

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: A63-28751
Date Received: 2/15/1990
Receipt No: W009039
Received By: DE JON

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E G JOHNSON FARMS INC 208-722-5829
Address: 24007 HWY 20-26
PARMA ID 83660

2. Date of Priority: ~~JUN 30, 1956~~ ^{MARCH 1, 1938} ^{AUG 21, 2006}

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

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

5. Description of diverting works:
CULVERT IN DRAIN, GRAVITY DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	5.800		

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

8. Total consumptive use is 1015.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	25	SW	NE		IRR	35.0
			SE	NE		IRR	28.0
			NW	NW		IRR	7.0
			SW	NW		IRR	36.0
			SE	NW		IRR	12.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	25	NE	SW		IRR	30.0
			NW	SW		IRR	5.0
			SW	SW		IRR	5.0
			SE	SW		IRR	35.0
			NE	SE		IRR	39.0
			NW	SE		IRR	38.0
			SW	SE		IRR	20.0
						Section Acres	290.0
						Total Acres	290.0

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:
63-4036

14. Remarks:

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 _____

no charge on
drainage Drain ✓IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A63-28751

Date Received

2-15-90

Receipt Number

W009039

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) E. G Johnson Farms Inc Phone (208) 722-5829Mailing Address 24007 Highway 2026 Parma Zip 836052. Date of Priority (Only one (1) per claim) 6/31/1956 Jda3. Source of water supply (a) unnamed drain
which is tributary to (b) Baize River4. a. Location of existing point of diversion is: Township 514 Range 4W Section 30,
N4E 1/4 of 3E 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

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. culvert in drain thatis check up with boards - gravity ditch to
place of use

MICROFILMED

AUG 02 1994

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 5.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1015 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

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	
5N	5W	28			35	28		7	36	12	30	5	5	35	39	38	20		290

Total number of acres irrigated 290

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.
63-4036 or None ()

14. Remarks:

Last Name Johnson Ident No. _____

Copies: White-State, Yellow-Claimant

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Scale: 2 inches equals 1 mile

[illegible]

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Copies: White-State, Yellow-Claimant
AUG 02 1994

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

7.25107

Ident. No.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent [Signature]
Title and Organization President, 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 1990

SEAL

Notary Public John R. Noyes
15470 Homedale Rd
Residing at 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 _____

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Copies White-State, Yellow-Claimant
AUG 02 1994

RECEIVED
JAN 11 1994
CIVIL RIGHTS DIVISION

Last Name _____ Ident. Number _____

Date _____

Address _____

Signature _____

17. Notice of Appearance:
Notice is hereby given that I, _____
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.

Please Print Name

My Commission Expires _____

Residing at _____
Notary Public _____
Subscribed and sworn (or affirmed) before me this _____ day of _____ 1970

County of _____
State of Idaho or _____

Title and Organization _____
Signature of Authorized Agent _____
and that the statements contained in the foregoing document are true and correct.

document in the space below as _____
Title _____
Organization _____
of _____ that I have signed the foregoing

For Organizations: I do solemnly swear or affirm that I am _____
Date _____
Signature of Claimant (s) _____
Date _____

and correct.
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
Number of attachments _____
Signature (s) _____
18. (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 _____

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

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: W009039

Date: 02/15/90
Time: 14:41:59

Received

From: E. G. JOHNSON FARMS

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIM FEE	0410162 9337 6490	\$615.00
Total		\$615.00

CHECK 6774

WR/NO: A63-04036

Idaho Department of Water Resources

Region: WESTERN

Signature: Lori Harris

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AUG 02 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

Johnson

CLAIM IDENT. NO.

A63-

DATE RECEIVED

2-15-90

RECEIPT #

W009039

AMOUNT \$

50.00

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 ☐ Required Info? *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
(b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
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 ☐ Required Info? *
Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
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 ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
(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.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? ☒ YES ☐ NO ☐ Required Info? *
(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? ☒ YES ☐ NO ☐ Required Info? *
(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? ☒ YES ☐ NO ☐ Required Info? *
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
21. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
22. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *

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23. Should this claim be data entered?

YES

NO

Claim reviewed by:

RME

Date

11-24-92

Claim data entered by:

JZL

Date

4-30-93

Claim is being returned to claimant:

____(Yes) ☒ (No)

Claimant is being notified of modifications:

____(Yes) ☒ (No)

Comments:

12/10/2006

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

RIGHT NUMBER: 63-28751

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

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 5.190 CFS

Right Nos. 63-4036B and 63-28751 are limited to a total combined diversion rate of 5.19 cfs.

PRIORITY DATE: 03/01/1938

POINT OF
DIVERSION: T05N R04W S30 NESEW 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	5.190 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S25	SWNE	23.00	T05N R05W S25	SENE	8.10
T05N R05W S25	NENW	4.70	T05N R05W S25 Lot 6	NWNW	14.00
T05N R05W S25 Lot 5	SWNW	12.00	T05N R05W S25 Lot 5	SENW	35.00
T05N R05W S25 Lot 4	NESW	30.00	T05N R05W S25 Lot 4	NWSW	2.00
T05N R05W S25 Lot 3	SWSW	2.00	T05N R05W S25 Lot 3	SESW	29.00
T05N R05W S25 Lot 1	NESE	39.00	T05N R05W S25	NWSE	38.00
T05N R05W S25 Lot 2	SWSE	22.00	T05N R05W S25 Lot 1	SESE	0.60
T05N R05W S36	NWNE	0.30			

259.7 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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: 63-28751

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 RESOURCES
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: 

Please print your name: Jeff Johnson, Vice President.

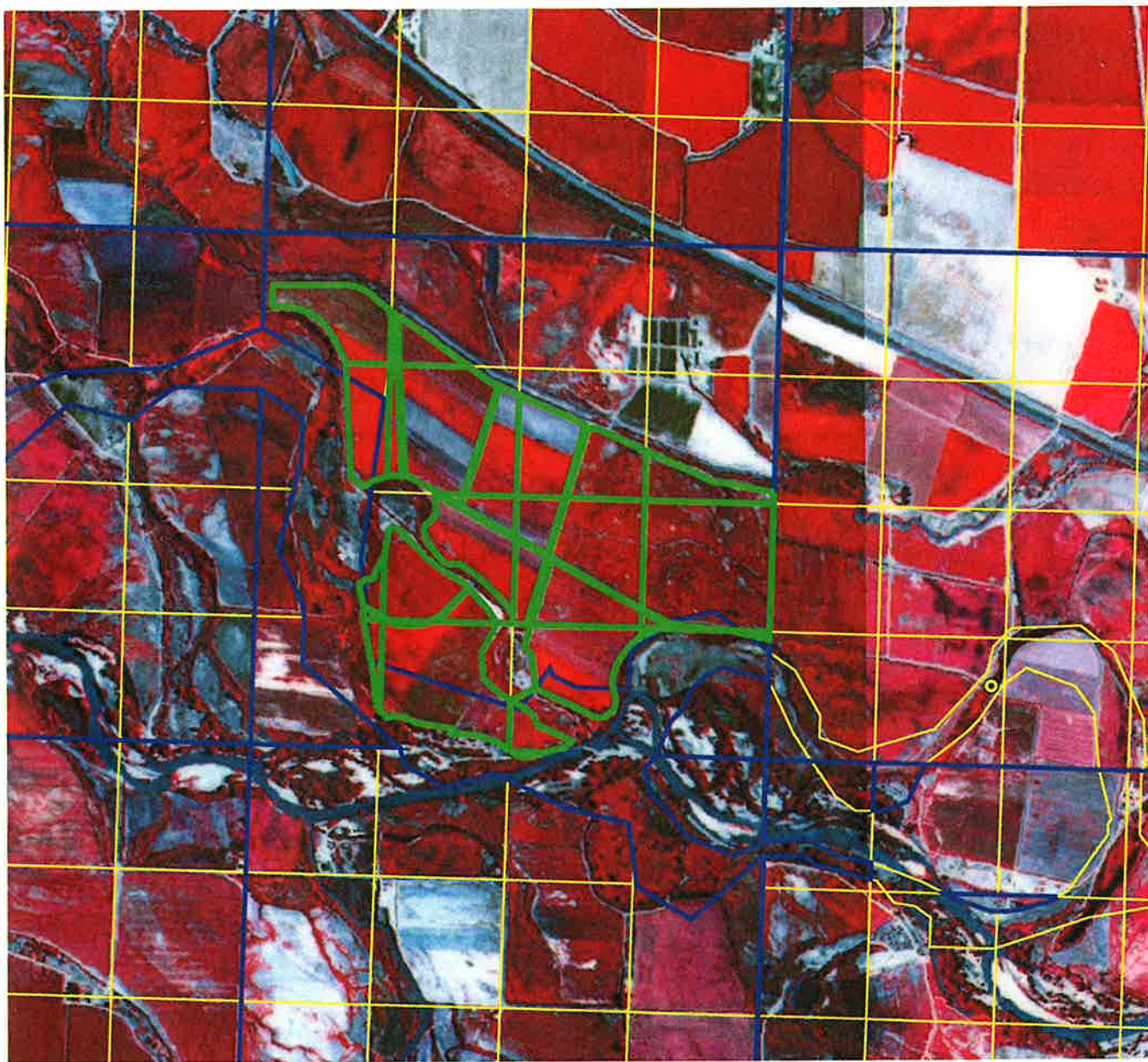
IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



Idaho Department of Water Resources

63-28751

05N 05W Sections 25



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 259.7

900 0 900 Feet



IDWR
Prepared by: Lori Graves
Date: 08-16-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28751 V1

WATER RIGHT NUMBER: 63-28751 V1

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: 03/01/1938

Basis: Beneficial Use

Status: Active

Source Tributary
 UNNAMED DRAIN BOISE 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	5.190 CFS	
	<u>Total Diversion:</u>	5.190 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN NE1/4SE1/4SW1/4 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			23.0	8.1	4.7	14.0	12.0	35.0	30.0	2.0	2.0	29.0	39.0	38.0	22.0	.6	259.4
								L 6	L 5	L 5	L 4	L 4	L 3	L 3	L 1		L 2	L 1	
05N	05W	36		.3															.3

Total Acres: 259.7

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. 63-4036B and 63-28751 are limited to a total combined diversion rate of 5.19 cfs.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-28751 V1

Comments:

1. Igraves 8/16/2006 P/U

Comment: Property is aka the Lower Home Place south of Sand Hollow Creek.

2. Igraves 8/21/2006 Priority Date

Comment: EG Johnson submitted an affidavit to support a 1956 priority date. Jeff Johnson then amended the claim to a 1938 priority date based on Anne Goodsons affidavit submitted for right 63-4036A. Jeff stated that the p/u listed on this right was also part of the Boone Ranch referenced in Annes affidavit. A 1939 aerial photo submitted with Annes affidavit provided further irrigation support of the subject area.

3. Igraves 8/16/2006 Overlaps

Comment: Water right 63-4036B from Sand Hollow Creek is also used on the same acres. Both rights are limited to 5.19 cfs when combined.

4. Igraves 8/16/2006 Section 36

Comment: .3 acre is located in the NWNE S36 north of the river. The land could be considered part of gov lot 2, SWSE S25, but is located below the section line for S25. Gov lot 2 was not listed for the .3 acre because gov lot 2 for S36 is located south of the river.

5. Igraves 8/16/2006 Parcel No.

Comment: Irrigated acres are within Parcel No. R3904700000.

6. Igraves 8/16/2006 P/D

Comment: The property is irrigated with water from Sand Hollow Creek and an unnamed drain which are combined into a main delivery ditch. Diversion from the drain could not be directly measured during the field exam because the ditch was wide, flat and resembled a marsh. Instead, the examiner measured the main delivery ditch below the point where Sand Hollow Creek water for right 63-4036B and water from the unnamed drain are discharged. Because the examiner knew the amount of Sand Hollow Creek water that was flowing into the main delivery ditch, the difference between that amount and the total amount measured is the amount contributed by the unnamed drain. $8.70 \text{ cfs (main delivery ditch flow)} - 2.42 \text{ cfs (Sand Hollow Creek diversion)} = 6.28 \text{ cfs (unnamed drain diversion)}$. See file for exam notes.

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28751

WATER RIGHT NUMBER: 63-28751

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: ~~00/30/1956~~ ✓

Basis: Beneficial Use ✓

Status: Active

Source Tributary
 UNNAMED DRAIN ✓ BOISE RIVER ✓

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 3/15 to 11/15 ~~5.800~~ CFS
 Total Diversion: ~~5.800~~ CFS

Location of Point(s) of Diversion

UNNAMED DRAIN ✓ NE1/4SE1/4SW1/4 ✓ 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			35.0	28.0	4.7	7.0	96.0	12.0	30.0	5.0	5.0	95.0	39.0	38.0	20.0	16	290.0
					23	8.1		14	12	35	30	2	2	29	11		22	16	
					36	.3		26	15	25	14	14	13	13			12	11	

Total Acres: 290

259.7

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:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

add ESI - combined rate limit

Parcel No in comments

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:

63-28251

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
unnamed DRAIN	N/A		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 and ADVANTAGE

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) _____

Ditches & Flood Irrigation

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

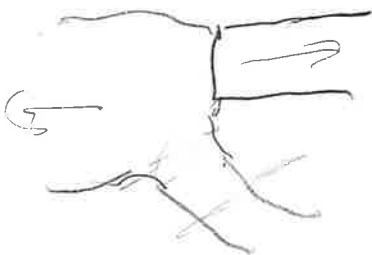
13.) Please show where and how water from other sources are diverted into the irrigation system.

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

 see memo

DATE EXAM CONDUCTED 7-21-06

FIELD EXAMINER Daniel A. Nelson



MEMORANDUM

TO: ADJUDICATION FILES 63-4036B & 63-28751

FROM: DANIEL A. NELSON

DATE: 8/3/06

SUBJECT: FIELD EXAMINATION

On 7/20/2006 and 7/21/2006, I field examined adjudication claim 63-4036B and 63-28751. 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 these claims irrigate the lands south of Sandhollow Creek. Water right 63-4036A and an unclaimed wastewater right irrigate the lands north of Sandhollow creek through a separate, unconnected system.

The water for the lands south of Sandhollow Creek is diverted from two sources. The first source is Sandhollow Creek. The water in Sandhollow Creek is diverted through a shared headgate in the SWNE of S30 into a common ditch that travels due south. Approximately ¼ mile from the headgate the water is split amongst the different users. The Johnson's portion is sent through a headgate into a ditch that continues to travel south another ¼ mile until it discharges into the main ditch. I measured the Sandhollow Creek diversion at the Johnson headgate so I would only measure their water.

The second source is an Unnamed Drain. The Unnamed drain is diverted in the SESW of S30 directly into the main ditch. At the Unnamed Drain point of diversion, it was impossible to get an accurate measurement, since they basically dammed up the drain creating a marshy area that was drained by a large culvert into the main ditch.

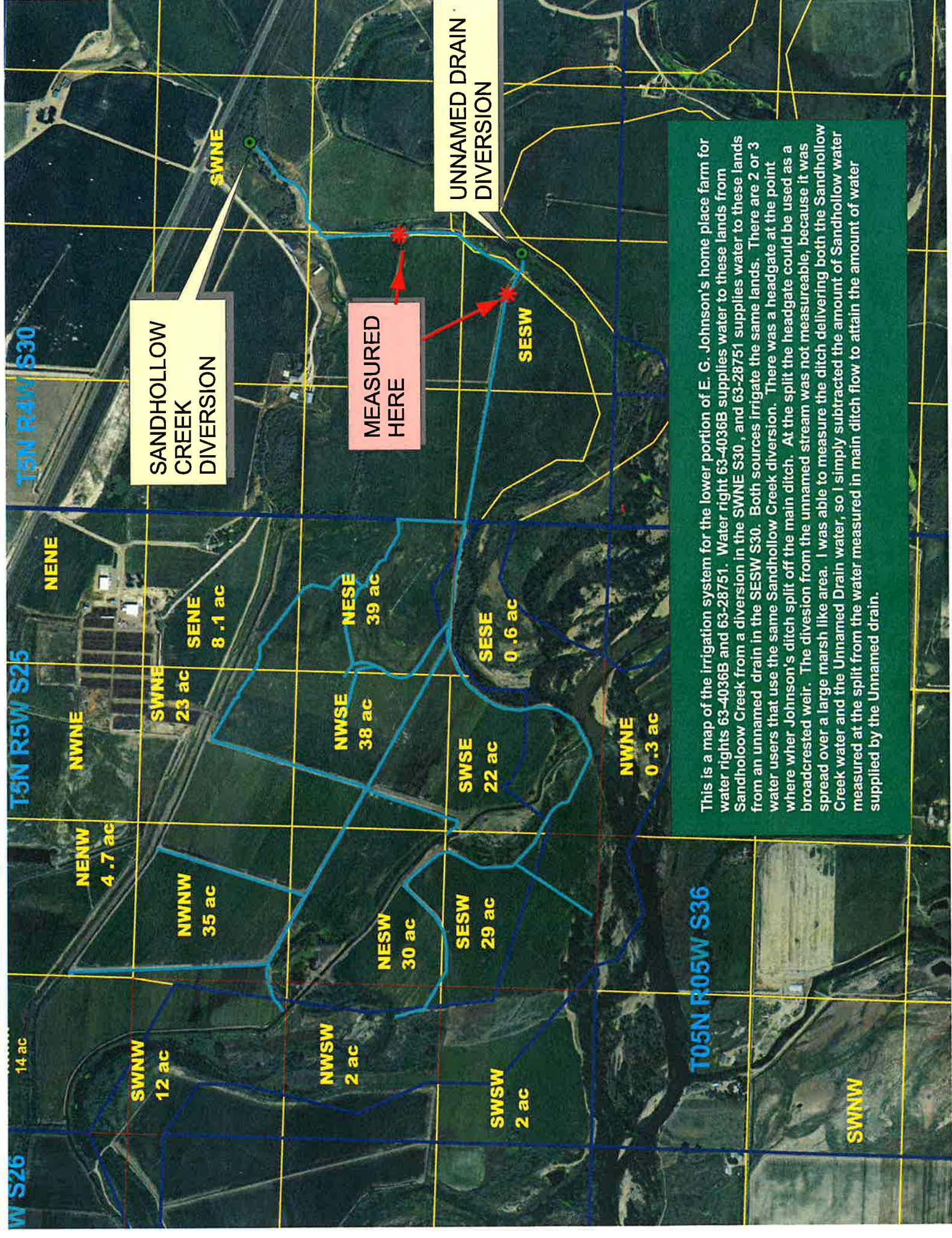
I was able to measure the main ditch, and used the Sandhollow Creek measurement to determine the amount of water diverted from the Unnamed Drain. Please see my flow calculation sheets for the diversion rate and volume calculations for both rights.

The main ditch then travels approximately ½ mile to the property boundary, where it is distributed through a series of ditches to flood irrigate several pastures. There are no row crops being grown on this property.

I found 259.7 acres actually being irrigated on this property. The claims both ask for 290 acres, but with the roads, ditches and waste areas in this system, there are only 259.7 acres actually being irrigated.

I recommend that 63-4036B should be recommended at 2.42 cfs, 1168.7 afa, for 259.7 acres. 63-28751 should be recommended at 5.19 cfs and 1168.7 afa for 259.7 acres.

Adjudication claims 63-4036B and 63-28751 should be limited to a combined diversion rate of 5.19 cfs and 1168.7 afa for 259.7 acres.



SANDHOLLOW
CREEK
DIVERSION

MEASURED
HERE

UNNAMED DRAIN
DIVERSION

This is a map of the irrigation system for the lower portion of E. G. Johnson's home place farm for water rights 63-4036B and 63-28751. Water right 63-4036B supplies water to these lands from Sandhollow Creek from a diversion in the SWNE S30, and 63-28751 supplies water to these lands from an unnamed drain in the SESE S30. Both sources irrigate the same lands. There are 2 or 3 water users that use the same Sandhollow Creek diversion. There was a headgate at the point where John Johnson's ditch split off the main ditch. At the split the headgate could be used as a broadcrested weir. The diversion from the unnamed stream was not measurable, because it was spread over a large marsh like area. I was able to measure the ditch delivering both the Sandhollow Creek water and the Unnamed Drain water, so I simply subtracted the amount of Sandhollow water measured at the split from the water measured in main ditch flow to attain the amount of water supplied by the Unnamed drain.

**UNNAMED DRAIN FLOW RATE DETERMINATION
FOR WATER RIGHT 63-28751
E. G. JOHNSON'S HOME PLACE FARM
LOWER FIELD IRRIGATION SYSTEM**

The water for this farm is diverted from Sandhollow Creek and an Unnamed Drain. The water from Sandhollow creek is diverted from the creek through a headgate that is used by 2 or 3 water users. The water flows due south for approximately ¼ mile where the water is split between the different water users. E. G. Johnson's portion of this water was measured at 2.42 cfs. It was not possible to measure the water coming from the Unnamed Drain, because the ditch was very wide and flat, and resembled a marsh. I was able to measure the main delivery ditch below the point where the E. G. Johnson's Sandhollow Creek ditch and the Unnamed Drain discharged into the main ditch. The flow rate found on the main ditch below both discharge points was 8.70 cfs. I found 259.7 acres irrigated, so the maximum rate per acre of 0.02 cfs must also be accounted for. Therefore, the calculation below shows how the flow rate for the Unnamed Drain was determined:

Main Ditch flow rate – Sandhollow Creek flow rate = Unnamed Drain flow rate.

8.70 cfs – 2.42 cfs = 6.28 cfs flowing from the Unnamed Drain.

SANDHOLLOW CREEK DIVERSION FOR CLAIM 63-4036B = 2.42 CFS

UNNAMED DRAIN DIVERSION FOR CLAIM 63-28751 = 6.28 CFS

TOTAL FLOW TO LOWER FIELDS ON HOME PLACE = 8.70 CFS

**MAXIMUM ALLOWABLE = 259.7 acres X 0.02 cfs = 5.19 cfs.
 259.7 acres X 4.5 afa = 1168.7 afa**

THEREFORE,

63-4036B SHOULD BE LIMITED TO 2.42 CFS AND 1168.7 AFA

63-28751 SHOULD BE LIMITED TO 5.19 CFS AND 1168.7 AFA

**ADJUDICATION CLAIMS 63-4036B AND 63-28751 SHOULD BE LIMITED TO
A COMBINED DIVERSION RATE OF 5.19 CFS AND 1168.7 AFA**

ESTIMATED FLOW RATES FOR BROADCRESTED DAM USING CALCULATION [(h) ^ 1.5] (DAM WIDTH) 3.33 (please note used 2.64 under 0.2 feet.)											
HEAD IN FEET	FLOW RATE IN CFS	FLOW RATE IN INCHES		HEAD IN FEET	FLOW RATE IN CFS	FLOW RATE IN INCHES		HEAD IN FEET	FLOW RATE IN CFS	FLOW RATE IN INCHES	
0.01	0.01	0.35		0.65	4.66	232.97		1.25	12.43	621.28	
0.02	0.02	1.00		0.66	4.77	238.36		1.26	12.58	628.75	
0.03	0.04	1.83		0.67	4.88	243.80		1.27	12.73	636.25	
0.04	0.06	2.82		0.68	4.99	249.28		1.28	12.88	643.78	
0.05	0.08	3.94		0.69	5.10	254.80		1.29	13.03	651.34	
0.10	0.22	11.15		0.70	5.21	260.36		1.30	13.18	658.93	
0.11	0.26	12.86		0.71	5.32	265.96		1.31	13.33	666.55	
0.12	0.29	14.65		0.72	5.43	271.60		1.32	13.48	674.20	
0.13	0.33	16.52		0.73	5.55	277.27		1.34	13.79	689.58	
0.14	0.37	18.46		0.74	5.66	282.99		1.35	13.95	697.31	
0.15	0.41	20.47		0.75	5.77	288.75		1.36	14.10	705.07	
0.16	0.45	22.56		0.76	5.89	294.54		1.37	14.26	712.86	
0.17	0.49	24.70		0.77	6.01	300.37		1.38	14.41	720.68	
0.18	0.54	26.91		0.78	6.12	306.24		1.39	14.57	728.53	
0.19	0.58	29.19		0.79	6.24	312.15		1.4	14.73	736.41	
0.20	0.80	39.76		0.80	6.36	318.10		1.41	14.89	744.31	
0.21	0.86	42.78		0.81	6.48	324.08		1.42	15.04	752.24	
0.22	0.92	45.87		0.82	6.60	330.10		1.43	15.20	760.20	
0.23	0.98	49.04		0.83	6.72	336.16		1.44	15.36	768.19	
0.24	1.05	52.27		0.84	6.85	342.25		1.45	15.52	776.21	
0.25	1.11	55.57		0.85	6.97	348.38		1.46	15.69	784.25	
0.26	1.18	58.94		0.86	7.09	354.55		1.47	15.85	792.32	
0.27	1.25	62.37		0.87	7.21	360.75		1.48	16.01	800.42	
0.28	1.32	65.87		0.88	7.34	366.99		1.49	16.17	808.55	
0.29	1.39	69.43		0.89	7.47	373.26		1.50	16.33	816.70	
0.30	1.46	73.05		0.90	7.59	379.57		1.51	16.50	824.88	
0.31	1.53	76.73		0.91	7.72	385.91		1.52	16.66	833.09	
0.32	1.61	80.47		0.92	7.85	392.29		1.53	16.83	841.32	
0.33	1.69	84.27		0.93	7.97	398.70		1.54	16.99	849.58	
0.34	1.76	88.13		0.94	8.10	405.15		1.55	17.16	857.87	
0.35	1.84	92.05		0.95	8.23	411.63		1.56	17.32	866.19	
0.36	1.92	96.02		0.96	8.36	418.15		1.57	17.49	874.53	
0.37	2.00	100.05		0.97	8.49	424.70		1.58	17.66	882.90	
0.38	2.08	104.14		0.98	8.63	431.29		1.59	17.83	891.29	
0.39	2.17	108.27		0.99	8.76	437.90		1.60	17.99	899.72	
0.40	2.25	112.46		1.00	8.89	444.56		1.61	18.16	908.16	
0.41	2.33	116.71		1.01	9.02	451.24		1.62	18.33	916.64	
0.42	2.42	121.00		1.02	9.16	457.96		1.63	18.50	925.14	
0.43	2.51	125.35		1.03	9.29	464.71		1.64	18.67	933.67	
0.44	2.59	129.75		1.04	9.43	471.49		1.65	18.84	942.22	
0.45	2.68	134.20		1.05	9.57	478.31		1.66	19.02	950.80	
0.46	2.77	138.70		1.06	9.70	485.16		1.67	19.19	959.40	
0.47	2.86	143.24		1.07	9.84	492.04		1.68	19.36	968.03	
0.48	2.96	147.84		1.08	9.98	498.95		1.69	19.53	976.69	
0.49	3.05	152.48		1.09	10.12	505.90		1.70	19.71	985.37	
0.50	3.14	157.17		1.10	10.26	512.88		1.71	19.88	994.08	
0.51	3.24	161.91		1.11	10.40	519.89		1.72	20.06	1002.81	
0.52	3.33	166.70		1.12	10.54	526.93		1.73	20.23	1011.57	
0.53	3.43	171.53		1.13	10.68	534.00		1.74	20.41	1020.35	
0.54	3.53	176.41		1.14	10.82	541.11		1.75	20.58	1029.16	
0.55	3.63	181.33		1.15	10.96	548.24		1.76	20.76	1037.99	
0.56	3.73	186.30		1.16	11.11	555.41		1.77	20.94	1046.85	
0.57	3.83	191.31		1.17	11.25	562.61		1.78	21.11	1055.74	
0.58	3.93	196.37		1.18	11.40	569.83		1.79	21.29	1064.65	
0.59	4.03	201.47		1.19	11.54	577.09		1.80	21.47	1073.58	
0.60	4.13	206.61		1.20	11.69	584.38		1.81	21.65	1082.54	
0.61	4.24	211.80		1.21	11.83	591.70		1.82	21.83	1091.52	
0.62	4.34	217.03		1.22	11.98	599.05		1.83	22.01	1100.53	
0.63	4.45	222.30		1.23	12.13	606.43		1.84	22.19	1109.56	
0.64	4.55	227.61		1.24	12.28	613.84		1.85	22.37	1118.62	

This is the measurement taken for the Sandhollow diversion for E. G. Johnson's irrigation system for the lower fields of his home place farm. The water diverted from Sandhollow Creek at this point is used by several other users. Therefore, I measured the water at the point where Johnson's ditch split off from the other ditches. At this point there was a broadcrested dam used to split and divert the water. The water going over the dam was flowing full, but some boards could be pulled out of the dam allowing more water to go Mr. Johnson's direction. However, at the time of my measurement there was 0.42 feet of head over the boards, and dam was 2.67 feet in width. I created the above table based on the width of the dam to determine the flow rate at the time of the measurement. **2.42 cfs was flowing through the Johnson diversion where the ditch from Sandhollow is split.**

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

FILE NUMBER 63-4036B and 63-28751



The upper photo shows the headgate for the diversion from Sandhollow Creek.

The middle pictures show the point where the Sandhollow Creek water is split between to multiple users on the ditch. The close up photo shows the diversion to E. G. Johnson's farm.

The bottom picture shows the Homeplace farm for E. G. Johnson.



PLEASE NOTE: There was some type of camera malfunction, so the pictures I took of the Unnamed Drain diversion and the Main Ditch where I measured didn't turn out. I would be happy to go back and retake those pictures if necessary.

SEE 63-4036B FOR FIELD NOTES.

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 in Ed Johnson, cell # 250-1526

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.

Attached affidavit
+ photo apply to
this right per Jeff
Johnson 8/21/06.
See comments on
claim recommen-
dation.

by 8/21/06

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

[Signature]
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



April 25, 2006

Water Right Number 63-28751

Priority Use

Department of Water Resources:

My grandfather purchased the "Boone Ranch" supplied by this water right in the 1920's. My father and two uncles rented it out to the John Yraguen family for many years who raised cattle and farmed it. My family took over management of the property in the early 1960's and used it for their cow-calf operation. My wife and I have lived on the ranch since 1970. As a teenager (1955-1961), I hunted on the property as well as worked there during some of the summer months. The ranch was irrigated then, as it is now, with water being supplied by the un-named drain described on this Right as well as Rights from Sand Hollow Creek.

There are no shares of water assigned from Farmers Coop Ditch Company to this property (Boone Ranch).

E.G. Johnson

 25 April 06



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 14, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No: A63-28751

Dear Claimant,

In the past, you submitted the above referenced claim during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right was 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-out. Your claim has 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 Claim 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 date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right if water availability problems arise in the future.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, an accurate location of your diversion and acres irrigated needs to be identified on the attached aerial photo. Please also provide as much detail about your diversion works as possible. If more information is needed, you will be receiving a call from us in order to set-up an appointment for a field exam.

Page 2

The above requested information needs to be submitted by May 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

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
 Notice of Claim A63-28751
 Aerial Photo

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 3585	NANCY JOHNSON, E G JOHNSON,	BOISE RIVER	05N05W/25																	28
Claim	63 5181	TINA IEST,	BOISE RIVER	05N05W/25						5	17			21	28						43
Permit	63 11617	TINA IEST,	BOISE RIVER	05N05W/25					X	X			X	X							0
Rec	63 138C	FARMERS COOPERATIVE DITCH CO.,	BOISE RIVER	05N05W/25	X																0
Rec	63 188	FARMERS COOPERATIVE DITCH CO.,	BOISE RIVER	05N05W/25	X																0
Rec	63 189	FARMERS COOPERATIVE DITCH CO.,	BOISE RIVER	05N05W/25	X																0
Rec	63 190	FARMERS COOPERATIVE DITCH CO.,	BOISE RIVER	05N05W/25	X																0
Rec	63 191	FARMERS COOPERATIVE DITCH CO.,	BOISE RIVER	05N05W/25	X																0
Rec	63 296	FARMERS COOPERATIVE DITCH CO.,	BOISE RIVER	05N05W/25	X																0
Right	63 160	J N TUCKER,	BOISE RIVER	05N05W/25				X		X		X									0
Right	63 180	T W BOONE,	BOISE RIVER	05N05W/25	X	X	X								X	X	X	X	X		0
Right	63 181	T W BOONE,	BOISE RIVER	05N05W/25	X	X	X	X							X	X	X	X	X		0
Right	63 3585	JOHN R MC CURRY,	BOISE RIVER	05N05W/25											28						28
Right	63 368	JOHN F LEMP, ALBERT LEMP, HERBERT F LEMP,	BOISE RIVER	05N05W/25															X		0
Right	63 5181	TINA IEST,	BOISE RIVER	05N05W/25						5	17			21							43
Rec	63 4852	FARMERS COOPERATIVE DITCH CO.,	CONWAY DRAIN	05N05W/25	X																0
Right	63 11131	E G JOHNSON FARMS INC.,	GROUND WATER	05N05W/25	X																0
Right	63 28386	E G JOHNSON FARMS INC.,	GROUND WATER	05N05W/25	X																0
Right	63 28387	E G JOHNSON FARMS INC.,	GROUND WATER	05N05W/25				X													0
Right	63 2462	C A RODGERS,	SAND CREEK	05N05W/25																18	18
Claim	63 4036A	E G JOHNSON FARMS INC.,	SAND HOLLOW CREEK	05N05W/25	20	35			25	20											100
Claim	63 4036B	E G JOHNSON FARMS INC.,	SAND HOLLOW CREEK	05N05W/25		35	28		7	36	12	30	5	5	35	39	38	20			290

Idaho Dept. of Water Resources
Place of Use Comparison Report

			SAND HOLLOW CREEK	05N05W25	20	35			25	20										100
Rec	63 4036A	E G JOHNSON FARMS INC.	SAND HOLLOW CREEK	05N05W25																
			SAND HOLLOW CREEK	05N05W25																
Rec	63 4036B	E G JOHNSON FARMS INC.	SAND HOLLOW CREEK	05N05W25		35	28			7	36	12	30	5	5	35	39	38	20	290
			SAND HOLLOW CREEK	05N05W25	X	X	X			X	X	X			X	X	X	X		0
Right	63 4036	E G JOHNSON FARMS INC.	SAND HOLLOW CREEK	05N05W25																
		MARY G STILLWELL, GLENN W STILLWELL,	SAND HOLLOW CREEK	05N05W25																18
Right	63 4586		SAND HOLLOW CREEK	05N05W25																18
		FARMERS COOPERATIVE DITCH CO.	SAND HOLLOW DRAIN	05N05W25	X															0
Rec	63 4851		SAND HOLLOW DRAIN	05N05W25																
		GOTSCH RANCH INC.	TUCKER DRAIN	05N05W25	1.5															1.5
Claim	63 3083		UNNAMED DRAIN	05N05W25																
		E G JOHNSON FARMS INC.	UNNAMED DRAIN	05N05W25			35	28		7	36	12	30	5	5	35	39	38	20	290
Claim	63 28751		UNNAMED DRAIN	05N05W25																
		E G JOHNSON FARMS INC.	UNNAMED DRAIN	05N05W25			35	28		7	36	12	30	5	5	35	39	38	20	290
Rec	63 28751	E G JOHNSON FARMS INC.	UNNAMED DRAIN	05N05W25																

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
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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](#)

REAL PROPERTY INQUIRY

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+++++
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
DEB LN, PA + PARCEL 6R05N05W256000 H/O N C/B N
+ PRIOR ACCOUNT 5R39051-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R39051000 0 UNIT 001 TOTAL UNITS

```

SITE DEB LN PA SEC/TWN/RNG 25-5N-5W
ASSESSED VALUE 20,800 ACREAGE 39.20
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

```

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

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

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

COMMENTS

REMARKS

9800589

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

REAL PROPERTY INQUIRY

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+++++
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
24007 HWY 20-26 + 32 406,800
PARMA ID 83660 +
+++++
25-5N-5W NE + TOTAL 725,700 521.00
NE1/4 LESS HWY & RR LESS N&E OF +
HWY R/W & LS TX1,, LTS 1-6 INC,, + SURVEY INST
NENW,, NWSE + DRAIN 4 DR VALUE 4.28 APPR MKB
+ 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

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

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

```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

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

```

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+++++
+
+ 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 +
+ 24007 HWY-20-26 + BROFD-97-26-D3O TITLE A 98925033 +
+ PARMA ID 83660 ++++++
+
+++++ VALUES +
+ SITE 24005 HWY 20-26 PA +
+
+ 46 33,400 +
+ STATUS- COMB N TRAN N DEL N PPD N + 47 900 +
+ PRIOR ACCOUNT 5T75699-000- -0 +
+ PARCEL 6T5N5W25R75699 +
+ H/O N C/B N SCH 137 +
+ 02 TRAITS INQUIRY + TOTAL 34,300 +

```