

08/18/2006

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: September 22, 2006

Water right number: 79-4064

JAMES P JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522-9303
Telephone Number: (208)962-3674

HILDA A JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522
Telephone Number: (208)962-3674

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: 9-14-06

SIGNATURE:

James P. Johnson

Please print your name: James P. Johnson

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

*Address Changed
CF 9-19-06*

09/17/2004

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

RIGHT NUMBER: 79-4064

NAME AND ADDRESS: JAMES P JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522-9303

HILDA A JOHNSON
RT 4 BOX 165
COTTONWOOD ID 83522

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.080 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

T30N R01W S36 NWNWNE Lot 3 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.080 CFS
DOMESTIC	01/01 12/31	0.060 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T30N R01W S25 Lot 9 SWSE

T30N R01W S36 Lot 3 NWNE

T30N R01W S36 Lot 4 NENW

DOMESTIC Within IDAHO County

T30N R01W S25 Lot 9 SWSE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. RP 30N01N36 0610A

Tolson's say it puts out

about 36 gpm

9-16-04 J.T.

RECEIVED

JUN 05 1995

Department of Water Resources

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: **A79-04064**
Date Received: 5/ 3/1995
Receipt No: C032578
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 A JOHNSON 208-962-3674
Address: RT 4 *Box 165*
COTTONWOOD ID 83522

2. Date of Priority: JAN 1, 1900

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
30N	01W	36	NE	SE	NW		IDAHO

5. Description of diverting works:
SPRING PIPED TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
STOCKWATER	01/01	12/31	0.250		

7. Total Quantity Appropriated is:
0.300 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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JUN 06 1995

WATER RESOURCES
WESTERN REGION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
30N	01W	36	SE	NW		STOCK	
			SE	NW		DOMEST	

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: STATUTORY CLAIM

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): James P. Johnson Date: 5-31-95
Nicole Johnson Date: 5-31-95

State of Idaho)
County of IDAHO) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of MAY 19 95

John D. Lohr
Notary Public

Seal

Residing at GRANGEVILLE, IDAHO

My Commission Expires 8/22/98

POOR ORIGINAL

RECEIVED

MAY 03 1995

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: 39356

Ident. Number

Date Received

Receipt Number

79-4064

CO.32578

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

Domestic & Stockwater
Less Than 13,000 gal

Please type or print clearly

1. Name of Claimant (s) James P. And/or Hilda Johnson Phone (208) 962-3674Mailing Address Rt 4 Cottonwood, Id. Zip 835222. Date of Priority (Only one (1) per claim) Jan. 1, 19003. Source of water supply (a) Spring
which is tributary to (b) sinks4. a. Location of existing point of diversion is: Township 30N Range 1W Section 36,
NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Idaho

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. Spring piped To House

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POOR ORIGINAL

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.06 or _____

For Stockwater purposes from 1-1 to 12-31 amount 0.25 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.30 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 Household 300 head Livestock

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	
30N	1W	36								NE									

Total number of acres irrigated _____

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. _____ or None (✓)

14. Remarks:

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Last Name Johnson Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 79-4064

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 7 rights filed - please send 1 Docket

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 7-4-88

Lillian Johnson Date 7-4-88

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

_____ Title
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 _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 4TH day of JULY 19 88

Notary Public John L. Lohr

Residing at GRANGEVILLE, IDAHO

My Commission Expires 8/22/92

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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OCT 24 1996

Copies White-State, Yellow-Claimant

DATE: 06/05/95
PAGE: 1

Stage: STATUTORY CLAIM
IDAHO County

IDAHO County

[illegible]

POW County: IDAHO

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 300 HEAD LIVESTOCK

Other Rights: NONE

Dates: Exam Made Date: Verified Date:

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

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OCT 24 1996

DATE: 10/23/98
PAGE: 1

0.30 CFS

Stage: BENEFICIAL USE

IDAHO County

●● ●● ●● ●●

00 00 00 00

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.

Objection Filed Date:

Field Inspection Flag: C
Presumption Flag:

Hold - non-dominances

AJ5856NP

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

DATE: FEB-13-1998
PAGE: A-153

RIGHT NUMBER: 79-04064

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

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.3 CFS

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION: T30N R01W S36 NESENW Within IDAHO County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER ✓	01-01 12-31	0.25 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.06 CFS

PLACE OF USE:	STOCKWATER	Within IDAHO County
	T30N R01W S36 ✓	SENW ✓
	DOMESTIC	Within IDAHO County
	T30N R01W S36 ✓	SENW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

10-5-98, 10
C. 10 words

RP 30 N 01 W 36 0610A

SW 360 AC

011 2113

003-17-98



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**

June 6, 1995

**KARL J. DREHER
DIRECTOR**

**RECEIVED
JUN 06 1995
WATER RESOURCES
WESTERN REGION**

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

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim #A79-04019, A79-13600, A79-13601,
A79-04064 & A79-04065

Dear Claimants:

Enclosed are copies of the Notices of Claim referenced above which you filed for your property in Idaho County. You may retain these copies for your records. Please contact us if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

Enclosure:

Copies as Referenced

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OCT 24 1996**



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

May 9, 1995

R. KEITH HIGGINSON
DIRECTOR

RECEIVED

JUN 06 1995

WATER RESOURCES
WESTERN REGION

JAMES P JOHNSON
HILDA JOHNSON
RT 4
COTTONWOOD ID 83522

RE: Snake River Basin Adjudication - SRBA
Idaho County - Claim Nos. A79-04019, A79-04064, A79-04065,
A79-13600 and A79-13601

Dear Mr. and Mrs. Johnson:

Thank you for resubmitting the five Notices to Claim for a Water Right in the SRBA. The claims you submitted did not have original signatures, so therefore I am sending you computer-generated claim forms for you to review. It would be helpful if you would review the non-irrigation uses and make sure the number and kind of livestock (such as cattle, sheep or horses) is accurately depicted. If you make any changes to the computer-generated forms please initial the changes. If the information on these forms matches what you wish to claim, please sign the claims in front of a Notary Public.

Also enclosed is Receipt #C032578 for \$178.00 which you may keep for your records. Because you originally submitted these claims in a timely manner there will be no late fee for filing at this time. However, it would be appreciated if you could return the signed computer-generated claims to my attention at this office within 30 days. Please contact me if you have any questions.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CF:ss

Enclosures:

Receipt No. C032578
Computer Copies of Claims
Information Sheet No. 42-1400a 2/95

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OCT 24 1996

Carter Fritschle
Idaho Dept. of Water Resources
1301 N Ordad
Boisie, Idaho 83706

May 1, 1995

We are resubmitting the enclosed five (5) water rights as Mr. Fritschle advised in our telephone conversation on the 25th of April, '95. In July of '88 we had submitted these 5 claims plus 2 (two) others for a total of 7 (seven) claims. We had also enclosed a check for the total of \$235.50. Enclosed is a photo copy of two pages from our check book register showing when the check was written and when I deducted it from our totals. The 7 (seven) claims along with our check were returned to us without an explanation so we assumed it was not necessary for us to file them. Now we learn it is necessary - so by Mr. Fritschle's advice we are re submitting them for your approval. Since 1988 we have discontinued the use of two wells so we will not file for them at this time. Enclosed are the original claims for 5 water rights, a photocopy of our check book register showing our '88 check, and a check for ~~\$178.00~~ ^{\$178.00} ~~\$178.00~~ (4 claims @ \$25 each and one claim for irrigation @ \$50 + \$1 per acre for 28 acres).

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OCT 24 1996

965

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OCT 24 1996

CLAIM TO A WATER RIGHT

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

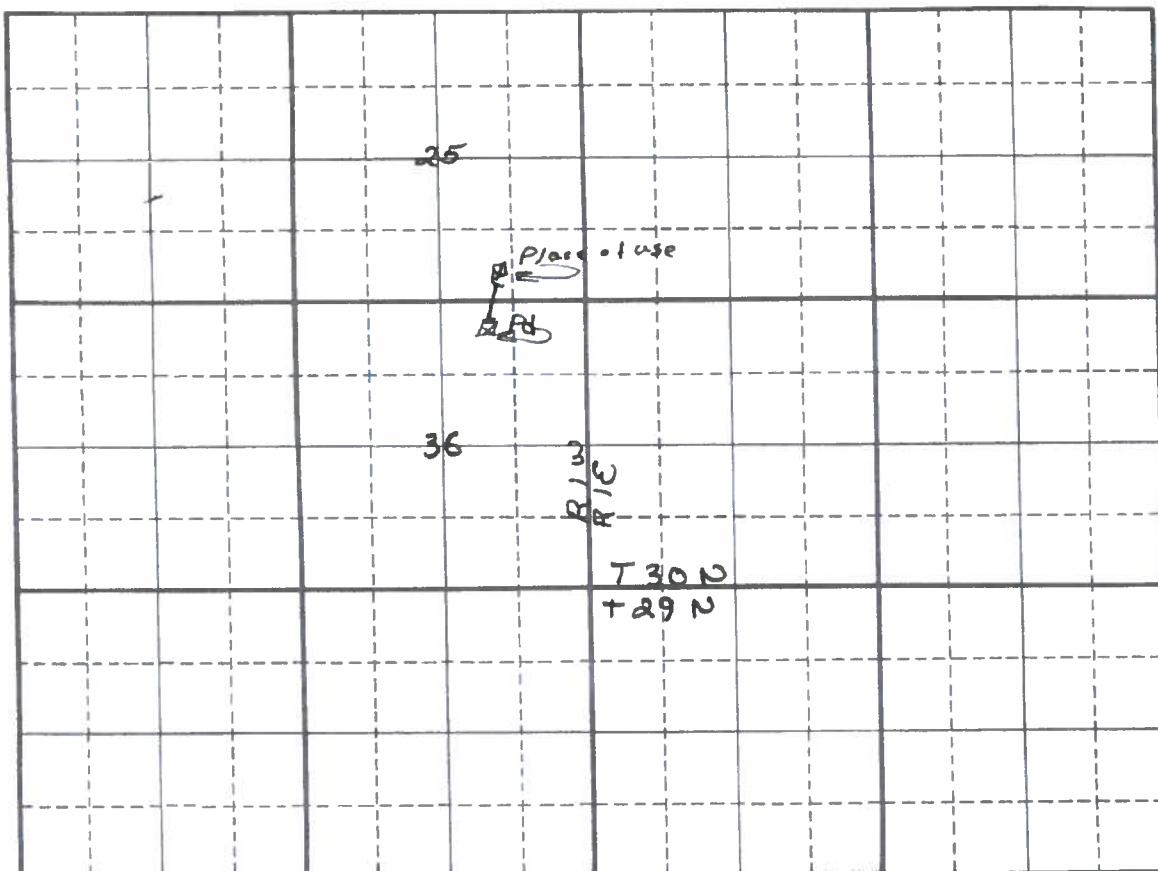
Telephone No. 962-3674

(1) Date of priority: (When was the water first applied to a beneficial use) 1900

[illegible]

(7) If you are claiming water as a member of an organization, list name of organization:

(B) Remarks Private Water.



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)
County of Idaho) ss.

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.

Sworn to before me this 14 day of June

James P. Johnson
(Claimant)

19 79

Kathleen A. Walker
Notary Public

Residing at Boise

My commission expires

life