

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 29 2022

Department of Water Resources
Eastern Region

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-13519 OK	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-13519 35-4817	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Russell Johnson, Mary Ann Johnson, Stuart Johnson
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

MIKE JOHNSON/MICHAEL ORSON JOHNSON
New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

570 HORROCKS DRIVE

BLACKFOOT

10

83221

Mailing address

City

State

Zip

208 6815322

MIKE@BUILDERS1@GMAIL.COM

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 8-15-2022

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐

- ☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 35-13519

8. Signature:

[Signature]

Signature of new owner/claimant

MICHAEL ORSON JOHNSON
Print name

Title, if applicable

12-28-22
Date

Signature:

Signature of new owner/claimant

Print name

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature] Date 12/29/22

Receipt No. 2648819

Receipt Amt. \$100.00

Active in the Water Supply Bank? Yes ☐ No ☐

If yes, forward to the State Office for processing

W-9 received? Yes ☐ No ☐

Name on W-9

Approved by [Signature]

Processed by [Signature]

Date 1/4/2022

QUIT CLAIM DEED

FOR VALUE RECEIVED, RUSSELL JOHNSON and MARY ANN JOHNSON, husband and wife, of 1072 W. 100 S. Blackfoot, Idaho, Grantors, jointly and severally, do hereby convey, release, remise and forever quit claim unto MICHAEL ORSON JOHNSON, an individual, of 570 Horrocks Dr. Blackfoot, Idaho, Grantee, as his sole and separate property, the following described premises in Bingham county:

**LOT 2 of the Johnson Compound, a recorded plat in Bingham County, Idaho
(A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, T. 3 S., R. 34
E.B.M. BINGHAM COUNTY, IDAHO)**

TOGETHER with all and singular the tenements, hereditaments and appurtenances, and all water rights, thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to his heirs and assigns forever.

DATED this 15th of August, 2022.


RUSSELL JOHNSON


MARY ANN JOHNSON

STATE OF IDAHO)
) ss.
County of Bingham)

On this 15th day of August, 2022, before me appearing, the undersigned, a notary public. in and for the state, personally appeared Russell Johnson and Mary Ann Johnson, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

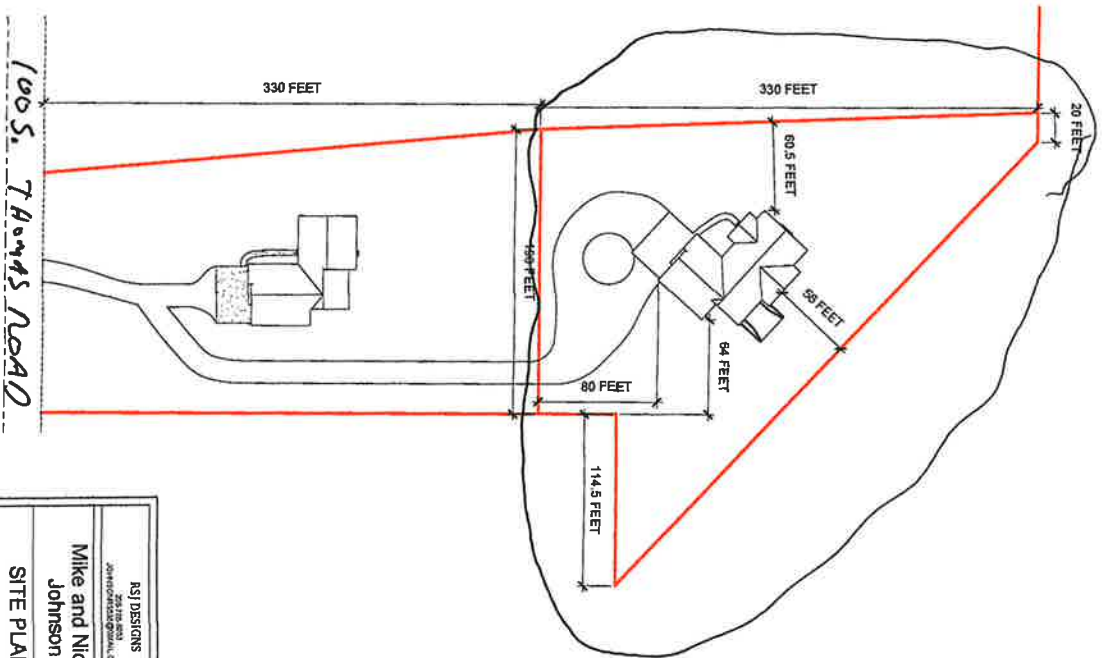
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year this certificate first above written.




Notary Public for State of Idaho
Residing at Blackfoot



① SITE PLY IMAGE
1" = 40'-0"



BSI DESIGNS	
JOHN@BSIDESIGNS.COM	
2015 THE BSI	
Mike and Nicole Johnson	
SITE PLAN	
PROJECT NAME	C01
DATE	11.5.2022
DRAWN BY	BSI
CHECKED BY	BSI
C100	
1" = 40'-0"	



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 04, 2023

MICHAEL ORSON JOHNSON
570 HORROCKS DR
BLACKFOOT ID 83221-3454

Re: Change in Water Right Ownership: 35-13519 (Split into 35-13519 and 35-14817)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: STUART JOHNSON
WATER DISTRICT 120
BINGHAM GROUND WATER DISTRICT

IDAHO DEPARTMENT OF WATER RESOURCES

1/4/2023

Proof Report

Water Right 35-13519 *After Split*

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STUART JOHNSON 1072 W 100 S BLACKFOOT, ID 83221
Current Owner	MARY ANN JOHNSON 1072 W 100 S BLACKFOOT, ID 83221
Current Owner	RUSSELL JOHNSON 1072 W 100 S BLACKFOOT, ID 83221

Priority Date: 6/11/1985Basis: LicenseStatus: ActiveSource

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.120 CFS

Volume

36.4 AF

Total Diversion

0.120 CFS

36.4 AF

Source and Point(s) of Diversion:

GROUND WATER

SESW

Sec. 5, Twp 03S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	34E	5													9.1				9.1

POU Total Acres: 9.1

Conditions of Approval:

- 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
- The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
- R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
- 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- T20 Approval of this transfer does not confirm the validity of this water right.

Comments:

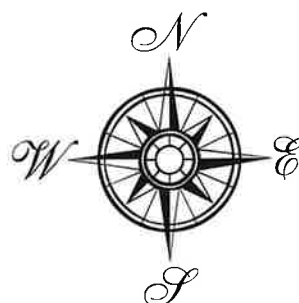
7 jborg 1/4/2023 Ownership change
Water right 35-13519 was split into 35-13519 and 35-14817.

Idaho Department of Water Resources



Legend

-  35-14817 After Split Place of Use
-  35-13519 After Split
-  Water Permit POU
-  Parcels
-  Township/Range
-  Sections
-  QQ



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/4/2023

Water Right 35-13519

Before Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STUART JOHNSON 1072 W 100 S BLACKFOOT, ID 83221 (208) 684-5429
Current Owner	MARY ANN JOHNSON 1072 W 100 S BLACKFOOT, ID 83221 (208) 684-5429
Current Owner	RUSSELL JOHNSON 1072 W 100 S BLACKFOOT, ID 83221 (208) 684-5429

Priority Date: 6/11/1985

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/01	10/31	0.140 CFS
<u>Total Diversion</u>		0.140 CFS

Volume

41.6 AF
41.6 AF

Source and Point(s) of Diversion:

GROUND WATER

SESW

Sec. 5, Twp 03S, Rge 34E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	34E	5												10.4					10.4

POU Total Acres: 10.4

Conditions of Approval:

- | | | |
|----|-----|--|
| 1. | | The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right. |
| 2. | T20 | Approval of this transfer does not confirm the validity of this water right. |
| 3. | 049 | The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior |

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/4/2023

- | | | |
|----|-----|--|
| 4. | 048 | surface water and groundwater rights.
The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference. |
| 5. | R31 | This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above. |

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/4/2023

Water Right 35-14817

Owner Type **Name and Address**
Current Owner MICHAEL ORSON JOHNSON
570 HORROCKS DR
BLACKFOOT, ID 83221-3454
(208) 681-5322

Priority Date: 6/11/1985

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>		<u>Diversion Rate</u>	<u>Volume</u>
GROUND WATER				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>		
IRRIGATION	04/01	10/31	0.020 CFS	5.2 AF
	<u>Total Diversion</u>		0.020 CFS	5.2 AF

Source and Point(s) of Diversion:
GROUND WATER SESW Sec. 5, Twp 03S, Rge 34E, BINGHAM County

Place Of Use:
IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	34E	5												1.3					1.3

POU Total Acres: 1.3

Conditions of Approval:

1. T20 Approval of this transfer does not confirm the validity of this water right.
2. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
5. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Comments:

1 j barg 1/4/2023 Ownership Change
Water Right 35-13519 was split into 35-13519 and 35-14817.

Idaho Department of Water Resources



Legend

-  35-14817 After Split Place of Use
-  35-13519 After Split
-  Water Permit POU
-  Parcels
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-  QQ

