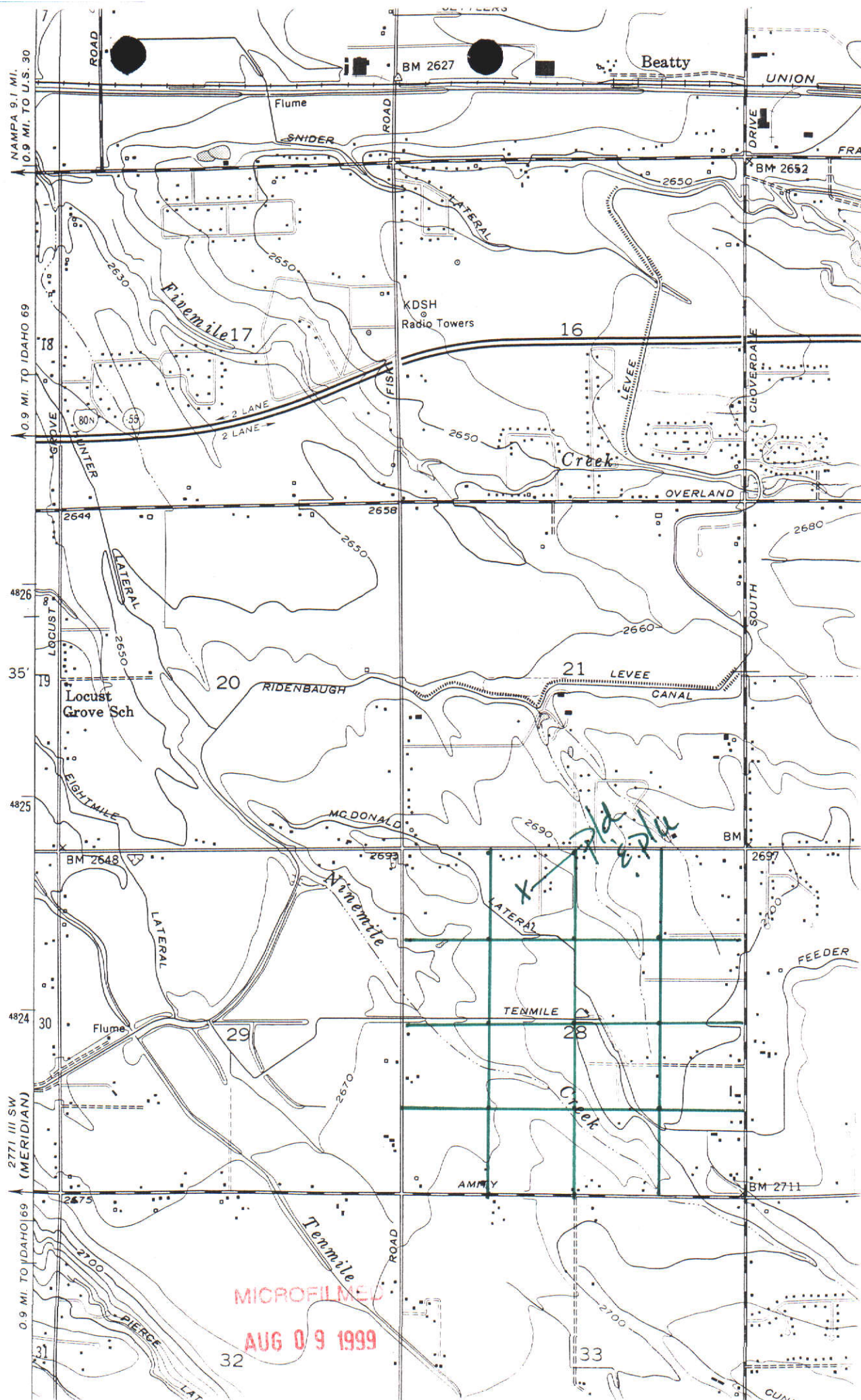
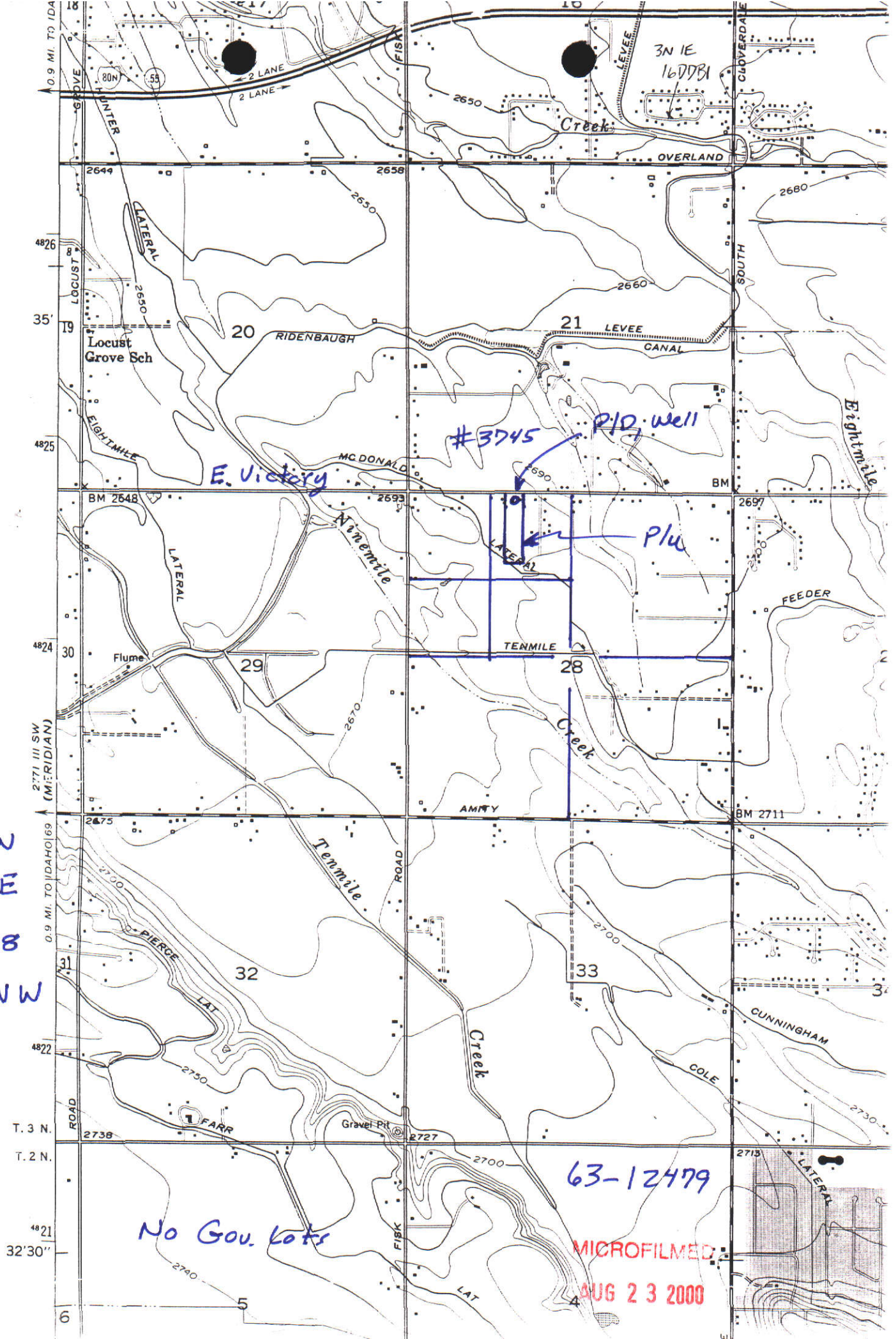


SECTION 28
NE NW
MO GOV.
LOTS
DAN
1-20-99





T3N
R1E
Sec. 28
NENW

No Gov. Lots

63-12479

MICROFILMED
AUG 23 2000

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

This well was drilled about 1969.
It was on the property when he bought
it in 1980. It was used by the previous
owner for domestic, stockwater + irrigation.

Dan Tomich, Water Rights Examiner
Signature of Dept. Representative & Title

8-3-99
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

Well in front yard



UNRECORDED

8/5/99 2000

1 of 4

P/O

well

P/u

yard



P/u

yard



#3745

E. Victory

MICROFILMED

SEP 2 2000

63-12479

2 of 4



Irrigation
District
delivery
box
at
NE
Corner.

P/u
irrigated
yard at
right, by
house.



Irrigation
District
delivery
box
at
SE
Corner.

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AUG 23 2000

63-12479

3 of 4

Irrigation
District
Waste
Pitch
delivery
on
East
Side.

P/u
irrigated
pasture
+ yard



View Looking North

P/u
irrigated
pasture.
Note
Sprinkler
from
Well
System



Waste Ditch in
foreground.
View Looking NW

MICROFILMED

APR 24 2001

63-12479

4 of 4

P/u

Typical
1" faucet
and
hose /
Sprinkler
irrigation
of
pasture.



P/u

Stock
Trough
in corner
and
sprinkler
irrigation
of pasture
from 1" faucet.



View Looking South
AUG 23 2000

63-12479

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-12479

Priority: November 25, 1998

Maximum Diversion Rate:

0.08 CFS

This is to certify, that BARBARA JOHNS
LESTER JOHNS

3745 E VICTORY RD
MERIDIAN ID 83642

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 25, 1998; and has submitted Proof of Beneficial Use on May 13, 1999. An examination indicates that the works have a diversion capacity of 0.080 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/01 to 11/15	0.08 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 28, Township 03N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 01E 28	NENW 4			4

Total number of acres irrigated: 4

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

MICROFILMED

State of Idaho
Department of Water Resources

Water Right License

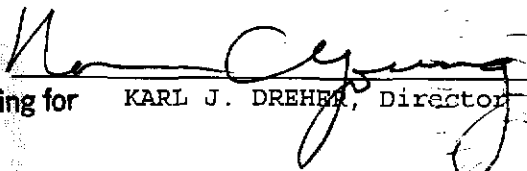
WATER RIGHT NO. 63-12479

CONDITIONS OF APPROVAL AND REMARKS

4. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 18.0 af at the field headgate for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 6TH day of

JUNE, 2000.


Acting for KARL J. DREHER, Director



RECORDED
AUG 23 2000

RECEIVED

MAY 13 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-12479 Telephone No. 362-9279

2. Name(s) of Permit Holder(s): LESTER & BARBARA JONES

3. Mailing Address: 3745 E VICTORY RD MERIDIAN ID 83642

4. Source of Water: GROUND WATER If GROUNDWATER (well), Date Drilled: mo. MARCH 1969 yr.

a. Well Driller: _____ Drilling Permit Number: _____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): 36 H CATTLE

Irrigation (No. of acres): 4 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .08 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the Instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: LESTER P JONES Telephone Number: 362-9279

Address: 3745 E VICTORY RD MERIDIAN ID 83642

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Lester Jones owner Date: 11 MAY 99
(include your title, if on behalf of company or organization)

MAY 13 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12479

Proposed Priority: November 25, 1998 Maximum Diversion Rate: 0.08 CFS

This is to certify, that **BARBARA JOHNS**
LESTER JOHNS
3745 E VICTORY RD
MERIDIAN ID 83642

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.08 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 28, Township 03N, Range 01E
ADA 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>
03N	01E	28	NENW	4.0		4.0

Total number of acres irrigated: 4.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1999**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
5. This right does not authorize the irrigation of land not previously irrigated.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. This right 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.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

APPROVED
JAN 13 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

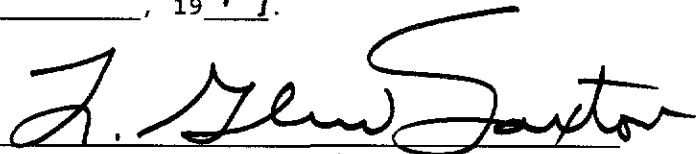
NO. 63-12479

CONDITIONS OF APPROVAL AND REMARKS

9. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

6th day of May, 1999.



for
Karl J. Dreher, Director

147700

2005 07 01

RECEIVED

APR 3 U 1999

Ident. No. 63-12479

Department of Water Resources

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 04 1999

APPLICATION FOR PERMIT

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name: LESTER JOHNS 208-362-9279
Address: 3745 E VICTORY RD
MERIDIAN ID 83642
OR
Name: BARBARA JOHNS 208-362-9279
Address: 3745 E VICTORY RD
MERIDIAN ID 83642

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENW Sec. 28, Township 03N, Range 01E
ADA County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.080		

5. Total quantity to be appropriated is:
0.080 CFS (and/or) AF

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP & PIPELINE
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 170
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

AUG 09 1999

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
03N 01E 28	NENW 04			4

Total number of acres irrigated: 4

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

APPLICANT

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

APPLICANT

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: DEVELOPMENT COMPLETED BY NOVEMBER 1987
DAN 1-20-99

11. Map of proposed point of diversion and place of use attached? ☒

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.


Applicant

Received by SC Date 11/25/98 Time 12:05 Preliminary check by SC DAN

Fee \$ 50⁰⁰ Receipted by BC # C043977 Date 11/25/98

Publication prepared by ST Date 3-25-99 Published in Idaho Statesman 4-1-89.

Publication approved ST Date 4-26-99

APPROVED
JAN 3 1999

Comments: Date: 11/25/1998 User-ID: SCURTIS

Subject: PRE-MORATORIUM DEVELOPMENT

The applicant states that the well has been used to irrigate his 4 acres since he bought the property in 1980. Surface water supply has not been deliverable for the past 15-20 years. The applicant will supply affidavits from neighbors in support of his existing irrigation use. When he received the SRBA paperwork for the domestic and stockwater use from the same well, he realized he didn't have a water right for the irrigation use and came into the department to get the filing on record.

Comments: Date: 3/22/1999 User-ID: DNELSON

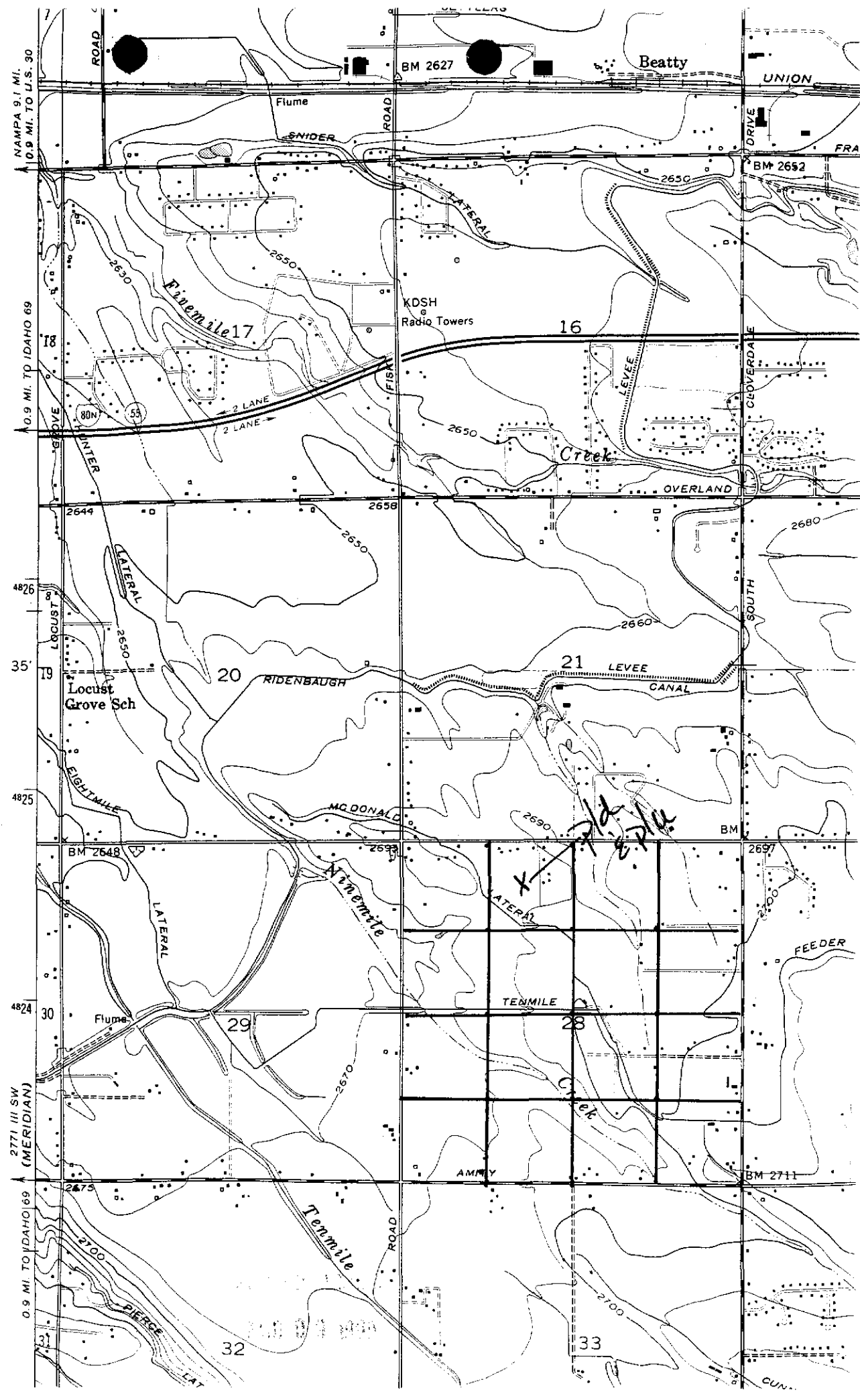
Subject: ADDITIONAL INFORMATION

There is overlapping water rights in the same 40 acre tract as this application, however none of these seem significant. This application is supplemental to canal water per owner. Please see memo in file concerning pre 1987 development.

APR 22 1999

T3N
R01E

SECTION 28
NE NW
NO GOV.
LOTS
DAN
1-20-99





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

June 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BARBARA JOHNS
LESTER JOHNS
3745 E VICTORY RD
MERIDIAN ID 83642

RE: WATER RIGHT NO. 63-12479

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

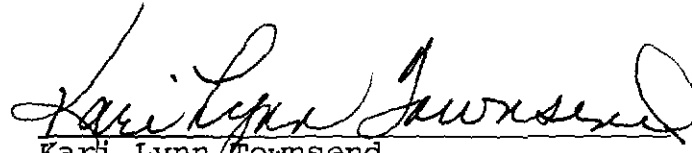
JUN 23 2000

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12479

BARBARA JOHNS
LESTER JOHNS
3745 E VICTORY RD
MERIDIAN ID 83642


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 23 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SD-0420-2
ADD COMMENT

Idaho Department of Water Resources
Modify Comment

Date: 06/02/00
Time: 08:02:59

Water Right Number: L63-12479

Comment Date: 6/ 2/2000 User ID: SKEEN

Subject: License Review

Licensing review and data entry by S. Keen on 6/2/2000.

(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 7 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12479

1. Owner: Barbara & Lester Johns Phone No. (208) 362-9279

Current Address: 3745 E. Victory Rd., Meridian, ID 83642

2. Accompanied by: Lester Johns EXAM DATE: 8-3-99

Address: Same Phone No. Same

Relationship to Permit Holder: Same

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-02388 (USDI-BOR: New York Irrigation District)

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	28	3N	1E	Ada	Site Visit map

2. Place(s) of Use:

Indicate Method of Determination Site Visit map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	28					4.0											4.0 AC	

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MAR 23 2000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

See enclosed drawing:

Water Systems

Scale: 1" = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for Irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2		Sta-Rite	

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: None — op. press. 35-65 psi
20' static water in well

MICROFILM

AUG 23 2005

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for supplemental irrigation of 4.0 AC. of a 6.0 AC. tract of land from an old well. The land is in the service area of the New York Irrigation District and receives surface water from a delivery at the NE corner, and SE corner of the property, and from an irrigation waste ditch on the East side. (3 pts. of delivery).
2. The well was drilled in 1968-69 by the previous owner, and has been used for domestic, stock water and irrigation since that time. Lester Johns bought the property in 1980.
3. The well serves the house, a large yard around the house, 2 stockwater troughs in a corral, and irrigated pastures. The pastures are irrigated as needed by using hoses and sprinklers from 1" faucets.
4. The well is used to supplement the surface water since the New York Irrigation District only delivers about 34% of the allowable ~~and~~ consumptive use requirement, at the lowest, to about 98% at the highest. Irrigation District records showed water delivery rates of 4.72 AF to 13.76 AF from 1979 to 1998 for his property.

Have conditions of permit approval been met? ☒ yes ☐ no

5. The yard around the house is irrigated by an underground sprinkler system from the well.

MICROFILMED

APR 23 1999

Additional Computation Sheets Attached

$$Q = \frac{(8.8)(240)(70\%)}{20' + (35\text{psi})\left(\frac{34'}{14.2\text{psi}}\right)} = 0.02 \text{ cfs} > \underline{0.08 \text{ cfs}}$$
$$\varphi = (0.02 \frac{\text{cts}}{\text{Ac.}})(4.0 \text{ Ac.}) = 0.08 \text{ cts}$$
$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (4.0 \text{ Ac.}) (7.5 \frac{\text{AFI}}{\text{Ac.}}) = 18.0 \text{ AFI}$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.08) (261) (1.9835) = 41.42$$

$$V = \text{Smaller of } V_{I,R} \text{ and } V_{D,R} = 18.0 \text{ AFI}$$
$$\text{Total A.C.} = (240')(1090') \left(\frac{\text{A.C.}}{(66)(66)(10)} \right) \text{ ft}^2$$
$$= 6.01 \text{ A.}$$

There is about 5 ac. of irrigated yard / pasture on the property. Allow the 4.0 ac.

drive ways, Corral,
etc.

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03/01	11/15	0.08	18.0
Totals:			0.08	18.0

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

New
Irrigation
Season
03/01 to 11/15

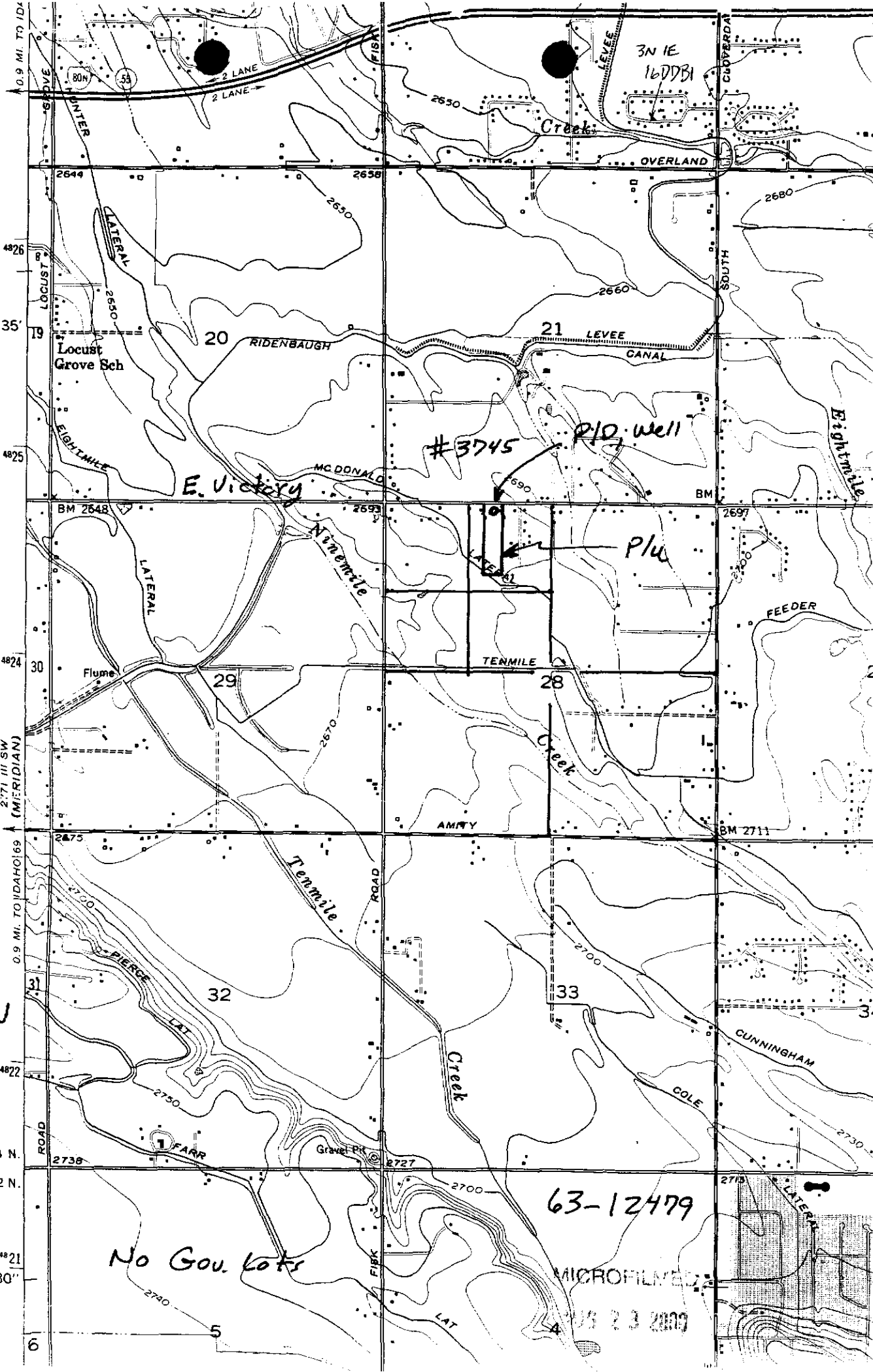
Field Examiner's Name Donna Tompkins Date 12-6-99

Reviewer	Date
----------	------

SEAL

MICROFILMED

3152 J. Neurosci., September 24, 2008 • 28(39):3145–3153



T3N
R1E
Sec. 28
NENW

T. 3 N.
T. 2 N.

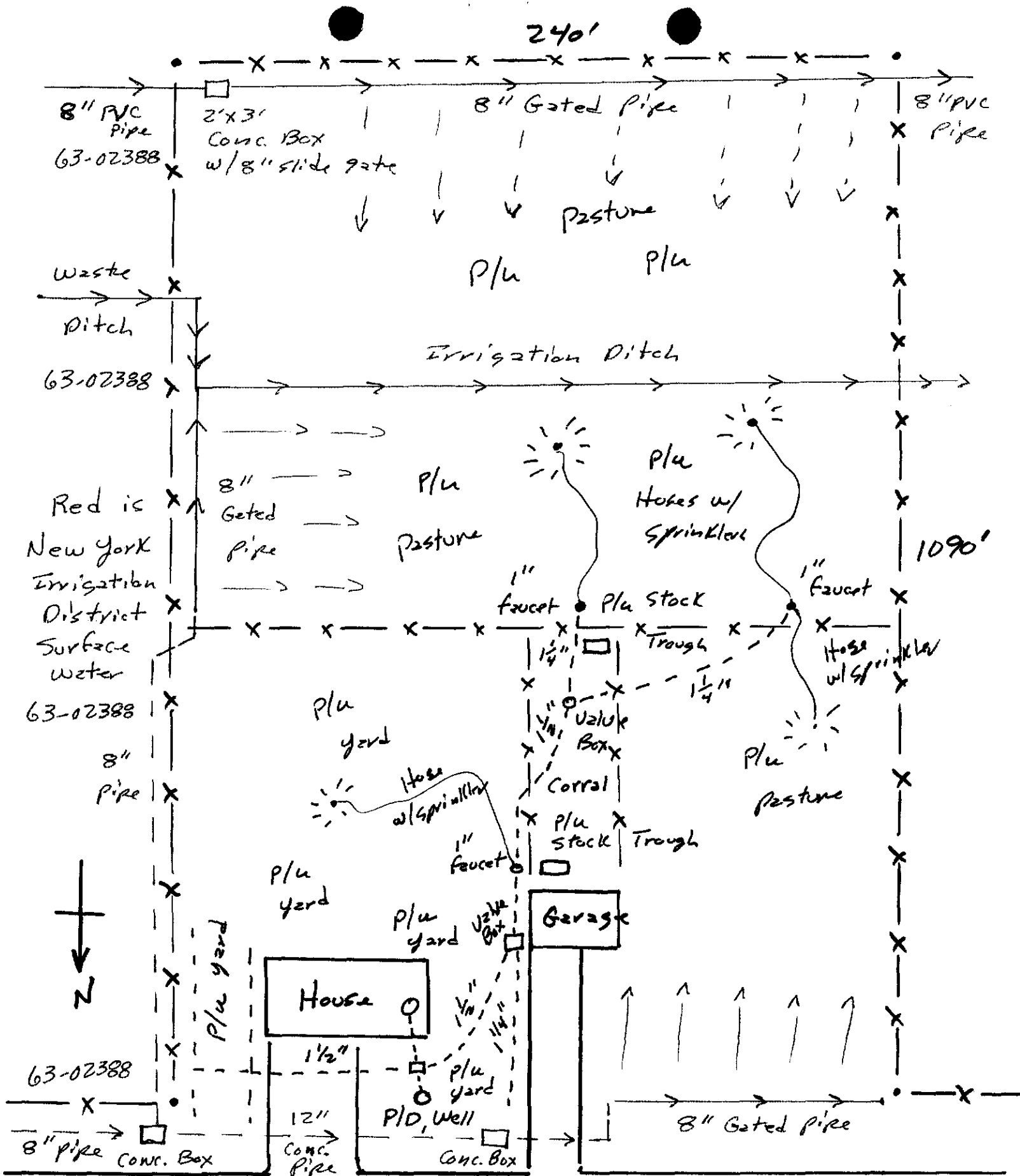
4821
32'30"

No Gov. Lofs

63-12479

MICROFILMED

4 23 2000



3745 E. Victory

MICROFILMED

Water Systems

63-12479

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1968 - 1969 well?

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 63-12479

2. OWNER: Barbara & Lester Johns Phone: (208) 362-9279
Address: 3745 E. Victory Rd., Meridian, ID 83642

3. WELL LOCATION: Twp 3N, Rge. 1E, Sec. 28, NE 1/4 NW 1/4
County Ada (Provide sketch map and photo on reverse.)

4. DRILLER: _____ Lic. No. _____
When Drilled? ? 1969 ? or 1968

5. WELL CONSTRUCTION:

Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No

Casing $\geq$ 12 inches above ground? ☐ Yes ☒ No - Describe About 8"

Depth of Casing 170 ft. Method Drilled _____

Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____

Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No

Condition of Piping and Valving Good

Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No Can't

Are there obvious construction problems that may be a source for contamination or waste of water? determine
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 20 ft. Water Temperature Cold °F

Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)

Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____

Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☒ Domestic

☒ Irrigation

☒ Stock

☐ Test

☐ Municipal

☐ Industrial MICROFILM

☐ Abandoned

☐ Waste Disposal/Injection

☐ Not Used 1-8-23-2005

☐ Other: _____

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

This well was drilled about 1969.
It was on the property when he bought
it in 1980. It was used by the previous
owner for domestic, stockwater + irrigation.

Don Tarnich, Water Rights Examiner
Signature of Dept. Representative & Title

8-3-99
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

Well in front yard



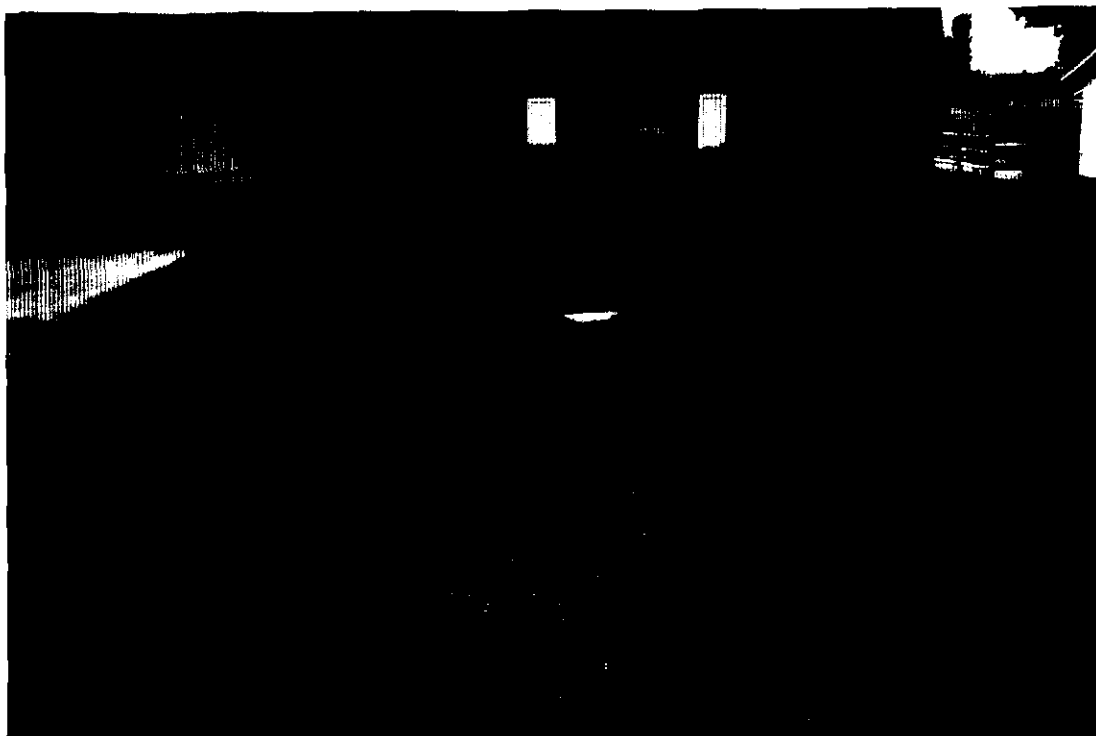
1 of 4

P/O

well

P/u

yard



P/u

yard

#3745

E. Victory



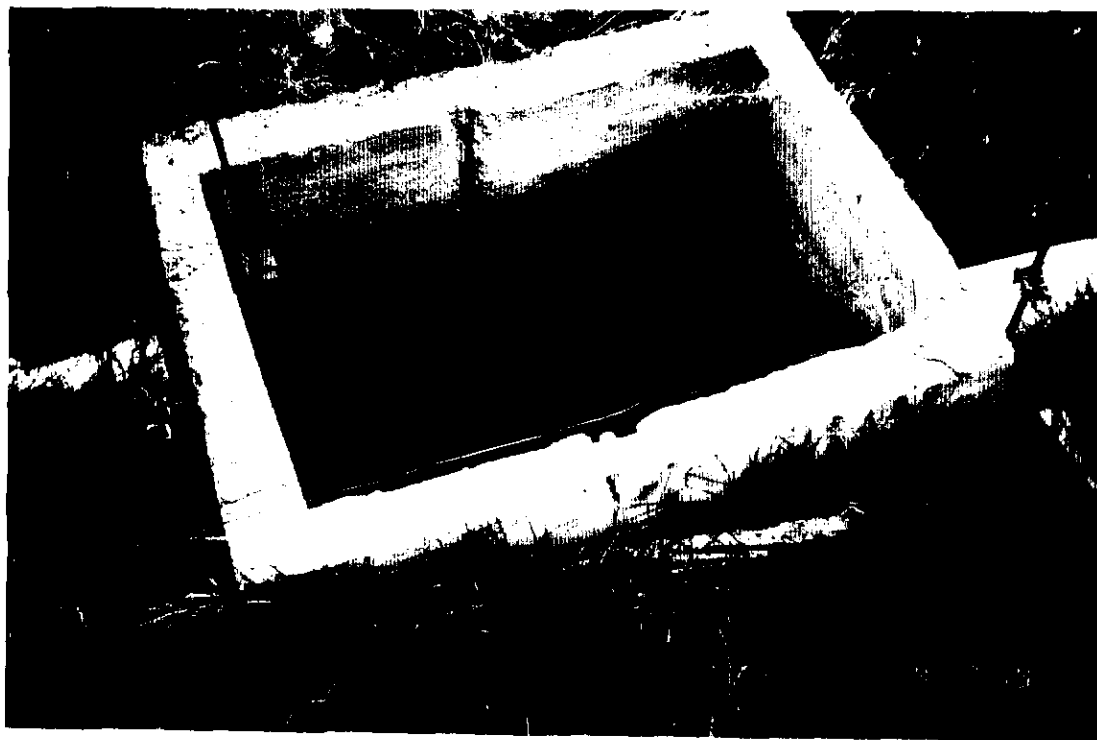
63-12479

2 of 4

Irrigation
District
delivery
box
at
NE
Corner.



P/U
irrigated
yard at
right, by
house.



Irrigation
District
delivery
box
at
SE
Corner.

3 of 4

Irrigation
District

Waste
Ditch

Delivery

on

East
Side.

P/u

irrigated
pasture
+ yard



View Looking North

P/u

irrigated
pasture.

Note

Sprinkler
from

Well

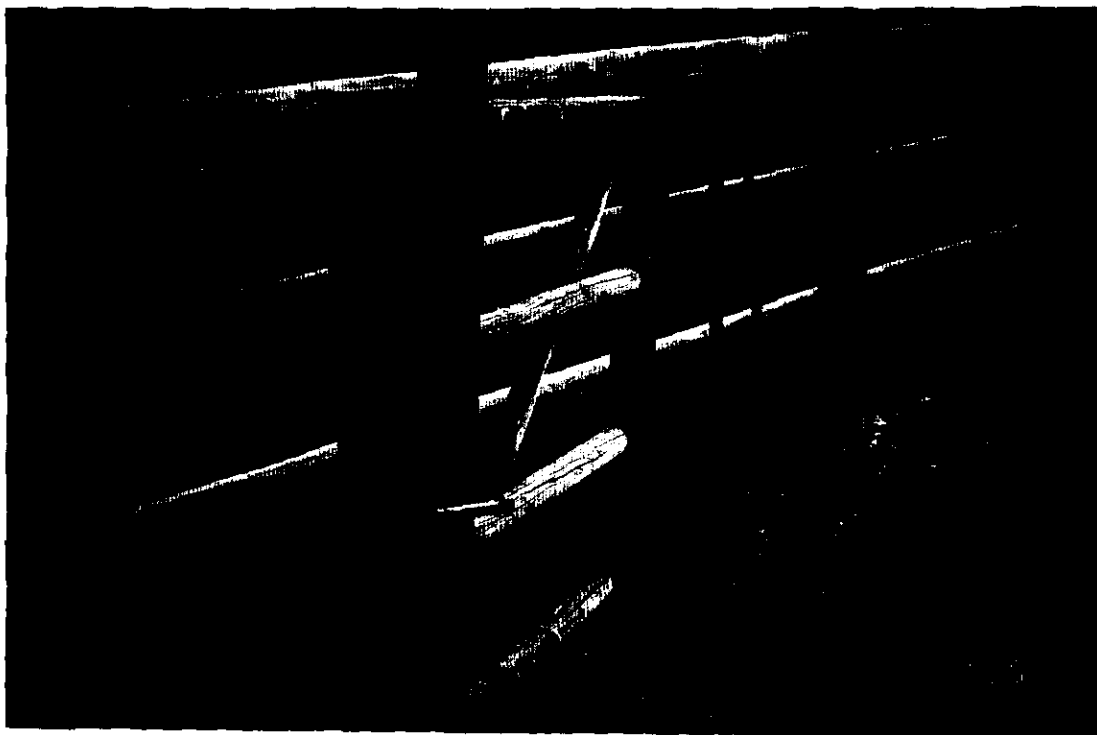
System



Waste Ditch in
foreground.
View Looking NW

63-12479

1 of 4



P/u

Typical
1" faucet
and
hose /
Sprinkler
irrigation
of
pasture.



P/u

Stock
Trough
in corner
and
sprinkler
irrigation
of pasture
from 1" faucet.

View Looking South

63-12479

Permit No. 63-12479 Reviewed by [Signature] Date 7-8-99

TYPES OF USE

Jrr.

Correct Uses? Yes

SOURCE OF WATER

✓ Ground water source

Copy in the file? Drilling Permit No.

Correct?

Well log in the file?

MEASURING DEVICE

NO Required?

Installed?

_____ Waiver requested?

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address 1/ Proof Made 5-13-99

Proof Made 5-13-99



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 16, 1999

Lester and Barbara Johns
3745 E Victory Rd
Meridian ID 83642

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. ¹²⁴⁷⁹ 63-13479

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **WESTERN** Regional Office of the department in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

AUG 09 1999



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 6, 1999

BARBARA JOHNS
LESTER JOHNS
3745 E VICTORY RD
MERIDIAN ID 83642

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12479

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

505 0 8 1999

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

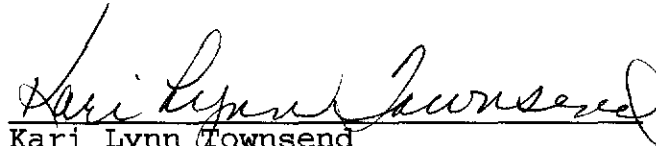
AUG 09 1999

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12479

BARBARA JOHNS
LESTER JOHNS
3745 E VICTORY RD
MERIDIAN ID 83642


Kari Lynn Townsend
Secretary

RECEIVED
AUG 03 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

AUG 19 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
AUG 3 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 63-12479 Name: Johns Date: 5/4/99 Ad OK? ☒ ☒ Gvmt Lts: ☒AREA OF CONCERN: - No/Yes: BRD Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ W/DQ3) - 046-P23

In Basin 34? - 085

Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)

Supp. irr. + uses - 100-101

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP) - *WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)

≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22-P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER - R37 (BLM/USFS); NA

MINING - 054(req)-081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

> 1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA - P24 in 20/30/40/50/60/70/80 (87) basin

SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

- 074- 068

STANDARD REMARKS:

BENEFICIAL USE DUE:

- 9/11 1999

COMMENTS:

IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
APR 30 1999
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAW DATE: 1-20-99 APPLICATION: 63-12479

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

RECEIVED

APR 30 1999

Department of Water Resources

ADDITIONAL INFORMATION

YES ADVERTISE REMARK(S)
(Reviewer identify which remarks)

YES T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: PRO AGT DEVELOPMENT
- ☒ Surface water source, IDFG letter needed.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- ☐ immediate = acceptable plan required and submitted.
- ☒ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO.

-12479

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. #
☒ ☐ Other NEW YORK IRRIGATION DIST

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☐ ☒ Final date for protest 4-19-99
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District #
☐ ☒ Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority 11/25/98Recommended by: BaySDate: 4/28/99**ADDITIONAL INFORMATION:**

THERE IS OVER LAPPING WATER RIGHTS
IN THE SAME 40 ACRE TRACT AS THIS
POINT OF DIVERSION AND PLACE OF USE.
HOWEVER, NONE OF THESE WATER RIGHTS,
SEEM SIGNIFICANT TO THIS APPLICATION.
THIS APPLICATION IS TO SUPPLEMENT CANAL
WATER. OWNER HAS SHOWN PROOF THAT THIS IS
A PRE 1987 DEVELOPMENT SEE MEMO.

RECEIVED

APR 15 1999

WATER RESOURCES
WESTERN REGION

**LEGAL NOTICE
APPLICATION FOR WATER RIGHT**

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

63-12479

JOHNS, LESTER
JOHNS, BARBARA
3745 E VICTORY RD
MERIDIAN, ID 83642

Source: GROUNDWATER
Diversion Pt: NENW Sec 28 T 03N R 01E in ADA County.
Use: IRRIGATION (0.080 CFS)
Total Diversion: (0.080 CFS)
Date Filed: 11/25/1998
In: ADA County
T03N R01E S28 NENW
4.0 ACRES TOTAL
Development completed by November 1987

63-12511

SCHREINER, TERRY M
12490 W NEW HOPE RD
STAR, ID 83669

Source: WASTE WATER Tributary: SINKS
Diversion Pt: LOT 4 (NWNW) Sec 6 T 04N R 01W in ADA County.
Use: IRRIGATION (0.030 CFS)
Total Diversion: (0.030 CFS)
Date Filed: 8/10/1998
In: ADA County
T04N R01W S06 Lot 4(NWNW)
1.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, West Region, 2735 Airport Way, Boise, Id 83705 together with a protest fee of \$25.00 on or before APRIL 19, 1999. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Pub. Apr. 18, 1999

3677

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$132.00

Account Number/Trans. #		Identification	
047628 11950		APPLICATION FOR WATER RIGHT	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	APRIL 1, 8, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches	Real Inches
		43 LINES	
		# Affidavits	Legal Number
		1	3677

RECEIVED

APR 15 1999

WATER RESOURCES
WESTERN REGION

JANICE HILDRETH

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly

☐ single

☐ consecutive daily

☐ odd skip

insertion(s) beginning with the issue of

APRIL 1

, 1999

and ending with the issue of

APRIL 8

, 1999

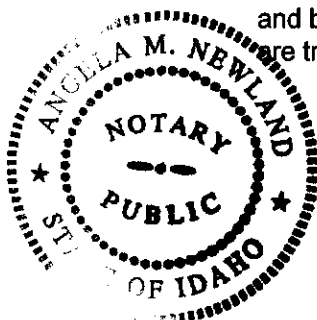
Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 8TH day of APRIL in the year of 1999, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Angela M. Newland
Notary Public for Idaho

Residing at:

Boise, Idaho

My commission expires:

2/10/05

AUG 08 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NEW YORK IRRIG DIST
6616 OVERLAND RD
BOISE ID 83709

Re: Application for Water Right No. 63-12479 in the Name of Lester &/or Barbara Jones

Dear Sir:

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by April 19, 1999.

Sincerely,

Gary Spackman

GS:st

Encl.

MC 10-1111

APR 09 1999

MEMORANDUM

TO: GENERAL FILE APPLICATION FOR PERMIT # 63-12479

FROM: DANIEL A. NELSON

DATE: 3/19/1999

SUBJECT: PRE 1987 DEVELOPMENT

The owner of this application, Lester Johns, submitted 2 letters from neighbors and canal delivery records for proof of pre-1987 development. Both letters from the neighbors state that Mr. Johns has used water from his domestic well since he planted his pasture in 1981. One of these letters from Ms. Margaret Starn also states that Mr. Johns supplemented his canal shares for the pasture with his well water.

Since the well was connected to the same power meter as the home and there seemed not to be any other ways of proofing irrigation from the well, I requested that Mr. Johns attain his canal delivery records from the canal company to see if they would show a lack of water during certain times of the year or during drought periods.

The paperwork supplied by the New York Irrigation District showed that amount of water delivered to Mr. Johns varied from 4.72 af to 13.76 af from 1979 to 1998. The area that Mr. Johns lives in allows a field head gate requirement of 4.5 af/ac and a consumptive use requirement of 3.5 af/ac. Using these figures for 4 acres of irrigation allows a total field head gate requirement of 18 af and a total consumptive volume of 14 af. The lowest allotted water by the New York Irrigation District of 4.72 af is only about 34% of the allowable consumptive use requirement.

Looking over the numbers I am convinced that in order for Mr. Johns to maintain his pasture he would need to supplement his canal water. The neighbors letters stating that he did use his domestic well to supplement his canal water creates a strong enough argument that the well water was used to supplement the canal water since 1981 that I feel that this application should be processed.

MICROFILMED

2000 04 1999

RECEIVED

DEC 28 1998

Department of Water Resources

THOMAS HERRON
3395 S. Terri Drive
Meridian Id. 83642
362-9503

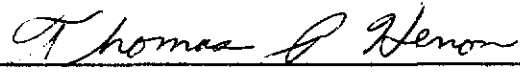
Department of Water Resources.
1301 N. Orchard St.
Boise Idaho 83706.

To Whom It May Concern :

Ref. Groundwater
Sect.28,Township 03N,
RANGE 01E, ADA COUNYY

I hereby certify that I have personal knowledge that Mr. Lester P. Johns has been using his personal domestic well to water areas of his pasture since the day he planted his permanent pasture in 1981. In times of drought he used this supply to save his pasture to feed the cattle he had grazing on the land.

Even today he occasionally has to use his well to water portions of his pasture on which cattle are grazed each year.


Thomas Herron

RECORDED
DEC 28 1998

Mrs. Margaret Starn
3655 E. Victory Rd.
Meridian ID.
362-0625.

RECEIVED

DEC 28 1998

Department of Water Resources

Dept. of Water Resources
1301 N. Orchard St.
Boise ID. 83706-2237

Attn. Sharla Curtis:

This letter is written to verify that Mr. Lester P. Johns has been using his domestic well for supplemental watering of portions of his pasture from the day he planted it in 1981. He has used the water to help create his pasture and to save portions of it during periods of water shortage from the irrigation district.

He has continued to use this source of water on parts of his pasture to this day 17 years later.


Margaret Starn.

NOT RECORDED

DEC 31 1998

LESTER P. JOHNS
3745 E. VICTORY ROAD
MERIDIAN ID 83642-7005
PHONE (208) 362- 9279
FAX (208) 362-6327
E-MAIL-"lpjohns @Juno.com"

Dept. of Water Resources
2735 Airport Way.
Boise ID. 83705-5082.

Attn. Mr. Daniel A. Nelson:

RE: App. For permit # 63-12479

Per our conversation and your letter of 5 Feb 99 I have contacted the New York Irrigation District several times and finally was sent to the board of control where all the records are kept on file. A young lady named ELVA went through the records and she thinks the attached is what you want .

She brought up the records of water being sent to my property by way of the Lynch canal head gate #1.41 where it is distributed to my property and to nine others. The water through this head gate is measured by the ditch rider per the allocation set up by the board of control. The amount of water varies each year depending on the snow melt and the NORMAL AVERAGE is 3.75 acre feet per their calculations.

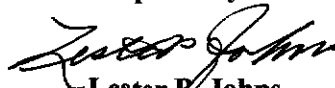
Their records for the past 20 years show the water through the gate to my property has never met the 3.75 average and over the 20 years the overall average to my property is 2.57 acre feet which is 1.18 AF short of the average per the attached sheets of information.

The years of 1988,90,91,92,& 94 are the worst years but all other than 1980 through 1989 was barely enough to keep my pasture from dying but it was not enough to keep it growing to feed several cows with calves. There fore I was forced to use domestic water as a source for saving the pasture as well as drinking water for the animals.

This is why I have been irrigating through portable plastic pipe sprinkler system to keep my pasture from completely dying out and enable the animals to have adequate feed in the summer months. I had to buy hay in the winter .

Your help in obtaining this permit will be appreciated. If other data is required please let me know & I will try to obtain it.

Respectfully


Lester P. Johns.

100-1011126

2000 04 09

18.82 ACRES INVOLVED

1 ACRE FOOT 25 CU. INCHES WATER
NORMAL @ 3.75 AF IS

YR	TOTAL	3.7515	LAND OWNERS DISTRIBUTION.										15 AF	NOT
	A.F.	NORMAL	ALLOWED	GIBBONS	COMB	FESLER	LOWDER	BOWLER	HERON	JOHNS	STAR	USED		
	USED		PER A.F.									& LOST.		
		THIS YR												
1979	45.70	2.43							4.86	9.72				
80	64.82	3.44							6.88	13.76				
81	49.76	2.64								10.56				
1982	61.06	3.24 AF		4.92	6.87	7.06	7.06	6.48	6.48	12.96	9.14	1.59		
83	54.25	2.88							5.76	11.52				
84	62.56	3.32							6.64	13.28				
85	48.99	2.60							5.20	10.40				
86	50.50	2.68							5.36	10.72				
87	52.32	2.78							5.56	11.12				
88	(31.65)	1.68							3.36	6.72				
89	63.31	3.36							6.72	13.44				
90	46.73	2.48							4.96	9.92				
91	(30.15)	1.60							3.20	6.40				
92	(22.61)	1.18							2.36	4.72				
93	45.97	2.44							4.88	9.76				
94	(32.41)	1.72							3.44	6.88				
95	49.74	2.64							5.28	10.56				
96	52.76	2.80							5.60	11.20				
97	45.93	2.40							4.80	9.60				
98	45.78	3.03 AF		6.42	6.61		6.06	6.06	6.06	12.12	8.54			

57.34 ÷ 20 YRS
= 2.87 AVG

AS YOU CAN SEE AVERAGE ACRE FOOT IS SHORT OF THE 3.75 AF NORMAL ^{Flow}.
THIS IS 3.75 - 2.87 AVG = 0.88 ACRE FOOT SHORT PER YEAR FOR 20 YRS.

ENCLOSURE

2000 09 10

11

Rotation LYNCH 1.41 ROTATIONName **LYNCH 1.41 ROTATION**Rotation ID **361**

Manager

Phone

Ride **2.03**Comments **28-3N-1E****Summary**Total Acres **18.82**Paid-up Acres **15.12**Total Allowance **56.71**Usage to Date **45.78**Balance (Excess) **10.93** *LOST- NO CARRY OVER*Water to Protect
Anderson **0.00**Anderson Remain **0.00**

Anderson Forwardable

Total Water
Available **0.00****Allowance**

Date	Reference	Delivery Point	Delivery Amt.	Balance
3/30/98	PMT-026118		7.95	7.95
3/30/98	PMT-040717		5.70	13.65
3/30/98	PMT-033885		8.18	21.83
3/30/98	PMT-026952		15.00	36.83
3/30/98	PMT-041527		7.50	44.33
3/30/98	PMT-030044		8.18	52.51
3/30/98	PMT-037683		7.50	60.01
3/30/98	PMT-030829		10.58	70.59
3/31/98	UNPAY-7162		-5.70	64.89 <i>LOWDER NO PAY</i>
3/31/98	UNPAY-7163		-8.18	56.71 <i>GIBBONS NO PAY</i>
6/30/98	D203-1212	1.41	-3.57	53.14
7/31/98	D203-1375	1.41	-12.30	40.84
8/31/98	D203-1541	1.41	-16.50	24.34 <i>45.78</i>
9/30/98	D203-1690	1.41	-8.25	16.09
10/14/98	D203-1791	1.41	-5.16	10.93

Users

Serial #	Name	Split	Acres	Paid Up	Pink Card
NY-578-014-00	GIBBONS, MELVIN	No	1.52	No	No
NY-578-015-00	COBB, JOE	No	2.12	Yes	No
NY-578-016-00	FESLER, DEBORAH A.	No	2.18	Yes	No
NY-578-017-00	LOWDER, B.L.	No	2.18	No	No
NY-578-018-00	BOWLER, WILLIAM T	No	2.00	Yes	No
NY-578-019-00	HERRON, THOS P.	No	2.00	Yes	No
NY-578-020-00	→ JOHNS JR., LESTER P.	No	4.00	Yes	No
NY-578-021-00	STARN, MARGARET I.	No	2.82	Yes	No

Total Acres 18.82

10/14/98

200 3 4 800

**COISE PROJECT BOARD OF CONTROL
WATER ALLOTMENT 1929 THRU 1998**

ALLOTMENT TOTAL ALL USERS IF SHORT OF WATER.

YEAR	ALLOTMENT	DATE
1967	3.50	July 1
1968	2.75	May 1
"	3.10	July 1
1969	3.30	July 1
1970	--	--
1971	--	--
1972	--	--
1973	3.00	July 1
1974	--	--
1975	--	--
1976	3.00	July 1
1977	2.40	May 1
1978	--	--
1979	3.00	June 11
1980	3.10	July 1
1981	3.10	June 16
1982	--	--
1983	--	--
1984	--	--
1985	2.90	June 1
1986	3.00	July 1
1987	1.25	April 10
"	<i>RAISED .35 FT</i> 1.60	July 1
1988	0.773	April 15
"	<i>RAISED .237</i> 1.00	May 1
"	<i>" .40</i> 1.40	June 1
"	<i>" .10</i> 1.50	August 1
1989	2.75	July 1
1990	1.50	April 5
"	1.60	June 6
"	1.85	July 1
1991	1.25	April 3
"	1.50	May 5
"	1.65	June 24
"	1.80	July 5
1992	1.00	April 13
1993	2.75	July 7
1994	1.00	April 6
1995	2.50	August 3
1996	--	--
1997	--	--
1998	--	--

* Anderson Ranch Dam storage rights added

3.75 IS NORMAL

Total us
A.F.

NEW YORK CANAL FIGURES.
1 MAR 99.

by year.

1979	45.70
1980	64.82
1981	49.76
1982	61.06 $\div 18.82 = 3.24$ AF
1983	54.25
1984	62.56
1985	48.99
1986	50.50
1987	~~52.32~~ ~~43.26~~
1988	31.65
1989	63.31
1990	46.73
1991	30.15
1992	22.61
1993	45.97
1994	32.41
1995	49.74
1996	52.76
1997	45.23

60.97

31.61

25" Ph over FT.

100 2 1/2
100 1 1/2 1992

114

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

LESTER P. JOHNS

Mailing Address

3745 E VICTORY RD

MERIDIAN ID 83642-2005

Application No.
(if known)

63-12479

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Lester Johns

Date

2 March 99

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

MICROFILMED

MAR 9 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

2/5/1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LESTER JOHNS
3745 E VICTORY RD
MERIDIAN, ID 83642

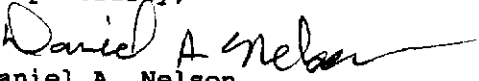
RE: APPLICATION FOR PERMIT NUMBER 63-12479

Dear Mr. Johns,

On 2/5/1999 we spoke on the telephone concerning your application for permit # 63-12479. In this conversation you mentioned that the water from the New York Ditch Company that irrigates your pasture is not reliable and that in order to prevent your pasture from burning up you have had to use the water from the house well. You told me that you have been irrigating your pasture this way since about 1979 or 1981. In order to prove that you have been irrigating the pasture during this period I have asked you to attain any records you can from the New York Ditch Co. to show that water has been delivered to your pasture. With these records, our telephone conversation and the letters from your neighbors, I will be able to present this information to my supervisor and see if we can proceed with the processing and advertising of this application.

Enclosed with this letter is a "Request to Process" form and an accompanying letter. Please read the letter and choose one of the choices on the attached form. Once the Request to Process form is filled out send it and the records and/or letter you have received from the New York Ditch Company to the above address in care of Dan Nelson. Please submit this information by March 12, 1999 to allow us to process your application in a timely manner.

Respectfully,


Daniel A. Nelson
Water Right Agent

COPY

MOOREHEAD

AUG 3 9 1999

63-12479

JOHNS, LESTER
JOHNS, BARBARA
3745 E VICTORY RD
MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: NENW Sec 28 T 03N R 01E in ADA County.

Use: IRRIGATION (0.080 CFS)
Total Diversion: (0.080 CFS)

Date Filed: 11/25/1998

In: ADA County
T03N R01E S28 NENW

4.0 ACRES TOTAL

Development completed by November 1987

NOV 27 1998
ADA 11 2400