

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: **A63-04036A**
Date Received: 2/15/1990
Receipt No: W009039
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: E G JOHNSON FARMS INC
Address: 24007 HIGHWAY 20-26
PARMA ID

208-722-5829

83660

2. Date of Priority: NOV 1, 1930

3. Source: SAND HOLLOW CREEK

Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04W	30	NE	SW	NW		CANYON
			SE	SW	NW		CANYON

5. Description of diverting works:
DIVERSION DAM WITH CONTOUR DITCH TO PLACE OF USE. GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

3.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	05W	25	NE	NE		IRR	20.0
			NW	NE		IRR	35.0
			NE	NW		IRR	25.0
			NW	NW		IRR	20.0

10. Place of Use: Continued

Section Acres 100.0

Total Acres 100.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

NONE

14. Remarks:

PRIORITIES ARE 11-1-1930 FOR 2 CFS & 4-1-1956 FOR 5.8 CFS.

AC. IRR.=390.

PART OF A63-04036.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(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.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
APR 07 1996

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

03-4036(A)

Date Received

2-15-90

Receipt Number

W009039

RECEIVED
FEB 15 1990

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) E. S. Johnson Farms Inc. Phone (208) 722-5829

Mailing Address 24007 Highway 2026 Parma, Ida Zip 83666

2. Date of Priority (Only one (1) per claim) 11/1/30

3. Source of water supply (a) Sand Hollow Creek
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 5N Range 4W Section 30,

NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of canyon

Additional points of diversion if any: SE SW NW Sec 30 T5N R4W

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. diversion dam -

(gravity irrigation) with contour ditch to
place of use.

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OCT 07 1996

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 2.80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 350 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>5N</u>	<u>5W</u>	<u>25</u>	<u>20</u>	<u>35</u>			<u>25</u>	<u>20</u>											<u>100</u>

Total number of acres irrigated 100

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

14. Remarks:

part of 63-4036

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OCT 07 1996

Last Name Johnson Ident No. 63-4036

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

5W

2W

27 25 35 20

Q.P.D

Q.P.D 30

5

N

25

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Last Name Johnson Ident No. 63-4036

Copies: White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

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 OCT 8 1988

63-4036

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-4036
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(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.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

☒ Signature of Claimant (s) [Signature] Date 1/24/90

Date _____

For Organizations: I do solemnly swear or affirm that I am President
of EG Johnson Farms Corp Inc. that I have signed the foregoing
document in the space below as President of EG Johnson Farms Inc.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization Pres. EG Johnson Farms Inc. Date 1-24-90

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 24 day of January 19 90

SEAL

Notary Public John K. Meyer
Residing at 15470 Homedale Rd
Caldwell, Idaho 83605
My Commission Expires Sept 21, 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name Johnson Ident. Number 63-4036

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Copies White-State, Yellow-Claimant

Last Name _____ Ident. Number 63-4036

Copy With-Draw With-Consent

MICROFILMED
OCT 17 1988

Date _____

Address _____

Signature _____

17. Notice of Appearance:
Notice is hereby given that I, _____
of the plaintiff, signing above, and that all notices required by law to be mailed by the director to the plaintiff signing above
should be mailed to me at the address listed below.

Please Print Name

My Commission Expires Sept 21, 1994

Residing at _____

Notary Public _____

SEAL

Subscribed and sworn (or affirmed) before me this _____ day of _____ 1992

County of San Diego
State of Idaho/or Idaho ss.

Title and Organization _____
Signature of Authorized Agent _____
Date 1-24-90

and that the statements contained in the foregoing document are true and correct.

document in the space below as _____
Title _____
Organization _____
of Ed-Edman Farms Inc. that I have signed the foregoing
For Organizations: I do solemnly swear or affirm that I am Ed-Edman
Title _____
Date _____

Signature of Claimant (s) _____
and correct.
For individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true.
Number of attachments _____
wishes to receive and pay a small annual fee for monthly copies of the docket sheet.
How you will receive notice in the Snake River Basin Adjustment? (a) I/we do _____ do not _____
(a) By signing below, I/we acknowledge that I/we have received, read, and understand the form entitled
18. Signature (s) _____

Plaintiff vs Defendant _____
Court _____
Case Number _____
Decree Date _____
If applicable provide IDWR Water Right Number 63-4036
Decree _____
Beneficial Use ✓ Posted Notice _____ License _____ Permit _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR5808NP
(00-26)

Water Right Number - 63-04036 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
E.G. JOHNSON FARMS INC.
1 - P.O. BOX 186
2 -
3 -
City- PARMA State- ID Zip- 83660
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/01/1930 14 WESTERN S - STATUTORY CLAIM
+ - - Source - - - - - + + - - Tributary - - - - - +
SAND HOLLOW CREEK SNAKE RIVER

+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

05N ✓ 04W ✓ 30 ✓ SW NE (27) CANYON

+ - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code 01 - IRRIGATION 04/01 11/15 7.800

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
7.800

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
05N	05W	25	NE NE			01	IRRIGATION	(27) CANYON	
05N	05W	25	NW NE			01	IRRIGATION	(27) CANYON	
05N	05W	25	SW NE			01	IRRIGATION	(27) CANYON	
05N	05W	25	SE NE			01	IRRIGATION	(27) CANYON	
05N	05W	25	SW NW			01	IRRIGATION	(27) CANYON	
05N	05W	25	SE NW			01	IRRIGATION	(27) CANYON	
05N	05W	25	NE SW			01	IRRIGATION	(27) CANYON	
05N	05W	25	SE SW			01	IRRIGATION	(27) CANYON	
05N	05W	25	NE SE			01	IRRIGATION	(27) CANYON	
05N	05W	25	NW SE			01	IRRIGATION	(27) CANYON	
05N	05W	25	SW SE			01	IRRIGATION	(27) CANYON	

+ - - Diversion Means -
+ - - Non-Irrigation Use - S/305 RANGE.
+ - - Other Rights for Same Use -

+ - - Remarks -
PRIORITIES ARE 11-1-1930 FOR 2 CFS & 4-1-1956 FOR 5.8 CFS.
AC. IRR.=390.

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Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Exam to S.O. Date	- 00/00/0000	Verified Date	- 02/05/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		-

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ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

Johnson

CLAIM IDENT. NO.

A63-04036A

DATE RECEIVED

2-15-90

RECEIPT #

W007039

AMOUNT \$

150.00

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐ *
- Is the consumptive use correct? N/A ☒ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 N/A ☒ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
- (See Item No.'s 16 & 17 for checking other water rights)
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? N/A ☒ YES ☐ NO ☐ *
- (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? N/A ☒ YES ☐ NO ☐ *
- (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ *
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
21. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
22. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *

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OCT 07 1996

23. Should this claim be data entered?

YES ☒

NO ☐

Claim reviewed by: RNF

Date 11-24-97

Claim data entered by: ADL

Date 3-27-95

Claim is being returned to claimant:

☐ (Yes) ☒ (No)

Claimant is being notified of modifications:

☐ (Yes) ☒ (No)

Comments:

09/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4036A

NAME AND ADDRESS: E G JOHNSON FARMS INC
C/O E G JOHNSON
24007 HWY 20-26
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.110 CFS

Right Nos. 63-4036A and 63-32394 are limited to a total combined diversion rate of 2.11 cfs.

PRIORITY DATE: 03/01/1938

POINT OF DIVERSION:

T05N R04W S30 SWNW Lot 6 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.110 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S25	NENE	16.00	T05N R05W S25	NWNE	28.00
T05N R05W S25	SWNE	6.30	T05N R05W S25	SENE	21.00
T05N R05W S25	NENW	24.00	T05N R05W S25 Lot 6	NWNW	10.00
T05N R05W S25 Lot 5	SENE	0.10			

105.4 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

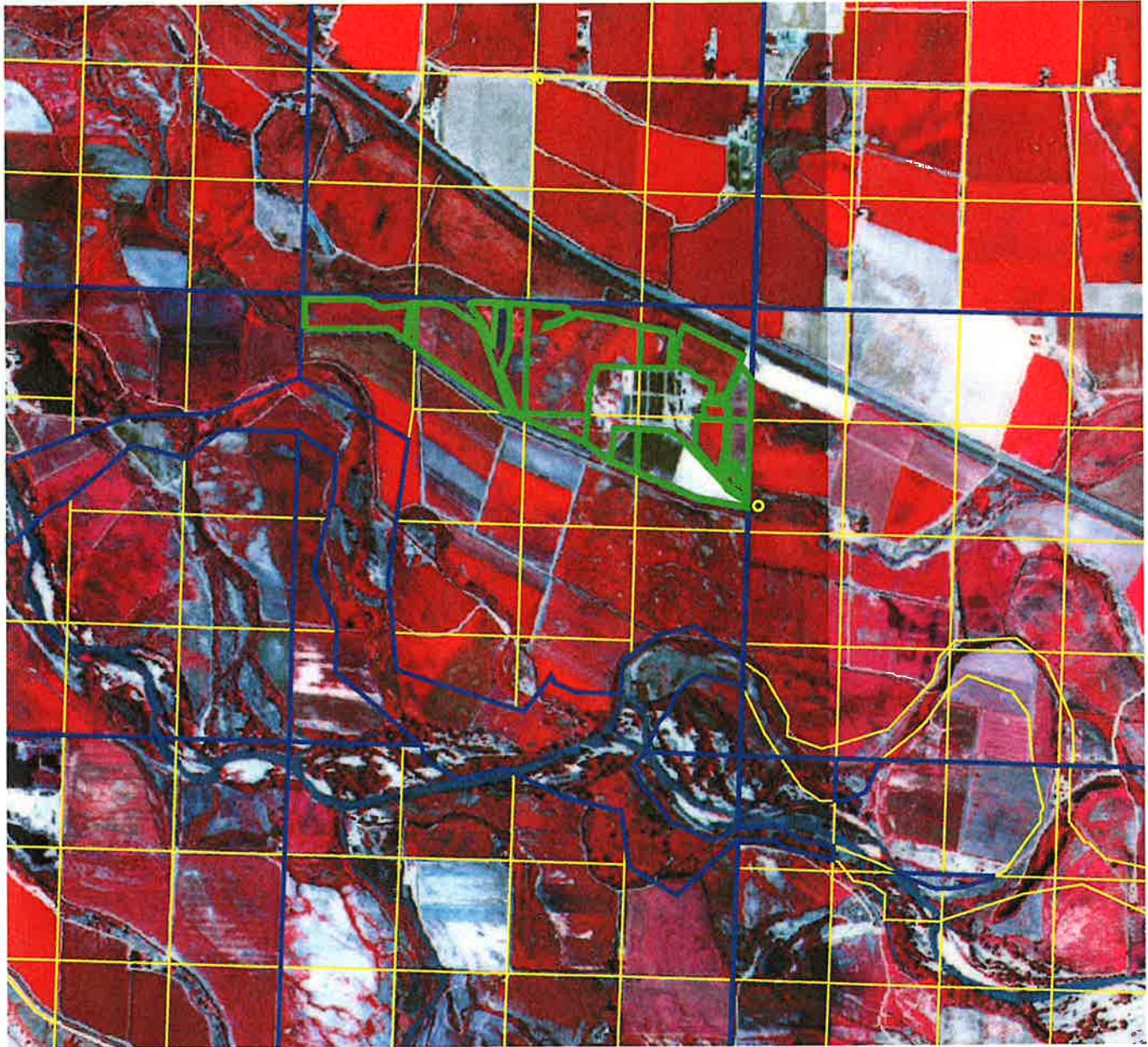
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

63-4036A

05N 05W Sections 25



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 105.4

1000 0 1000 Feet



IDWR
Prepared by: Lori Graves
Date: 08-15-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4036A V1

WATER RIGHT NUMBER: 63-4036A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	E G JOHNSON FARMS INC C/O E G JOHNSON 24007 HWY 20-26 PARMA, ID 83660 (208)722-5829

Priority Date: 03/01/1938
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.110 CFS	
	<u>Total Diversion:</u>	2.110 CFS	

Location of Point(s) of Diversion

SAND HOLLOW CREEK	L6 (SW1/4NW1/4)	Sec. 30, Twp 05N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
05N	05W	25	16.0	28.0	6.3	21.0	24.0	10.0		.1										105.4
								L 6		L 5										

Total Acres: 105.4

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E51 Right Nos. 63-4036A and 63-32394 are limited to a total combined diversion rate of 2.11 cfs.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4036A V1

Comments:

1. Igraves 8/14/2006 P/U

Comment: Property aka the Upper Home Place north of Sand Hollow Creek. The original statutory claim listed 390 acres and was split in the SRBA to reflect two separate systems, same owner. 100 acres were listed on 63-4036A and 290 acres were listed on 63-4036B. More acres than claimed were found irrigated by the 63-4036A system and less acres than claimed were found irrigated by the 63-4036B system. Because both rights are for the same owner and when combined, total acres irrigated are less than the original 390 claimed acres, an amendment of 63-4036A to 5.4 additional acres found irrigated was not required.

2. Igraves 8/14/2006 Priority Date

Comment: An affidavit from Anne Goodson supports a 1938 priority date.

3. Igraves 8/14/2006 Flow Rate

Comment: Flow rate was measured at 6.44 cfs. This right is limited to 2.11 cfs.

4. Igraves 8/14/2006 Parcel No.

Comment: Irrigated acres are within Parcel No. R3904700000.

5. Igraves 8/15/2006 Overlaps

Comment: Waste water right 63-32394 is also used on the same acres. Both rights are limited to 2.11 cfs when combined.

6. Igraves 9/27/2006 Tributary

Comment: Tributary was clarified to the Snake River per department analysis and topo maps.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4036A

WATER RIGHT NUMBER: 63-4036A

Owner Type Name and Address
 Current Owner E G JOHNSON FARMS INC
 C/O E G JOHNSON
 24007 HWY 20-26
 PARMA, ID 83660
 (208)722-5829

Priority Date: ~~11/01/1930~~ 3/1/1938 *per affidavit*

Basis: Beneficial Use

Status: Active

Source Tributary
 SAND HOLLOW CREEK BOISE RIVER
 Snake

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	~~2.000 CFS~~	
<u>Total Diversion:</u>			~~2.000 CFS~~	
			2.11	

Location of Point(s) of Diversion

SAND HOLLOW CREEK ~~NE1/4SW1/4NW1/4~~ ~~Sec. 30, Twp 05N, Rge 04W, B.M.~~
 CANYON County

SAND HOLLOW CREEK L6 ~~SE1/4SW1/4NW1/4~~ Sec. 30, Twp 05N, Rge 04W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	25	20.0	35.0	6.3	21	25.0	20.0											100.0
			16	28			24	10											

Total Acres: ~~400~~

105.4

Conditions of Approval:

1. ~~PRIORITIES ARE 11-1-1930 FOR 2 CFS & 4-1-1956 FOR 5.8 CFS.~~
~~AC-IRR-390.~~
 PART OF A63-04036.

Claim Received Date: 2/26/1993
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:

*add ESI - 2.11 cfs limit when
 combined
 parcel no in comments*

FIELD EXAM MEMO

DATE: 6/6/2006

TO: Dan Nelson

FR: Lori Graves

RE: A63-4036A, A63-4036B, 63-28751

Hi Dan,

Attached are Ken Henley's partial exams for A63-4036A & A63-4036B. Two priorities and one p/d were listed on the original statutory claim; 1930 date for 100 inches and 1956 date for 290 inches. The right was claimed in the SRBA as A & B because of the two priority dates. The claims still need the following:

1. Flow Measurements
2. Acres irrigated
3. Ditch system diagram
4. P/d clarification: which was the original p/d and when was the second p/d added to the system?
5. Are surface water shares also used?

Attached are copies of the original statutory and SRBA claims, Ken's exam, and 1987/2004 photos indicating the p/d locations Ken gps'd.

Claim 63-28751 is for the same acres and claimant, but for a different source and p/d. Ken did not conduct a partial exam on this right so the p/d has not been verified. This claim needs the same info as above.

Attached is a copy of the original SRBA claim and the 1987 and 2004 photos created for the above claims.

The files for all three claims are located in drawer 2 of my filing cabinet. Thx Dan.

Contact is Ed Johnson, cell # 250-1526

E.G. JOHNSON, D.V.M.

Johnson Research, LLC.

24007 Highway 20-26*Parma, ID 83660*(208) 722-5829*FAX (208) 722-5119

E-mail: egjohnson@frontiernet.net

June 20, 2006

Ms. Lori Graves
Sr. Water Resource Agent
Department of Water Resources
2735 Airport Way
Boise, ID. 83705-5082

RECEIVED

JUL 03 2006

**WATER RESOURCES
WESTERN REGION**

Dr. Ms Graves:

This letter is in response to your letter dated June 14, 2006 concerning:

- Claim Numbers A63-4537 (Kiesel Drain) that is supported by a 1931 priority date. This date is acceptable to us rather than the original 1928 priority date.
- Thank you for informing us that Claims A63-4534A, A63-4535, A63-4536 and A63-4537 listed in the name of SSI Land & Cattle are being changed under the name of Johnson Research, LLC.
- Please find attached the following documents regarding priority date of Claim A63-4036A for a right to cover 100 acres from Sand Hollow Creek. Affidavit from Anne Goodson who has lived in the area since 1937. Photo Map received from Terry Scanlin taken in 1939 of the subject property and comments from Terry Scanlin per his interpretation of the Photo.

We greatly appreciate all the help you have given us in getting the priority dates in compliance.

Sincerely,



E.G. Johnson D.V.M.

E.G. JOHNSON, D.V.M.

Johnson Research, LLC.

24007 Highway 20-26*Parma, ID 83660*(208) 722-5829*FAX (208) 722-5119

E-mail: egjohnson@frontiernet.net

June 19, 2006

IN THE MATTER OF
NOTICE OF CLAIM TO
A WATER RIGHT .

63-4036A

Owner: E.G. Johnson Farms
24007 Highway 2026
Parma, ID. 83660

State of Idaho
County of Canyon

Priority Date:

Anne Goodson, 89, lives at 23220 Ten Davis Road, Parma, Idaho about 1 mile north east of the subject property, Boone Ranch. She moved to this area with her husband, Austin in 1937 when they rented a farm owned by Carl Gotsch that was located about one half mile north of the subject property on Gotsch Road. They harvested their first crops from the farm in 1938.

I asked her what she remembers about the Boone Ranch and how it was operated when they moved onto the Gotsch farm. She told me the property was farmed by John Yraguen ("Big John"), and that he thrashed grain with Austin and other neighbors. In her words, Big John brought a team of horses during thrashing and would help Austin and other neighbors with the grain harvest and they would all go to the Boone Ranch to help with the harvest there. Anne called me back and said 1938 would have been the first year they worked with John Yraguen during harvest. She said "she remembers it well because she cooked for a large crew but Big John always went home and never stayed for supper".

All of the grain grown in the area was irrigated. Anne Goodson is my mother-in-law and I prepared this affidavit for her approval and signature.

Anne Goodson

Anne G. Goodson

E.G. Johnson

E.G. Johnson
20 Jun 06

June 20th 2006

RECEIVED

JUL 03 2006

WATER RESOURCES
WESTERN REGION

E.G. JOHNSON, D.V.M.

Johnson Research, LLC.

24007 Highway 20-26*Parma, ID 83660*(208) 722-5829*FAX (208) 722-5119

E-mail: egjohnson@frontiernet.net

June 19, 2006

Ms. Lori Graves
Sr. Water Resource Agent
Department of Water Resources
2735 Airport Way
Boise, ID. 83705-5082

RECEIVED

JUL 03 2006

WATER RESOURCES
WESTERN REGION

Dr. Ms Graves:

Please find the enclosed photo map from 1939 and the comments from Terry Scanlin regarding irrigation pertaining to Right Number 63-4036A. The detail of some of the fields are clear as they lay much the same today. It is also clear Sand Hollow Creek traversed the Ranch as it does today as it was the source of irrigation at the time. I cannot determine the exact point of diversion but the feeders ditches on the that supply the 80 acres just north of Sand Hollow and on the east side of the property are the same as they are today.

Sincerely,

E.G. Johnson D.V.M.

Ed G Johnson

From: "Jeff Johnson" <Jeff.Johnson@agribeeff.com>
To: <egjohnson@frontiernet.net>
Sent: Monday, June 19, 2006 5:54 PM
Attach: section_25_1939_imagery.pdf
Subject: FW: johnson 1939 imagery

RECEIVED

JUL 03 2006

WATER RESOURCES
WESTERN REGION

-----Original Message-----

From: Terry Scanlan [mailto:TScanlan@spfwater.com]
Sent: Friday, October 21, 2005 1:19 PM
To: Jeff Johnson
Subject: FW: johnson 1939 imagery

Jeff –

Attached is a 1939 photo. I'm not familiar with your property, so I'm not sure what I am looking at. However, it looks like most of the ground is irrigated (or at least subirrigated). The light areas look like non-irrigated gravel bars.

Terry

-----Original Message-----

From: Mike Martin
Sent: Friday, October 21, 2005 12:53 PM
To: Terry Scanlan
Subject: FW: johnson 1939 imagery

Terry,

Here it is...Forgot to attach it.

Mike

-----Original Message-----

From: Mike Martin
Sent: Friday, October 21, 2005 12:52 PM
To: Terry Scanlan
Subject: johnson 1939 imagery

Terry,

I have attached a pdf of section 25 with the 1939 imagery in the background.

Mike

Michael Martin, E.I.T.
SPF Water Engineering, LLC
600 E. River Park Lane, Suite 105
Boise, ID 83706
208.383.4140

6/20/2006





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 14, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JOHNSON RESEARCH LLC
C/O E G JOHNSON
24007 HWY 20-26
PARMA 83660

RE: EVIDENCE OF PRIORITY

see pg 2

Snake River Basin Claim Nos: A63-4036A, A63-4534A, A63-4535, A63-4536, A63-4537

Dear Mr. Johnson,

In the past, the above referenced claims were submitted during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed are computer generated print-outs and maps of the claims for your reference only, it is not necessary to return this print-out. These claims are based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-outs. Your claims have not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claims be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority dates, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under these rights if water availability problems arise in the future.

Please note that I did find an affidavit in the file for claim A63-4537 (Kiesel Drain) supporting a 1931 priority date. The claim lists a 1928 priority date. Let me know if 1931 is satisfactory or submit supporting documentation for 1928.

Claims A63-4534A, A63-4535, A63-4536 and A63-4537 are listed in the name of SSI Land & Cattle Co. The department has yet to process your change in ownership notice, but will do so in the near future to allow the claims to be recommended in your name.

Page 2

Claim A63-4036A is the right we discussed on the telephone that lists 100 acres irrigated from Sand Hollow Creek and a 1930 priority date. I have previously sent you information regarding this right and still need supporting documentation for the priority date.

You will be receiving a call from Dan Nelson to set-up an appointment for a field exam regarding verification of your water rights in the near future.

The above requested information needs to be submitted by July 5, 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Sr. Water Resource Agent

Enclosures: "Evidence of Priority" Pamphlet/Affidavit
Notices of Claim A63-4036A, A63-4534A, A63-4535, A63-4536, A63-4537
Aerial Photos for all except A63-4036A

CONVERSATION MEMO

Date: 6/13/2006

Agent: Lori Graves

With: Ed Johnson

Subject: Evidence of Priority

Claim No.(s): 63-4036A

I called Ed and told him that the department did not have a 1911 map he referenced in his letter dated 4/27/2006. Ed stated in the letter that the evidence on the 1911 map would be sufficient to validate the 1930 priority date listed on claim A63-4036A.

Ed said that Terry Scanlin was able to find a map dated around 1940 that indicated irrigation of the 100 acres listed on the claim. I told Ed to submit the map with an attached affidavit/explanation for review.

Identification No. _____

Claim No. 63-1036 P

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant E. G. Johnson Farms Inc.
post office address Box 186, Parma, Idaho

2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 30 Township 5 North
Range 4 W. B.M. located on Sand Hollow Creek
(name of source)

tributary to Natural Drain in Canyon County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

<u>11/1/30</u>	amount:	<u>100 Miner. Inches</u>	c.f.s. or	acre feet
<u>4/1/56</u>	amount:	<u>290 Miner. Inches</u>	c.f.s. or	acre feet
	amount:		c.f.s. or	acre feet
		Total claimed	<u>390 Miner. Inches</u>	c.f.s. or acre feet

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigating Crops period of use from Apr. 1 to Nov 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of Metal
Sheet Piling; length is 30 feet; height is 3½ feet;
width at bottom is 10½ feet; width at top is 10½ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known Overall length of dam is 30 feet with a 10½ foot center opening. Headgate which leads into lateral is made of wood. Length 14ft., width 5ft, depth 4ft.

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

_____, if so, give dates and explain _____

- feet is 1 1/2 feet; material through which ditch passes is Heavy dirt, Gravel and Sandy loam

- total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;

location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated, 390

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

Each year we have been trying to re-level some of the rougher

pastures and seeding them with a good pasture mix.

- b. Do you get water through a ditch owned by several users? Yes If yes, give the name of the ditch
Unnamed. The other users and their respective
interests in the ditch are (if known) _____
6. Where water is used for stock watering, give number of each kind of stock watered _____
At present time 305 hd. cows and calves.
7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____
8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities We expect to develop additional land under this ditch. Will
be in neighborhood of 70 acres at present time increasing later.
9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

5/12/69
(Date)
State of Idaho
County of Canyon ss.

E. G. Johnson Farms Inc.
(Signature of Claimant)
By: E. G. Johnson President

On this 14 day of May 1969, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Shila D. Daedgen
Notary Public residing at Parma, Idaho

My commission expires 7-9-71

For Department Use Only

Received by <u>ef</u> Date <u>5-15-69</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Decker</u> Date <u>5-15-69</u>	_____	_____	_____
Fee received by <u>ef</u> Date <u>5-19-69</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>ef</u> Date <u>6-24-69</u>	_____	_____	_____
Published in <u>Parma Review</u> Dates <u>7-10+17-69</u> <u>and 5-29+6-5, 1969</u>	_____	_____	_____

System User- IDWRR

Date 04/10/2006 Time 7:51

REAL PROPERTY INQUIRY

```
+++++
01 6R39047-000- -0 138-00 G SCH137+ 02 87,200 285.40
+++++
05 5,300 162.20
+++++
JOHNSON, E G FARMS INC + 10 20,200 1.00
+ 13 6,000 3.00
+ 18 8,800 .50
+ 19 68.90
+ 31 191,400
+ 32 406,800
24007 HWY 20-26
PARMA ID 83660
+++++
+ TOTAL 725,700 521.00
25-5N-5W NE ++++++
NE1/4 LESS HWY & RR LESS N&E OF + SURVEY INST
HWY R/W & LS TX1,, LTS 1-6 INC,, + DRAIN 4 DR VALUE 4.28 APPR MKB
NENW,, NWSE + CLASS +3 REAP 99 MAN 98 UNIT 1
24005 HWY 20-26, PA + PARCEL 6R05N05W250100 H/O N C/B N
+ PRIOR ACCOUNT 5R39047-000- -0
+ 02 MH on Property YES
```

TRQK318

MODE:F ACTION:

TRAITS INQUIRY

```
ACCOUNT NUMBER R39047000 0 UNIT 001 TOTAL UNITS 1
SITE 24005 HWY 20-26 PA SEC/TWN/RNG 25-5N-5W
ASSESSED VALUE 725,700 ACREAGE 521.00
SUB/PARK NAME YEAR/MAKE
CLASS +3 OWNER / OCCUPIED HOUSE CLASS '+3' SPACE LOT BLOCK
+++++
YR BUILT 9999 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING CARPORT SQ FT
FIRST SQ FT 100 EXTERIOR DECK/PATIO? N
SECOND SQ FT ROOF POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
```

TRQK361

MODE:F ACTION:

COMPANION SHEET INQUIRY

```
01 ACCOUNT: 6R39047-000- -0 AREA 138-00 DRAIN 4 VALUE 4.28 CLASS +3 H/O N
SEC 25 TWN 5N RNG 5W QTR NE CITY/SUB 0 BLK LOT 0100
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
JOHNSON, E G FARMS INC
```

MAILING ADDRESS

24007 HWY 20-26
PARMA ID 83660
SITE ADDRESS
24005 HWY 20-26 PA
COMMENTS

LEGALS

25-5N-5W NE
NE1/4 LESS HWY & RR LESS N&E OF
HWY R/W & LS TX1,, LTS 1-6 INC,,
NENW,, NWSE

REMARKS

PRIOR ACCOUNT 5R39047000 0
PARCEL 05N05W250100 SRVY
INSTR ACRES 521.00
SPLIT YR DOCUMENT

```

+++++
+
+ MANUFACTURED HOUSING INQUIRY +
+
+ 01 6T75699-000- -0 138-00 FIRE- FLOOD-G APPR DYW CLASS R3 REAP 98 DECL N +
+
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ JOHNSON, E G FARMS INC + R39047-000- -0 SECTION 25-5N-5W NE +
+
+ SPACE LOT BLOCK +
+ BROOKFIELD (26 X 36) ( 4 X 13) +
+ IDFLT04A20371BF13 +
+ BROFD-97-26-D30 TITLE A 98925033 +
+ 24007 HWY-20-26 +
+ PARMA ID 83660 +
+
+ VALUES +
+ SITE 24005 HWY 20-26 PA +
+ 46 33,400 +
+ 47 900 +
+ STATUS- COMB N TRAN N DEL N PPD N +
+ PRIOR ACCOUNT 5T75699-000- -0 +
+ PARCEL 6T5N5W25R75699 +
+ H/O N C/B N SCH 137 +
+ 02 TRAITS INQUIRY + TOTAL 34,300 +

```

REAL PROPERTY INQUIRY

+++++
01 6R39051-000- -0 142-00 G SCH137+ 01 20,400 25.80
+++++ 05 400 11.40
JOHNSON, E G + 19 2.00
& JOHNSON, NANCY H/W +
+
% F G JOHNSON FARMS INC & +
24007 HWY 20-26 +
PARMA ID 83660 +
+++++

25-5N-5W SW + TOTAL 20,800 39.20
LOT 9 LESS E175' OF W200' OF S200' +
+ SURVEY INST 9800589
+ DRAIN DR VALUE APPR CTR
+ CLASS REAP 99 MAN UNIT 0
+ PARCEL 6R05N05W256000 H/O N C/B N
+ PRIOR ACCOUNT 5R39051-000- -0
+ 02 MH on Property NO

MODE:F ACTION:

COMPANION SHEET INQUIRY

TRQK361

01 ACCOUNT: 6R39051-000- -0 AREA 142-00 DRAIN VALUE CLASS H/O N
SEC 25 TWN 5N RNG 5W QTR SW CITY/SUB 0 BLK LOT 6000
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
JOHNSON, E G MC CURRY, JOHN R
& JOHNSON, NANCY H/W % JOHNSON, E G & NANCY H/W

MAILING ADDRESS
% F G JOHNSON FARMS INC &
24007 HWY 20-26
PARMA ID 83660
SITE ADDRESS

DEB LN PA

COMMENTS

LEGALS

25-5N-5W SW
LOT 9 LESS E175' OF W200' OF S200'

REMARKS

9800589

PRIOR ACCOUNT 5R39051000 0
PARCEL 05N05W256000 SRVY
INSTR 9800589 ACRES 39.20
SPLIT YR DOCUMENT WD

Receipt Details for ID W009039

Status	Adjustment Type	Version
	Adjusted Receipt	3

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/26/1993 8:39:43 AM	2/26/1993	Western	\$615.00	Check
Payer	E. G. JOHNSON FARMS			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6774			
Card Expiration Date	Credit Card Transaction #		

Comment APP FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$590.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490
\$25.00	APP FOR PERMIT	56103	229	21	0	1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4036	A	\$150.00	Claim
63	4036	B	\$340.00	Claim
63	28384		\$25.00	Claim
63	28386		\$25.00	Claim
63	28387		\$25.00	Claim
63	4036	A	\$150.00	Claim
63	4036	B	\$340.00	Claim
63	28384		\$25.00	Claim

63	28386		\$25.00	Claim
63	28387		\$25.00	Claim
63	4036	A	\$150.00	Claim
63	4036	B	\$340.00	Claim
63	28384		\$25.00	Claim
63	28386		\$25.00	Claim
63	28387		\$25.00	Claim
63	28751		\$25.00	Claim

[Print Report](#)

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-4036A

E G JOHNSON FARMS INC
C/O E G JOHNSON
24007 HWY 20-26
PARMA ID 83660
Telephone Number: (208)722-5829

RECEIVED

NOV 01 2006

WATER RESOURCE
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10/21/06

SIGNATURE:

[Signature]

Please print your name:

Jeff Johnson, VICE PRESIDENT.

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

63-4036A

HouSP
Divers'ion →

Well or Divers'ion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
SAND Hollow Creek Divers'ion	NO Pump				

2.) Lift (distance from pump to water) N/A

3.) How was lift determined (well log, measurement, owner)? N/A

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) N/A

5.) Was a measurement made? Yes If no can a measurement be made at a latter time? _____

6.) What type of measurement device was used? Pygmy meter's Aqua Calc.

7.) Is there a pump curve available for pump? N/A

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

Flood Irrigation: Q. TILES

9.) Please outline all acres irrigated on attached aerial photo. ☒ DONE

10.) Please clearly mark all points of diversion on map and GPS. ☒ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.
☒ DONE

12.) Pictures taken of place of use and point of diversion. ☒ DONE

13.) Please show where and how water from other sources are diverted into the irrigation system.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

See ATTACHED memo

Please Note:

Waste Water Diversion
was Found with
NO Accompanying
Water Right.

63-32394

DATE EXAM CONDUCTED 7-21-06

FIELD EXAMINER Daniel A. Nelson

MEMORANDUM

TO: ADJUDICATION FILES 63-4036A

FROM: DANIEL A. NELSON

DATE: 8/3/06

SUBJECT: FIELD EXAMINATION

On 7/20/2006 and 7/21/2006, I field examined adjudication claim 63-4036A. This examination was made on the E. G. Johnson farm referred to by the owner as the Homeplace. During my field examination I found that this claim irrigates the lands north of Sandhollow Creek. Water rights 63-4036B and 63-28751 irrigate the lands south of Sandhollow creek through a separate, unconnected system.

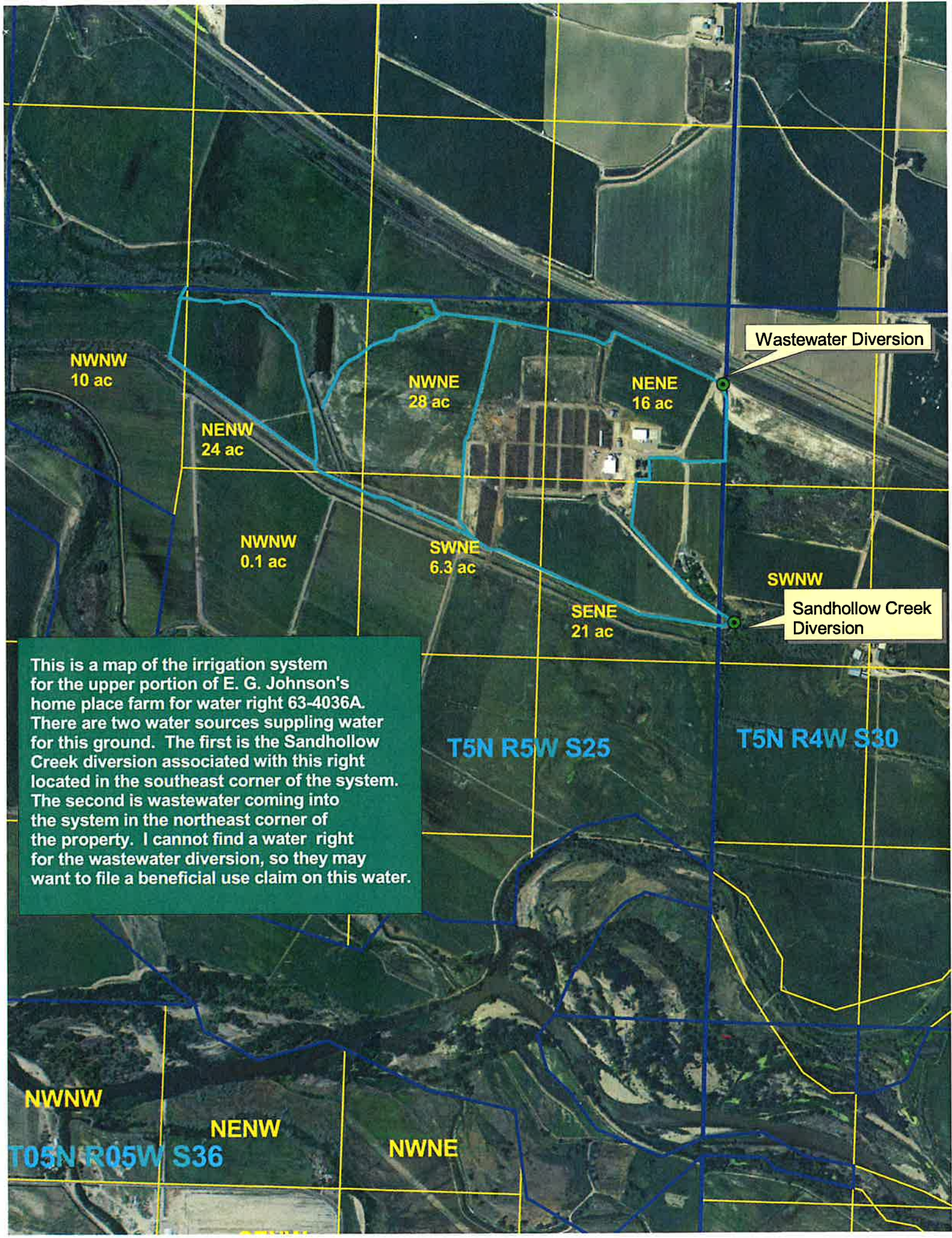
The water on this farm are run through a series of ditches through the fields that flood irrigate pastures. No row crops were found on the property. The land in this area is very flat, so the owner has made the ditches wide and fairly deep so they can run the water in any direction by putting a dam in the ditch and backing the water up to the point where they want to use it.

The Sandhollow Creek diversion was measured at 6.44 cfs. I found 105.4 acres irrigated under this system, so there is over three times as much water being diverted above the standard inch or 0.02 cfs per acre. Therefore this right should be limited to 2.11 cfs and 474.3 afa.

I did find more acres than were claimed under this right. However, when the original statutory claim 63-4036 was split into 63-4036A and 63-4036B to denote the two systems, I believe an error occurred when trying to separate the acres. There are less acres irrigated under the 63-4036B than were listed on the claim, so the applicant should come in and amend these two rights to ensure that all of the lands are covered by a water right. We may also be able to do this through the recommendation as clarification of the split.

PLEASE NOTE: The owner also showed me a wastewater diversion that was irrigating these same lands. I did not find any water rights for this wastewater diversion, so the owner will need to file an adjudication claim for this diversion. I did take pictures and measured the wastewater diversion, so another field exam should not be needed. I found that 1.86 cfs of wastewater was being diverted. This water covers the same lands, so a new wastewater claim could be recommended for 1.86 cfs and 474.3 afa for 105.4 acres, and when new wastewater claim and 63-4036A are combined the total diversion rate should be limited to 2.11 cfs, 474.3 afa for 105.4 acres.

-63-32394



Wastewater Diversion

Sandhollow Creek Diversion

This is a map of the irrigation system for the upper portion of E. G. Johnson's home place farm for water right 63-4036A. There are two water sources supplying water for this ground. The first is the Sandhollow Creek diversion associated with this right located in the southeast corner of the system. The second is wastewater coming into the system in the northeast corner of the property. I cannot find a water right for the wastewater diversion, so they may want to file a beneficial use claim on this water.

NWNW
10 ac

NENW
24 ac

NWNW
0.1 ac

NWNE
28 ac

SWNE
6.3 ac

NENE
16 ac

SENE
21 ac

SWNW

T5N R5W S25

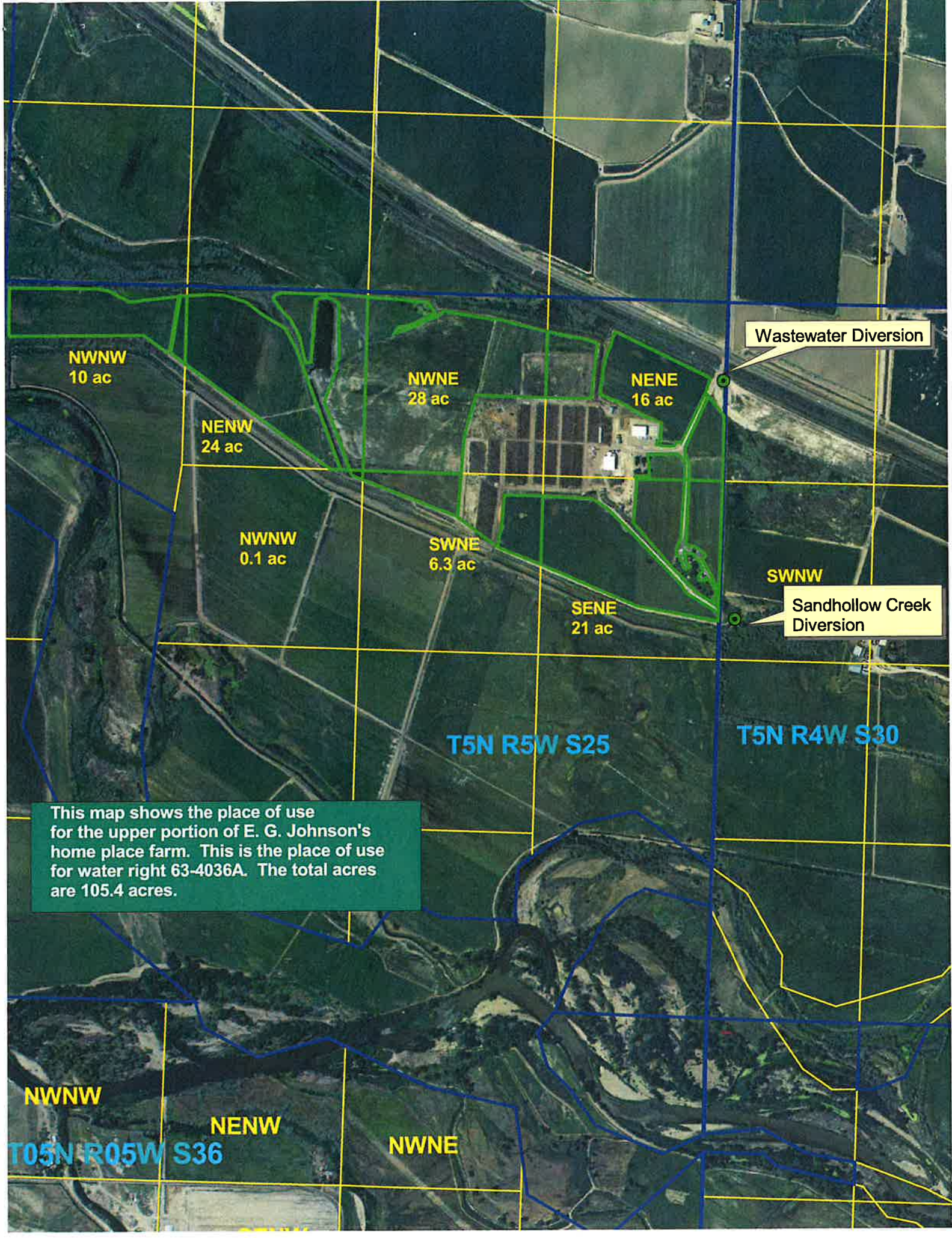
T5N R4W S30

NWNW

NENW

NWNE

T05N R05W S36



Wastewater Diversion

Sandhollow Creek Diversion

This map shows the place of use for the upper portion of E. G. Johnson's home place farm. This is the place of use for water right 63-4036A. The total acres are 105.4 acres.

NWNW
T05N R05W S36
NENW
NWNE

GAGE ID#, 0
 DATE, 7/20/06
 TRANSECT, 4
 USER ID#, 0
 STAFF HEIGHT, 0.00
 GAGE HEIGHT, 0.00
 METER ID#, 0
 AQUACALC ID#, 0
 METER TYPE, Pygmy ST1
 METER CONST. C1, 0.9770
 METER CONST. C2, 0.0280
 METER CONST. C3, 0.9770
 METER CONST. C4, 0.0280
 METER CONST. C5, 1.0000
 MEAS. SYSTEM, S.A.E. (English)
 TOTAL STATIONS, 8
 TOTAL WIDTH, 3.10
 TOTAL AREA, 5.29
 TOTAL DISCHARGE, 6.4392
 MEAN VELOCITY, 1.21

E. G. JOHNSON
SANDHOLLOW CREEK DIVERSION
UPPER HOME PLACE
DIVERSION BEHIND HOUSE/OFFICE
WATER RIGHT - 63-4036A

ST. Q)	DIST	DEPTH	REVS	TIME	COS:VF	LOC	CLOCK	VEL	AREA	FLOW(
1, 00,	2.2,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00
2, 42,	2.5,	1.40,	38,	40.1,	1.00,	.6,	14:18,	0.954,	0.560,	0.53
3, 20,	3.0,	1.60,	61,	40.4,	1.00,	.6,	14:35,	1.503,	0.800,	1.20
4, 40,	3.5,	1.80,	49,	40.7,	1.00,	.6,	14:37,	1.204,	0.900,	1.08
5, 00,	4.0,	2.00,	42,	41.8,	1.00,	.6,	14:39,	1.010,	1.000,	1.01
6, 90,	4.5,	2.30,	39,	40.7,	1.00,	.6,	14:41,	0.964,	1.150,	1.10
7, 00,	5.0,	2.20,	69,	40.2,	1.00,	.6,	14:42,	1.705,	0.880,	1.50
8, 00,	5.3,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00

AgauCalc'5000'(tm) by JBS Instruments
Firmware Version AQCUG7b (c)1993,'94,'95,'96,'97, 1999

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GAGE ID#, 0
DATE, 7/19/06
TRANSECT, 2
USER ID#, 0
STAFF HEIGHT, 0.00
GAGE HEIGHT, 0.00
METER ID#, 0
AQUACALC ID#, 0
METER TYPE, Pygmy ST1
METER CONST. C1, 0.9770
METER CONST. C2, 0.0280
METER CONST. C3, 0.9770
METER CONST. C4, 0.0280
METER CONST. C5, 1.0000
MEAS. SYSTEM, S.A.E. (English)
TOTAL STATIONS, 8
TOTAL WIDTH, 3.50
TOTAL AREA, 2.40
TOTAL DISCHARGE, 1.8593
MEAN VELOCITY, 0.77
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**E. G. JOHNSON
UPPER HOME PLACE
WATER RIGHT UNKNOWN
WASTEWATER DITCH DIVERSION**

ST. Q)	,DIST	,DEPTH	,REVS	,TIME	,COS:VF	,LOC	,CLOCK	,VEL	,AREA	,FLOW(
1, 00,	2.0,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00
2, 46,	2.5,	0.40,	7,	47.0,	1.00,	.6,	15:23,	0.173,	0.200,	0.03
3, 88,	3.0,	0.80,	11,	40.0,	1.00,	.6,	15:24,	0.297,	0.400,	0.11
4, 79,	3.5,	1.30,	39,	40.6,	1.00,	.6,	15:26,	0.966,	0.650,	0.62
5, 72,	4.0,	1.30,	47,	40.4,	1.00,	.6,	15:27,	1.165,	0.650,	0.75
6, 74,	4.5,	0.60,	34,	40.0,	1.00,	.6,	15:29,	0.858,	0.300,	0.25
7, 34,	5.0,	0.40,	12,	40.5,	1.00,	.6,	15:31,	0.317,	0.200,	0.06
8, 00,	5.5,	0.00,	0,	0.0,	1.00,	.6,	0:00,	0.000,	0.000,	0.00

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 7/19/2006

FILE NUMBER 63-4036A



The upper photo shows the Sandhollow Creek diversion for the upper acres of the Homeplace farm for E. G. Johnson.

The middle photo shows the diversion of the wastewater ditch that is also used on the upper acres of the Homeplace farm for E. G. Johnson

The photo below shows the entire Homeplace farm for E. G. Johnson



SEE CLAIM 63-4036B FOR FIELD NOTES