

No Color
Documents
In File

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: A79-13591
Date Received: 6/ 5/1995
Receipt No: C032785
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES P JOHNSON 208-962-3674
Address: RT 4 BOX 165
COTTONWOOD ID 83522
AND/OR
Name: HILDA JOHNSON 208-962-3674
Address: RT 4 BOX 165
COTTONWOOD ID 83522

2. Date of Priority: AUG 29, 1994

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
29N	01E	19	NE	NE			IDAHO

5. Description of diverting works:
450' WELL, 4" CASING,

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 300 HEAD LIVESTOCK

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OCT 24 1995

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
29N	01E	19	NE	NE		DOMEST	
			NE	NE		STOCK	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

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 _____

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

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. A79-13591Date Received 6-5-95Receipt Number C032785

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.

Filing Fee \$25

RECEIVED

JUN 15 1995

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN 05 1995

Department of Water Resources

RECEIVED

AUG 21 1995

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) James P and/or Hilda Johnson Phone (208) 962-3674
Mailing Address Rt 4, Box 165 Zip 83522

2. Date of Priority (Only one per claim) 8-29-94 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source

4. Location of point of diversion is: Township 29 N Range 1 E
Section 19, NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Idaho

Additional points of diversion if any: _____

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. Well, 450' deep, 4" casing, 3 h.p. submersible pump, piped to house, 3 water troughs

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 .04 (cfs)

For Stockwater purposes from 1-1 (Both dates are inclusive) to 12-31 amount .24 0.07 8-14-95

7. Total quantity claimed 28.11 (cfs) 108-14-958. Total consumptive use claimed is de minimus

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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 300 hd Livestock

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JUN 2 1982

Department of Water Resources

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.

RECEIVED

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.

10. Place of use is: Township: 29 N Range 1 E
Section 19, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.
(✓) None or _____

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 ✓ 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) James P. Johnson Date 5-31-95
Heidi Johnson Date 5-31-95

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

of _____, Title _____, 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 IDAHO)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 31st day of MAY 1995

SEAL

Notary Public John Schuler

Residing at GRANGEVILLE, IDAHO

My Commission Expires 8/22/98

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 24 1998

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

JUN 05 1995
Department of Water Resources

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. _____

Date Received 6-5-95Receipt Number 0032785

NOTICE OF CLAIM TO A WATER RIGHT

RECEIVED

JUN 15 1995

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

RECEIVED

JUN 05 1995

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) James P and/or Hilda Johnson Phone (208) 962-3674Mailing Address Rt 4, Box 165 Zip 835222. Date of Priority (Only one per claim) 8-29-94 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 29N Range 1E
Section 19, NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Idaho

Additional points of diversion if any: _____

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. Well, 450' deep, 4" casing, 3 h.p. submersible pump, piped to house, 3 water troughs

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 .04 (cfs)For Stockwater purposes from 1-1 (Both dates are inclusive) to 12-31 amount .247. Total quantity claimed .28 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic, 1 home Stockwater 300 hd Limestone

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OCT 24 1995

10. Place of use is: Township: 29 N Range 1 E
Section 19, NE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.
(☒) None or _____

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 ☒ 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) James P. Johnson Date 5-31-95
Heidi Johnson Date 5-31-95

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

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

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 IDAHO) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 31st day of MAY 1995

SEAL

Notary Public John Schuch

Residing at GRANGEVILLE, IDAHO

My Commission Expires 8/22/98

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OCT 24 1996

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

A79-13603

13604

04019

04064

04065

13600

13601

AJ0749NP
No. R79-13591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/12/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES P JOHNSON	08/29/1994	STOCKWATER	01-01 12-31	0.07 CFS	
C	HILDA JOHNSON		DOMESTIC	01-01 12-31	0.04 CFS	
	RT 4 BOX 165					
	COTTONWOOD ID 83522			TOTAL DIVERSION:	0.11 CFS	
	(208) 962-3674					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T29N R01E S19

NENE

IDAHO County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
29N	01E	19	:	S																:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
29N	01E	19	:	D																:

POU County: IDAHO

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 300 RANGE CATTLE
PARCEL NO. 29N01E190010

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit:

11/12/98 CWALKER

AJ0749NP
No. R79-13591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/22/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES P JOHNSON	08/29/1994	STOCKWATER	01-01 12-31	0.07 CFS	
C	HILDA JOHNSON		DOMESTIC	01-01 12-31	0.04 CFS	
	RT 4 BOX 165					
	COTTONWOOD ID 83522					
	(208) 962-3674			TOTAL DIVERSION:	0.11 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T29N R01E S19 NENE

IDAHO County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
29N	01E	19	:	S															

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
29N	01E	19	:	D															

POU County: IDAHO

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 300 ~~HEAD LIVESTOCK~~ *Range Cattle*
PARCEL NO. 29N01E190010✓

Dates: Exam Made Date: Verified Date: 04/22/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 04/22/98 SSHERMAN

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-13-1998

PAGE: A-496

RIGHT NUMBER: 79-13591

NAME & ADDRESS: JAMES P JOHNSON
HILDA JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS

PRIORITY DATE: 08/29/1994

POINT OF DIVERSION: T29N R01E S19

NENE

Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

DOMESTIC DOMESTIC, 1 HOME, STOCKWA

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.07 CFS

0.04 CFS

PLACE OF USE:

STOCKWATER

T29N R01E S19

Within IDAHO County

NENE

DOMESTIC

T29N R01E S19

Within IDAHO County

NENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 29N01E190010

OK per HC from Hilda Johnson. This well replaced old well - same legal status. Piped as old well. -uses same house. as 04-22-98

as 03-24-98



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 6, 1998

962-3674
JAMES P & HILDA JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A79-13591

Dear Claimants:

According to the county records, this property has no improvements on it. The claim to the property is for a domestic use of one household and stockwater. (See enclosed Adjudication Profile Report.) The department needs proof the water is in use for a domestic right.

Please respond by May 4, 1998, and call me toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'S. Sherman'.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Adjudication Profile Report

POOR ORIGINAL

REFUND REQUEST

816

TO: S. Sherman to Log In
FOR: D. Shaff/D. Allen
FROM: Western Region Date: 7-28-95
SUBJ: Receipt No. C032785 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Johnson, James Pete or Hilda
Address Rt 4 Box 165
Cottonwood, ID 83522

JUL 31 1995

Claimant(s) if NOT Payor _____

Refund Amount \$ 25⁰⁰ Claim Location (Region/Claimant) _____

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt # _____

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By ☒ Agent ☐ Claimant

Refund Category:
insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached) 6-19-95

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>N/A</u>	<u>Domestic</u>	<u>\$ 25⁰⁰</u>	<u>25⁰⁰</u>	<u>C032785</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total		<u>\$ 25⁰⁰</u>	<u>\$ 25⁰⁰</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
See attached correspondence. Original claim has not been returned.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval _____
Don Shaff Approval [Signature] Hold 2 wks To Fiscal _____

8-02-95
Data Base Modified? Y/N NA A &/or R Records By _____ on 07-31-95

> G.O. Rec'd claim 08-21-95. Refund cancelled.
00 08-21-95

05/19/94

OCT 24 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

August 2, 1995

KARL J. DREHER
DIRECTOR

JAMES P OR HILDA JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522

RE: Snake River Basin Adjudication (SRBA)
Idaho County - Receipt #C032785

Dear Claimants:

In our letter to you of June 19, 1995, you were offered some options to record the water right for your property in Idaho County. Since we have not received anything further from you, the refund process has been initiated with the State Auditor's Office for the fees you paid. You should receive your check in the near future.

If you wish to continue the filing process, please call us immediately at 208/327-7862.

If you later decide to refile, a new claim must be completed within one year with filing fees and appropriate late fees included at the time of submittal.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:ref

MICROFILMED
OCT 24 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JUNE 19, 1995

[JAMES P JOHNSON]
[HILDA JOHNSON]
[RT 4 BOX 165]
[COTTONWOOD ID 83522]

Dear Claimant(s):

This office is presently processing the Notice of Claim to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the problem explained below, we cannot continue to process this claim. We are returning the claim to you along with the receipt for the filing fees previously submitted.

This notice was filed indicating the water use(s) claimed began after the implementation of the groundwater statute requiring that any new use(s) of water from a groundwater source must have an application for permit filed and approved prior to any diversion of the water. On March 25, 1963, this groundwater statute was enacted under Idaho Code, Volume 8, Section 42-229. There are some water uses exempted from this filing requirement, however, the water use you have claimed did require a permit filing and after researching our records, no previously filed permit was found. We will likely recommend this claim to the court for disallowal, based on the groundwater statute and priority date claimed, therefore, you should file an application for permit form in order to insure this water right is covered in the future. Enclosed is an application for permit form with instructions.

Although the enclosed claim will likely be disallowed, the Department cannot deny you the right to file this claim. If you still wish to file this claim and pursue it with the court later, then simply resubmit the claim form with a note indicating you still wish to file. If you do not wish to file this claim, please complete the enclosed Request for Withdrawal and return it to our office along with the completed application for permit form. The refund of the filing fees paid for the claim can be transferred to the application for permit filing fees or the total amount sent to you. Please indicate which you would prefer on the Request for Withdrawal form. Please note that if the fee for the application for permit is greater than the amount being refunded, the difference must be enclosed with the application for permit form before it is accepted.

RECEIVED
JUL 24 1995

If we do not hear from you within 30 days from the date of this letter, either by receiving the claim form or Request for Withdrawal and Application for Permit form, we will assume you do not wish to pursue either filing and the claim will be rejected and your filing fees refunded. Please feel free to contact this office if you have any questions concerning this letter or completion of the application form.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

Enclosures
JS:j

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

RECORDED
OCT 24 1996