

September 10, 2016

RECEIVED

pg 1 w/ 6 attachments
pg 2 w/ 1 attachment

SEP 14 2016

WATER RESOURCES
WESTERN REGION

Mr. Patrick Kelly:

Re: Clarification of 5 claims. Reeder, Johnson, Crosby.

Thank you for your efforts, patience, and prompt response as I attempt to learn this.

1975

67-14058 Reeder. Richardson Ditch.

1985

Reeder sold $\frac{1}{2}$ property to Fenelon. retained 4 acre W.R.

1995

Reeder split W.R. retained 1 acre and

67-14058B - transferred 3 acres to Johnson

2003

Reeder transferred retained 1 acre to Crosby (14058A) and per intent to retain stockwater on Reeder's; # 67-14420 was filed as then instructed.

* Please see Exhibit 2, #14: 'Remarks'

These are 3 current Richardson Ditch Claims.

There are also 2 current Claims on Springs.
1 for Reeder, southern portion of Reeder property.
1 for Johnson, middle portion of Johnson property

* Please see Exhibit 1 where all claims are indicated on a map as closely as possible for me to do.

Springs:

67-07747 Reeder. This was first filed on 1985

1985

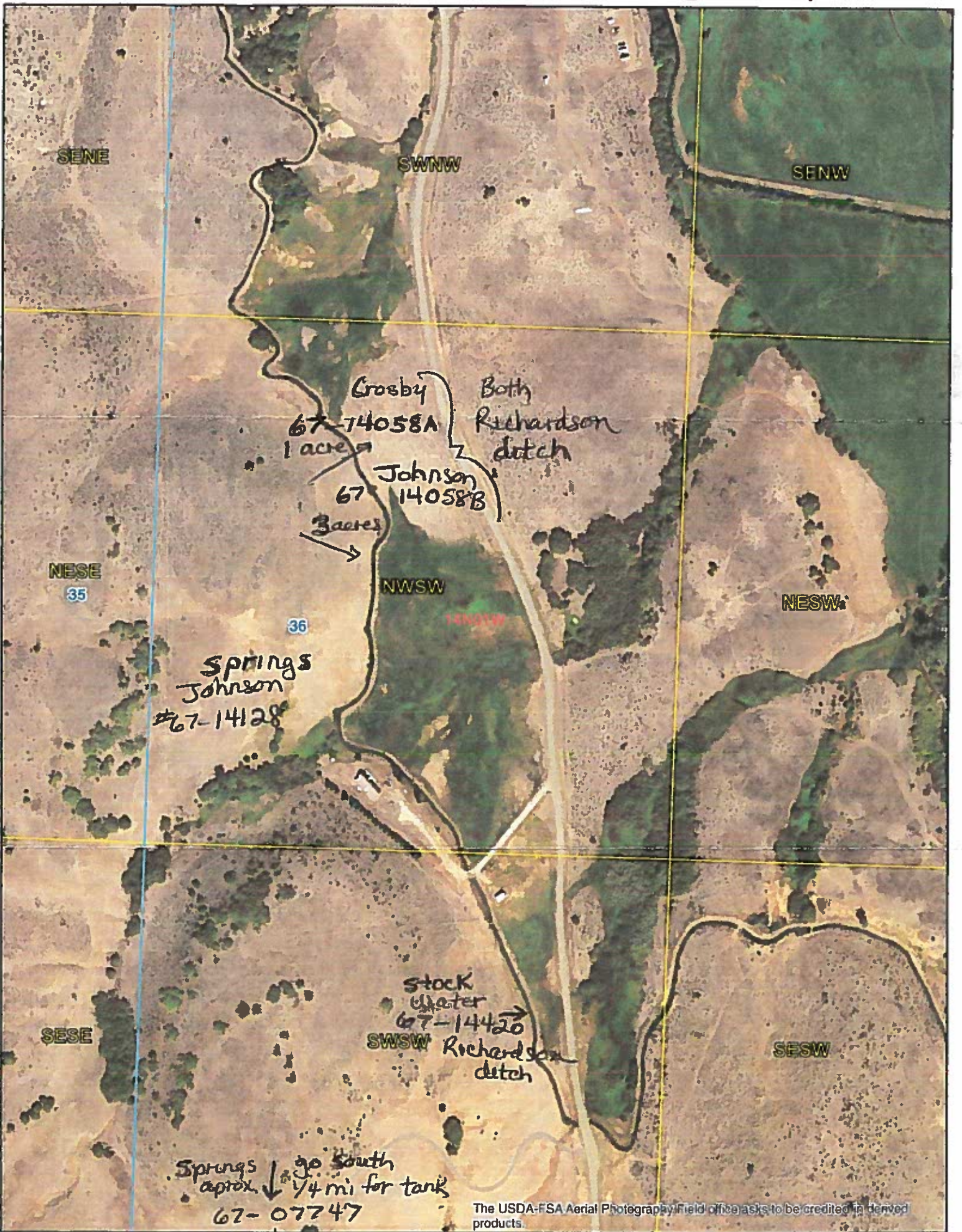
when Reeder put new homesite on retained property after selling approx $\frac{1}{2}$ of total to Fenelon. This has been used ~365 days/yr ever since, and prest currently. Exhibit 3 and Exhibit 4

1992

67-14128 Johnson. These springs had ALWAYS been used for irrigation, and the reason Burger (Property owner before Reeder) was granted rights to continue to irrigate with them after they went in-and needed taken back out of the ditch, - as a condition of the ditch being allowed to initially be built through property.

1992-

Changed to add use for homesite needs/animals.



SENE

SWNW

SENW

Crosby
67-14058A
1 acre

Both
Richardson
ditch

Johnson
67-14058B
3 acres

NENE

35

36

NWSW

NESW

Springs
Johnson
#67-14128

SESE

Stock
water
67-14420
Richardson
ditch

SESW

Springs
approx. ↓ go South
1/4 mi for tank
67-07747
↓

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 67-14420
Date Received: 3/17/1995
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM A REEDER
PO BOX 44
INDIAN VALLEY ID USA 83632

Phone: (208)256-4335

RUTH E REEDER
PO BOX 44
INDIAN VALLEY ID USA 83632

Phone: (208)256-4335

2. Date of Priority: 06/01/1937

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	01W	1	NE SE	ADAMS	

5. Description of diverting works:

CARRIEL-ANDERSON-LINDSAY DITCH, HEADGATE, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.03 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	01W	36	NW	SW	STOCKWATER	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 67-14058A. DH 6/17/2003

15. Basis of Claim: Beneficial Use

CLAIM TO A WATER RIGHT

Exhibit 3

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that William A. Reeder
(Name of Claimant)
Box 44 Indian Valley, Id. 83632 Telephone No. 256-4335
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Stock Water 1953
Domestic Use 1985

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 CFS</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u>0.1100 CFS</u>	Use <u>Stock</u>	Period of Use From <u>Apr 15</u>	To <u>Nov 15</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

(4) 0.051 CFS TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source).
Lot 4 $\frac{1}{4}$ Sec. 1 Twp. 18N Rge. 1W B.M., County of Adams
 Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
600 ft pipeline pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

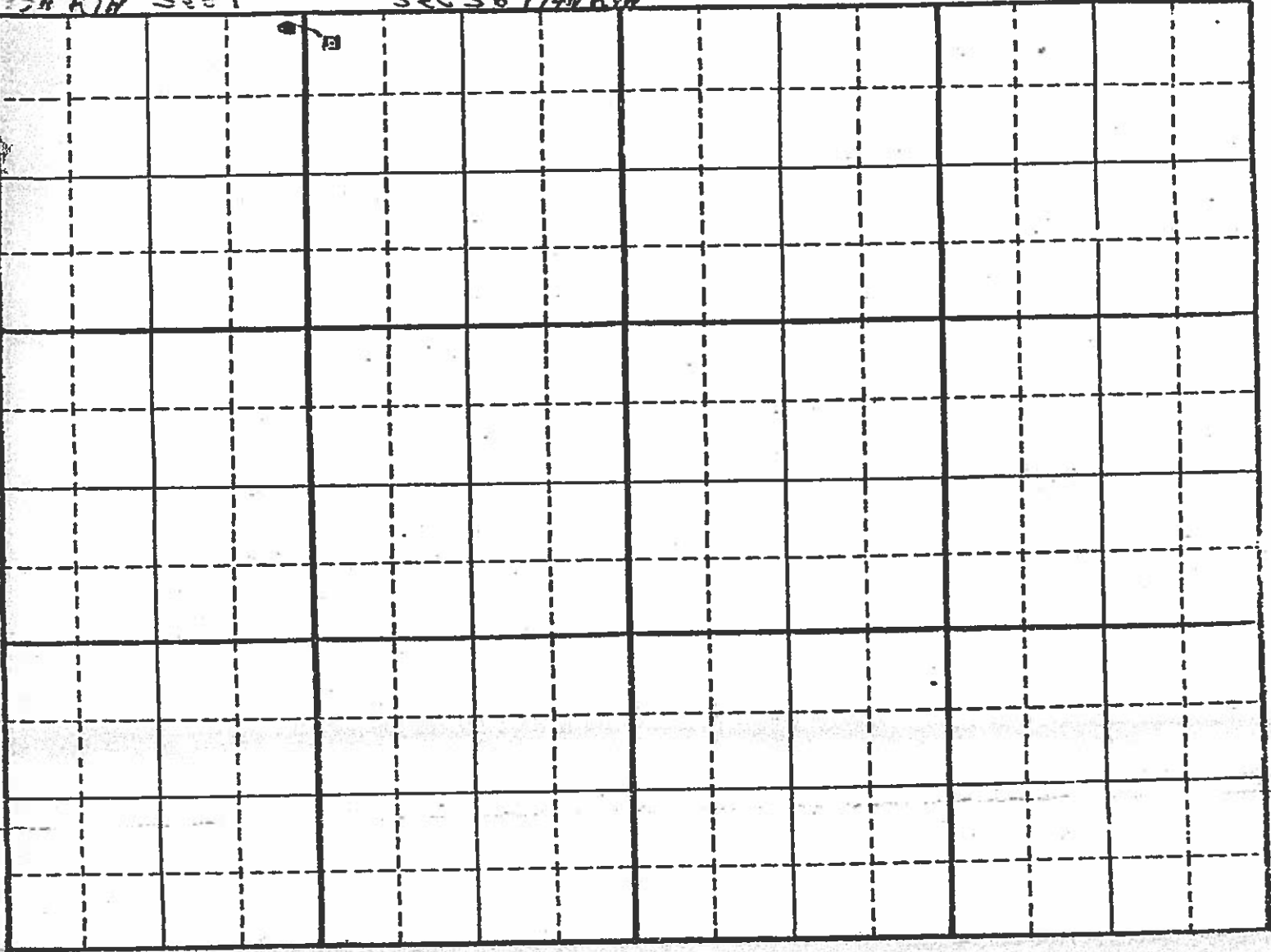
T	R	SEC.	NEX				NWX				SWX				SEX				TOTAL
			NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	NEX	NWX	SWX	SEX	
<u>19N</u>	<u>R1W</u>	<u>36</u>											<u>X</u>						<u>1.00</u>

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water has been used for stock since 1953 or earlier
from 25 to 75 heads

33R R1W Sec 1

36 T14N R1W



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of FAYETTE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

William A. Radin
 (Claimant)

Sworn to before me this 24 day of MAY 11, 1988.

Sue Hoyle
 Notary Public
 Residing at Fayette, Idaho

My commission expires 8-1-91

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07747

Priority: July 18, 1988

Maximum Diversion Rate: 0.05 CFS
Maximum Diversion Volume: 4.5 AF

This is to certify, that WILLIAM A REEDER
PO BOX 44

INDIAN VALLEY ID 83632-004 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 18, 1988; and has submitted Proof of Beneficial Use on October 17, 1988. An examination indicates that the works have a diversion capacity of .050 cfs of water from:

SPRING tributary to LITTLE WEISER RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	3.2 AF
STOCKWATER	04/15 to 11/15	0.01 CFS	0.7 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
Totals		0.05 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: NWNWNW , Sec. 1, Township 13N, Range 01W
ADAMS County

<u>PLACE OF USE:</u>	<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION	14N 01W 36	SWSW 0.7			0.7

Total number of acres irrigated: 0.7

<u>PLACE OF USE:</u>	<u>TWN RGE SEC</u>	<u>ACRES</u>
STOCKWATER	14N 01W 1	NWNW

<u>PLACE OF USE:</u>	<u>TWN RGE SEC</u>	<u>ACRES</u>
DOMESTIC	14N 01W 36	SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07747

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67A.
7. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
8. No water shall be diverted under this water right for irrigation purposes after June 15 of each year without prior approval of the watermaster.
9. Domestic use is for 1 home.
10. Stockwater is for 50 range cattle.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9th day of April, 1974.

Acting for  R. Keith Higginson, Director

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
Identification No. A67-14128
Date Received 3-27-98
Receipt Number 12279-476

COPY NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.
COPY
FOR YOUR FILES
DO NOT RETURN

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) M. LYNN JOHNSON Phone (208) 236-4383

Mailing Address P.O. Box 51 INDIAN VALLEY, ID. Zip 83632

2. Date of Priority (Only one per claim) June 1, 1937 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) SPRINGS
Name or kind of source

which is tributary to (b) an irrigation ditch / basin to water river

4. Location of point of diversion is: Township 14N Range 1W

Section 36, 5 1/2 1/4 of NE 1/4 of W 1/4, Govt. Lot _____, BM.,

County of Lynn

Additional points of diversion if any: W 1/2 SW 1/4

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Ditches, pipes, holding tank

1992 changed to lengthen pipe and larger capacity holding tank and added pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 101 cfs

For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount 102 cfs
(Both dates are inclusive)

7. Total quantity claimed 203 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic 1 home; stockwater cattle horses sheep

10. Place of use is: Township: 14 N Range 1 W

Section 26, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Adams for (Circle One) Domestic Stock **Domestic and Stock**

Additional places of use, if any W2 SW4

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

12. Do you own the property listed above as place of use? Yes X 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.
A67-14058 B and a well

14. Remarks: _____

15. Basis of Claim (Circle One) **Beneficial Use** Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments 0

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

Signature of Claimant (s) M Lynn Johnson Date 2-16-98
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

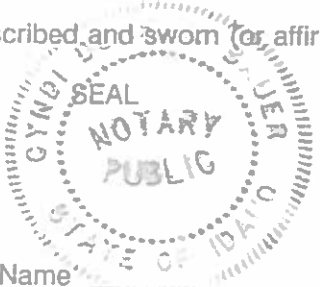
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of ADAMS) SS.

Subscribed and sworn (or affirmed) before me this 10th day of February 19 98



CYNTHIA BUNHAM BAUER
Notary Public

Residing at INDIAN VALLEY, ID

My Commission Expires 4-24-2003

Last Name _____ Ident No. _____

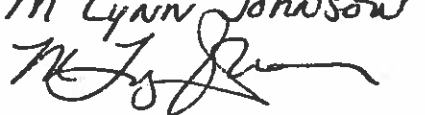
In regards to your 09/07/16 letter,
 last paragraph: (Copy attached for your convenience)
 2003 #67-14420 is a Reeder. Stockwater.
 Richardson Ditch Claim on Reeder
 property
 #67-14058A is a Crosby. Irrigation
 and stockwater claim on Crosby Property
 #67-14128 is a Johnson claim to
 change from only irrigating with springs,
 to also include using them for home,
 yard, barnyard & critters. 1992 change.
 Exhibit 5, #3 indicates continual
 irrigation use - priority date 1937.
 Exhibit 5, #5 indicates 1992 changes.

In regards to your letter, 2nd paragraph;
 I need to research POD.

I wholeheartedly believed the incorrect
 POD was as indicated on 2005 map I sent,
 and that the true POD was as indicated
 on the new map you sent & I drew in.
 This also is my father's belief.

However - we still called the
 Richardson Ditch the Cornell-Anderson-
 Lindsay ditch, so what do we know?
 Maybe the POD changed with the name
 and modifications of the time; when
 Reservoir - C. Ben Ross went in & changed
 everything? Don't really know yet.

I will diligently ~~se~~ research this.

Sincerely M Lynn Johnson




State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 7, 2016

LYNN JOHNSON
2281 LITTLE WEISER RIVER RD
INDIAN VALLEY ID 83632

RE: Information collected for water rights.

Dear Ms. Johnson,

I have reviewed the information regarding the water use associated with 67-14058A and 67-14058B on your land. Water right records show that 67-14058 was for 4.0 acres of irrigation and split into 67-15048A and 67-15048B. Ownership of these rights are in the name of Crosby and Johnson respectively. 67-15048A authorizes the irrigation of 1.0 acre and 67-15048B authorizes the irrigation of 3.0 acres.

2nd In regards to the POD correction on Richardson Ditch, you must complete the transfer application form to identify a diversion from the NESW $\frac{1}{4}$. For your convenience, I have partially completed the application and attached it with this letter. Please complete the form and submit the form with all required information and a \$200 fee to my office.

The grievance that you have expressed is heard. You as a property owner have rights as you have suggested in the letters. Unfortunately, it is the responsibilities of the property owner to make sure those rights are enforced. This is completed through a legal action handled in the court of law. If you feel your rights have been violated, I strongly suggest that you document such actions against you and seek legal counsel.

Last Regarding the Reeder and spring rights, ~~67-14420~~ was a claim that was recommended to be combined with 67-14058A and was not decreed independently. 67-14128 is an active stockwater and domestic use from a spring source. This right does not identify irrigation use, so a transfer would have to be completed to change the nature of use. This form can be found on our web page or can be mailed to you at your request.

Please do not hesitate to contact me with any of the information provided above at 208-334-2190.

Respectfully,

Patrick Kelly
Water Resource Agent, Sr.