RIGHT NUMBERS: A36-07173

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	15E	15	SW	NE		JOHNSTON, ELDON R. LARGE CLAIM JOHNSTON, ELDON K.	A36-07173 739.0 A01-0021221/30.0	36-07173 739.0 - / 36-08263 /39.0	37.0	39	39
08S	15E	15	SE	NE		JOHNSTON, ELDON R. - LARGE CLAIM JOHNSTON, ELDON K.	A36-07173 739.0 A01-0021221/15.0	36-07173 739.0 - / 36-08263 /39.0	31.0	39	39
TOTAL ACRES							A36-07173	78.00	78.00	68.00	78

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET:

ADD:

NENE
NONE

39
37

39
37

154 Acres

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

Point is used on this 160 Acre NE 1/4
water is commingled w/ NSCC water

* Recommended as PPU. w/ NSCC.

RECOMMENDATIONS:

TOTAL ACRES: 78/154 PPU

REVIEWED BY: *lw*

DATE: 11/14/90

See

10-24-91

cos

A. AJ CLAIMED USES:

A36-07173 PURPOSES
IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-15

3-15 11-15

DIVERSION QUANTITY
1.000 CFS 320.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS 320.00 AF/A

B. WR RECORDED USES:

36-07173 PURPOSES
IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-15

DIVERSION QUANTITY
1.000 CFS 320.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS 320.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER
N N N
N N N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Y() N()
Y() N()

Explain in remarks, below.

MICROFILMED

FEB 03 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE CW

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07173	GROUNDWATER	JOHNSTON, ELDON K.	1.000	0.012	320.00	4.10
A01-00212Z1	LARGE CLAIM	LARGE CLAIM	9999999.000	415.354		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED

FEB 03 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 78 x 0.02 CFS/ACRE = 1.56 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

$$\frac{1.00}{78} = 0.0129205 \text{ cfs/Ac.}$$

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 234.0 AF/A

ACRES 78 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 234 AF/A

$$154 \times 3 = 462 \text{ AF}$$

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 320.00 AF/A

ACRES 78 x DIVERSION VOL. AF/A FOR AREA 4 =

$$x 4 = 616 \text{ AF}$$

TOTAL DIVERSION VOLUME 312 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

limited to 1" / acre when CW also used

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AE/A	REC. CONS. USE
IRRIGATION	<u>3-15</u> <u>11-15</u> ~~04-01~~ ~~10-15~~	DATABASE EXAMINER 1.000 <u> </u>	DATABASE EXAMINER 320.00 <u>312</u>	DATABASE EXAMINER 234.0 <u> </u>
TOTAL FOR THIS RIGHT		1.000	320.00 <u> </u>	234.0 <u> </u>

REVIEWED BY:

DATE: 11/14/90

K06

E05

517

005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07173
Date Received: 8/31/1988
Receipt No: S001992
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELDON K. JOHNSTON 208-536-2398
Address: RT. 2
3224S 2050E
WENDELL, ID 83355

AND/OR

Name: KANDIS L. JOHNSTON 208-536-2398
Address: RT. 2
3224S 2050E
WENDELL, ID 83355

2. Date of Priority: APR 30, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	15E	15	SE	NE			GOODING

5. Description of diverting works:
100HP PUMP, 175'X10", SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	1.000		320.00

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 320.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07173

Page 1

Date: 08/31/88

MICROFILMED

FEB 03 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	15	SW	NE		IRR	39.0
			SE	NE		IRR	39.0
						Section Acres	78.0
						Total Acres	78.0

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
FEB 03 1993

**This right has been
superceded by
a Decree.**

**All actions above this point
are based on the decreed
version of this right.**

VERIFIED RDH

5/1/85

WATER RIGHT NUMBER 36-7173

OWNER LAST NAME - JOHNSTON

FIRST NAME - ELDON K.

ORIG OWNER -

ADDRESS LINE 1 - RT. 2

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - WENDELL

STATE - ID ZIP CODE - 83355

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 04-30-1971 COUNTY - GOODING

TOTAL DIV. RATE - 1.0000 -CFS

TOTAL DIV. VOLUME - 320.00 AFA TRFR/AMEND -

WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SENE 15 OBS 15E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-15 USE - IRRIGATION

USE DIV. RATE - 1.0000 CFS USE DIV. VOLUME - 320.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN OBS RNG 15E SEC 15 TRACT SWNE LOT AC 39 TRACT SENE LOT AC 39

DECREE NAME -

DATE - TOTAL ACRES 78

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL - R01

DIVERSION MEANS -

IDENT. NO. 36-7173

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG[illegible]

March 1, 1978

Re: Permit No. 36-7173

Eldon K. Johnston
Route #2
Wendell, ID 83355

Dear Mr. Johnston:

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

March 1, 1978

Re: Permit No. 36-7173

Eldon K. Johnston
Route #2
Wendell, ID 83355

Dear Mr. Johnston:

Enclosed is a copy of the approved Application for Amendment on the above
referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

Kim R. Compton
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 continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive 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 16 day of February

1978, and the date of the last publication was on the 22

day of February, 1978.

Kim R. Compton

Subscribed and sworn to before me this 22

day of February, 1978.
(SEAL)

Garnett H. H. H.
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 48

Number of Insertions 2

Lines tabular at 315c

Lines straight at 48 21c 10.08

Subsequent lines at 48 15c 7.20

TOTAL COST 17.28

COPY OF NOTICE NOTICE OF AMENDMENT TO WATER PERMIT

NO. 36-7173

Notice is hereby given
that Eldon K. Johnston,
Wendell, ID 83355, has an ap-
proved Permit NO. 36-7173
issued by the Department of
Water Resources authoriz-
ing the diversion of 1.0 cubic
feet of water per second
from ground water in the
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S,
Rge. 15E., B.M., Gooding
County, to be used for
irrigation purposes of 80
acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 15, Twp. 8S, Rge. 15E.,
B.M.

On February 3, 1978, the
Department received an Ap-
plication for Amendment
from the permit holder pro-
posing to amend the point of
diversion and place of use
under said permit to SE $\frac{1}{4}$ -
NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge.
15E., B.M. to be used for
irrigation purposes of 78
acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 15, Twp. 8S, Rge. 15E.,
B.M.

Any protest against ap-
proval of the amending of
said permit as set forth
above must be filed with the
Idaho Department of Water
Resources, 1041 Blue Lakes
Blvd. N., Twin Falls, ID
83301, on or before March 6,
1978.

/s/ C. Stephen Alfred
Director

Pub: 2-16, 23

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

Nº 1542

NOTICE OF AMENDMENT TO WATER PERMIT

NO. 36-7173

Notice is hereby given that Eldon K. Johnston, Wendell, ID 83355, has an approved Permit No. 36-7173 issued by the Department of Water Resources authorizing the diversion of 1.0 cubic feet of water per second from ground water in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M., Gooding County, to be used for irrigation purposes of 80 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M.

On February 3, 1978, the Department received an Application for Amendment from the permit holder proposing to amend the point of diversion and place of use under said permit to SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M. to be used for irrigation purposes of 78 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M.

Any protest against approval of the amending of said permit as set forth above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. N., Twin Falls, ID 83301, on or before March 6, 1978.

C. STEPHEN ALLRED

Director

Published in the Gooding County Journal on 2/16 & 2/23/78.

MICROFILMED

**NOTICE OF AMENDMENT
TO WATER PERMIT**

OK 1/17/78
NO. 36-7173

Notice is hereby given that Eldon K. Johnston, Wendell, ID 83355, has an approved Permit NO. 36-7173 issued by the Department of Water Resources authorizing the diversion of 1.0 cubic feet of water per second from ground water in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M., Gooding County, to be used for irrigation purposes of 80 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M.

On February 3, 1978, the Department received an Application for Amendment from the permit holder proposing to amend the point of diversion and place of use under said permit to SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M. to be used for irrigation purposes of 78 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15, Twp. 8S, Rge. 15E., B.M.

Idaho
Any protest against approval of the amending of said permit as set forth above must be filed with the (Idaho) Department of Water Resources, 1041 Blue Lakes Blvd. N., Twin Falls, ID 83301, on or before March 6, 1978.

/s/ C. Stephen Allred
Director

Pub: 2-16, 23

February 8, 1978

Gooding County Leader
Box 56
Gooding, ID 83330

Re: Notice of Amendment No. 36-7173 - Eldon K. Johnston

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,

Michael L. Steele
Southern Region Supervisor

MLS:sm

Enc.

Bill submitted: _____

MICROFILMED

January 13, 1978

Re: Permit No. 36-7173

Eldon K. Johnston
Route 2
Wendell, ID 83355
Dear Mr. Johnston:

A representative of this Department made an examination of the works covered by your Permit No. 36-7173 on August 10, 1976, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.0 cfs Source: groundwater

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

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

Beneficial use: Irrigation of 78 acres within SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15,
Twp. 8S, Rge. 15E, B. M.

Priority date established: April 30, 1971

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah
Enclosure

MICROFILMED

FIELD REPORT

Person to contact: _____

2. Source of water supply: Groundwater ☒ Surface water ☐

3. Water will be used for the following purposes:

Period of Use: from April 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 1.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8S N/S, Range 15E E/W, B.M., Section 15, Subdivision SE $\frac{1}{4}$ N E $\frac{1}{4}$, 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 _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: well, motor, sprinkler system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ 78

T
8
S



Diagram of System

DATE OF EXAM 8-10-76

ACREAGE
Found 80
Recommended 80

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.0 c.f.s. V = 320 AF/Ann. from April 1 to Oct. 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 1000 gal/min = 1.32 C.F.S. Method of measurement Badger Meter

Total Q recommended 1.0 C.F.S. Meter No. MO58558 Type Badger Condition Good

Total V recommended 320.0 Ac ft/Ann

Recommended Amendments:

P.D. ☒ SE⁴NE⁴, Sec. 15, T1N R9E 15 E.D.M.
Place of Use ☒ S²NE⁴, Sec 15, T1N R9E 15 E.D.M.
Other _____
None _____

MEASUREMENT CALCULATION:

Meas: $Q = 1.0 \text{ C.F.S.}$ Amount applied for
 $Q = 1.32 = (592.4 \text{ gal/min}) \div (448.8 \text{ gal/min})$
 $V = 320.0 \text{ Ac.ft./Ann.} = (80 \text{ acres})(\text{irr. Req. } 4.0 \text{ Ac.ft./ac})$
 $V = 640.0 \text{ (C.F.S.)} \left(\frac{80 \text{ days}}{365 \text{ days}} \right)$

SYSTEM DESCRIPTION:

Hollasch Motor - C 100 7258 100 H.P.
Lucyne Boulder Pump (No Serial no) 8" Outlet, Sprinklers.

REMARKS:
Mr. Eldon K Johnston was present during field exam.

Examiner's Signature David J. Newley Date 8-11-76

Checked by Doug Dunsen Date 9-1-76

Approved by Michael K. Steele Date 9-1-76

- SENDER: Complete items 1, 2, and 3.
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¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

1111111111

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

138543

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee☐ Authorized agent

Elder K. Johnston
 Karen Johnston

4.

DATE OF DELIVERY

5-76

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CERK'S INITIALS

UJ

UNITED STATES POSTAL SERVICE

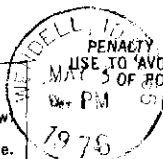
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



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



April 30, 1976

CERTIFIED MAIL #1385A3

Re: Permit No. 36-7173

Eldon K. Johnston
Route # 2
Wendell, Idaho 83355

Dear Mr. Johnston:

One of the conditions of approval of your water Permit No. 36-7173 (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 JULY 1, 1976. 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:lg
Enc. Proof affidavit

Identification No. _____

Permit No. 36-7173

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

MAY 14 1976

OK

1. a) Name of Permit Holder Eldon K. Johnston Department of Water Resources
b) Post Office Address Rte 2 Wendell Southern District Office

2. Permit Number 36-7173

3. Date of Priority that you are prepared to establish _____

4. a) Source from which water was appropriated groundwater

b) Location of the point of diversion: SE 1/4 NW 1/4, Section 15

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 cfs for Ir. purposes from 4-1 to 10-15 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 1.0 cfs 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: Eldon K. Johnston

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:
☒

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) well, motor sprinkler system

b) Describe the type and size of measuring device which you have installed at your point of diversion: Meter

c) Give well driller's name and address and the date the well was completed: Dale Gilbert

If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

MICROFILMED

5-2176 j

If you are irrigator 10 or more acres of land and have property with a permit.

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	
8	5	15					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.

May 14, 1976 Eileen K. Johnston
(Date) (Signature)

State of Idaho)
County of Twin Falls) ss.

On this 14th day of May, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Carol E. Clough
Notary Public residing at Twin Falls, ID.

My commission expires 8-19-78

State of Idaho
Department of Water Administration

RECEIVED

JUL 20 1971

USE ADDITIONAL SHEETS IF NECESSARY

July 7, 1971

Re: Permit No. 36-7173 - Eldon K. Johnston

Eldon K. Johnston
Route #2
Wendell, Idaho 83355

Dear Mr. Johnston:

Enclosed is a copy of your approved Application for Permit No. 36-7173. 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.

Very truly yours,

BOBBY D. FLEENCOR
Assistant Director

BDF:kh

Enclosures

36 7173

May 18, 1971

Re: Application No. 36-7173 - Eldon K. Johnston

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 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM/BB
Enc: legal notice

Bill submitted 6-9-71 By de

36 7173

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Eldon K. Johnston, Route 2, Wendell, Idaho, has on April 30, 1971, submitted Application No. 36-7173 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 8S, R. 15E, B.M., Gooding County, to be used from April 1 to October 15 for the irrigation of 80 acres within the S $\frac{1}{2}$ -NW $\frac{1}{4}$ Sec. 15, 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, Statehouse, Boise, Idaho, 83707, on or before June 14, 1971.

R. Keith Higginson
Director

5-27-2tc

O. K.
5-25-71
B. B.

36 7173

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eldon K. Johnston, Route 2, Wendell, Idaho,

has on April 30, 1971, submitted Application No. 36-7173

for a permit to appropriate 1.0 cubic feet per second ~~acres feet per annum~~

of water from a ground water source

by means of well and pump

within the SE 1/4, Sec. 15, T. 8S, R. 15E, B.M., Gooding County,

to be used from April 1 to Oct. 15

for the irrigation of 80 acres

within the SE 1/4, Sec. 15, T. 8S, R. 15E, B.M.

issued

If ~~used~~, 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, Statehouse, Boise, Idaho, 83707, on or before June 14, 1971.

R. KEITH HIGGINSON
Director

Published in the Gooding County Leader, Gooding, Idaho,

on May 27 and June 3, 1971.

May 10, 1971

Eldon K. Johnston
Route #2
Wendell, Idaho 83355

Dear Mr. Johnston:

Returned herewith is your receipt No. 5967 in the amount of \$20.00
for your application for permit,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

36 7173

4/28/71

Dear Sirs:

This error was my mistake and
will be in the SE $\frac{1}{4}$ + NW $\frac{1}{4}$
Thank you very much.

Elmer K. Johnston

Enclosed

APP.
check,

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

April 26, 1971

Mr. Eldon K. Johnston
Route #2
Wendell, Idaho 83355

Dear Mr. Johnston:

We are returning your application for permit and personal check in the amount of \$20.00, numbered 92-130, as the legal description under item 3a does not correspond with the map on page 3.

3a lists the point of diversion as SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 15 and we would assume that the legal description shown on the map would be in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of the same section.

As soon as you have clarified this issue and return the application, we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb
Enc: check
application