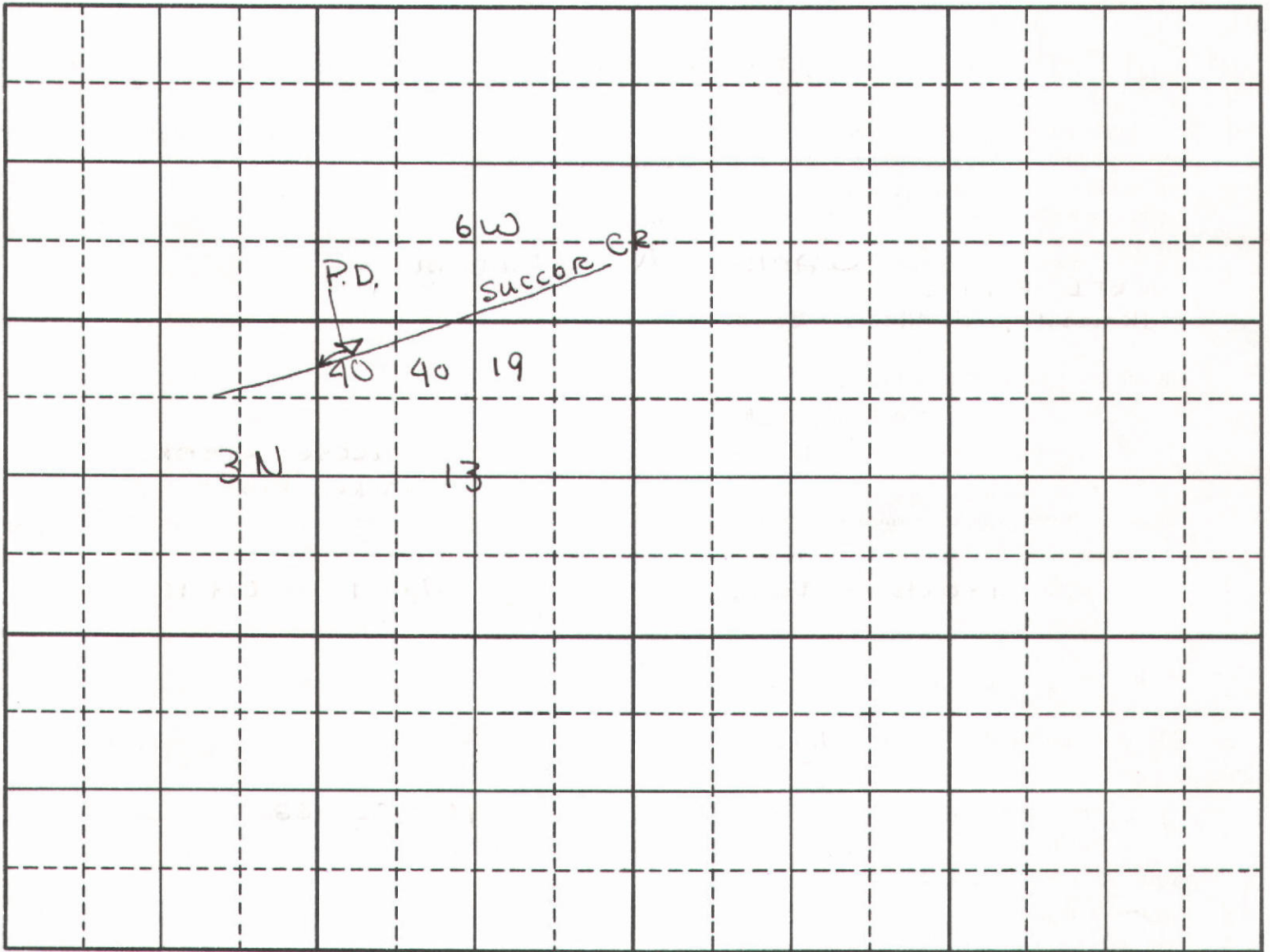


(8) Remarks _____



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 Ada) 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 affiants knowledge.

Sworn to before me this 22 day of April 1977, 19 .

James A. Johnson Jr
(Claimant)
Rita Benckley
Notary Public
Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>Jim Johnson</u>	Date <u>4-22-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>4-22-77</u>		claimant by:	
\$10.00 fee received by <u>JS</u>	Date <u>4/22/77</u>			
Approved for publication by <u>JS</u>		South Board of Control	rf	7-6-77
Published in				
Dates				

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 5 day of May, 1977, and the last publication being on the 12 day of May, 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 12 day of May, 1977.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT NO. 57 - 4023

Notice is hereby given that JAMES A. JOHNSON, JR., Route 1, Box 172, Homedale, ID has filed a claim to a water right established by diversion and application to beneficial use of 1.98 cubic feet per second of water from Succor Creek, trib. Snake River, with the point of diversion in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec. 13, T3N - R6W, B. M., Owyhee County.

The water is claimed to be used from Apr. 1 to Oct. 10 for irrigation of 99 acres with a priority date of October 22, 1885; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 13, T3N - R6W, B. M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED,
Director.

Published in the Owyhee Nugget, Marsing, ID on May 5, 1977 and May 12, 1977.

OK
5-16-77
mf

South Board of Control, Owyhee Project

Homedale, Idaho 83628

Phone 337-3760

BEVERLY FISHER
Treasurer

ERICH KNEHANS
Secy.-Mgr.

May 17, 1977

Mr. Stephen Allred, Director
Idaho Dept. of Water Resources
92 Cole Road
Boise, Idaho 83705

Re: Application of Claim to a Water Right
#57-4023 for James A. Johnson Jr.

Dear Sir:

We take exception to this claim. First, there is no water in Succor Creek Tributary as it is over appropriated already. How can you appropriate water when there is none and have no means of policing it when we have an old water right and upstream waterusers are taking our water for our diversion in Succor Creek? Second, our drains return water to our diversion for our use which you would give away with no controls to stop them. This is Projects water which you have no jurisdiction over.

Would you please administer the water in Succor Creek to protect the old applications on file so we may get what we are entitled to. This would be of great help.

Sincerely,



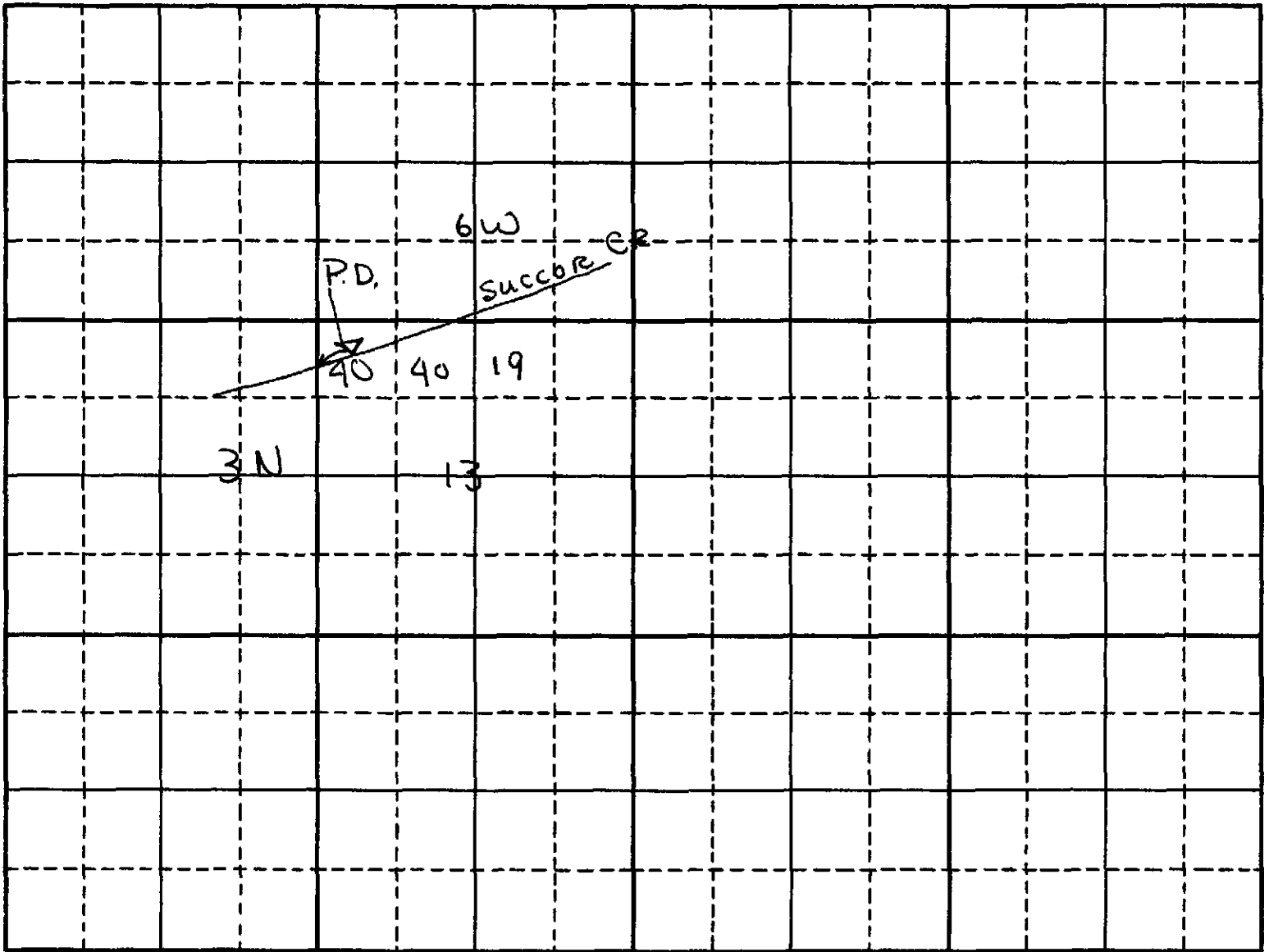
Erich Knehans, Secy.-Mgr.
South Board of Control

EK/mt

CLAIM TO A WATER RIGHT

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

(8) Remarks _____



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 Ada) 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 affiants knowledge.

Sworn to before me this 22 day of April 1977, 1977

James A. Johnson Jr.
(Claimant)
Rita Bencik
Notary Public
Residing at Buse, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>Jim Johnson</u>	Date <u>4-22-77</u>	Exception filed by	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>4-22-77</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>4-22-77</u>			
Approved for publication by _____		South Board of Control	rf	7-6-77
Published in _____				
Dates _____				

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

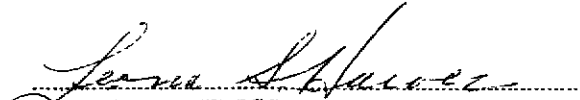
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That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 5 day of May, 1977, and the last publication being on the 12 day of May, 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 12 day of May, 1977.


NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF CLAIM TO A WATER RIGHT NO. 57-4023

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The water is claimed to be used from Apr. 1 to Oct. 10 for irrigation of 99 acres with a priority date of October 22, 1885; the place of use is within the NW 1/4 NE 1/4, NW 1/4, Sec. 13, T3N - R6W, B. M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLARD,
Director

Published in the Owyhee Nugget, Marsing, May 5, 1977 and May 12, 1977.

OK
5-16-77
mf

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Claim
Application No. 57-4023

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

- (1) P.W.H. 4-22-77 In form to receipt
- (2) _____ _____ Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (3) _____ _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information
- (4) P.W.H. 4-22-77 In form for advertising
- (5) _____ _____ Platted on Map No. _____
- (6) _____ _____ Located within Water District No. _____
- (7) _____ _____ Critical groundwater area: yes _____ no _____
- (8) _____ _____ Groundwater levels:
_____ Declining, _____ Stable, _____ Increasing
(comment) _____
- (9) _____ _____ Other rights on the same place of use
- (10) _____ _____ Comments: _____
- (11) if OK Affidavit of Publication received (date) 5-16-77
- (12) _____ _____ Final date for protests N/A
Protests received: yes ☒ no _____
- (13) _____ _____ All requested information received from agencies or
applicant: yes _____ no _____
- (14) _____ _____ Action recommended:
_____ Approve _____ Deny
_____ Proposed Priority
_____ Reason for Reduction _____
_____ Measuring device required
_____ See attached sheet for other conditions of
approval
_____ No special conditions for approval
- (15) District W By W Date 7-7-77

July 6, 1977

Re: Claim to a Water Right No. 57-4023

James A. Johnson, Jr.
Route 1, Box 172
Homedale, ID 83628

Dear Mr. Johnson:

Enclosed is a copy of an exception filed by Erich Knehans, Secy.-Mgr. of the South Board of Control in connection with the above referenced claim as provided by Chapter 2, Section 42-225b of the Idaho Code, which states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

Only the above action has been contemplated by the Idaho Legislature. Consequently, this Department is not authorized to hold hearings or evaluate for conformation or final censorship of the described claim.

If we can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

RECEIVED

July 6, 1977

Re: Claim to a Water Right No. 57-4023
(James A. Johnson, Jr.)

Erich Knehans, Secy.-Mgr.
South Board of Control
Homedale, ID 83628

Dear Mr. Knehans:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The following is a portion of Section 42-225b, Idaho Code related to the filing of a claim to a water right:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

Only the above action has been contemplated by the Idaho Legislature. Consequently, this Department is not authorized to hold hearings or evaluate for conformation or final censorship of the described claim.

If we can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

RECEIVED
JUL 10 1977
SOUTH BOARD OF CONTROL
HOMEDALE, IDAHO



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Huggins
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 29, 1977

Re: Notice of Claim to a Water Right No. 57-4023 -- James A. Johnson, Jr.

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before May 23, 1977.

Sincerely,

Bill submitted
5-16-77
ry

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 57-4023

Notice is hereby given that JAMES A. JOHNSON, JR.

Route 1, Box 172 Homedale ID

has filed a claim to a water right established by diversion and application
to beneficial use of 1.98 cubic feet per second ~~XXXXXX~~ of water
from Succor Creek trib. Snake River

with the point of diversion in the NW 1/4 Sec 13 T3N-R6W B.M., Owyhee
County.

The water is claimed to be used from Apr 1 to Oct 10
for irrigation of 99 acres

with a priority date of October 22, 1885 ;
the place of use is within the NW 1/4 Sec 13 T3N-R6W B.M.

Any exception to this claim of water right may be filed with the Direc-
tor of the Idaho Department of Water Resources, 92 South Cole Road, Boise,
Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, ID
on May 5, 1977 and May 12, 1977.

MICROFILMED