

9

10

11

BLOCK 1

PINE DRIVE

8

S 89°58'54"E 466.84'

LOT 7A N 1/2

1.36 ACRES

N 89°57'11"W 449.18'

Place of use

LOT 7A S 1/2

1.36 ACRES

N 89°58'05"W 443.04'

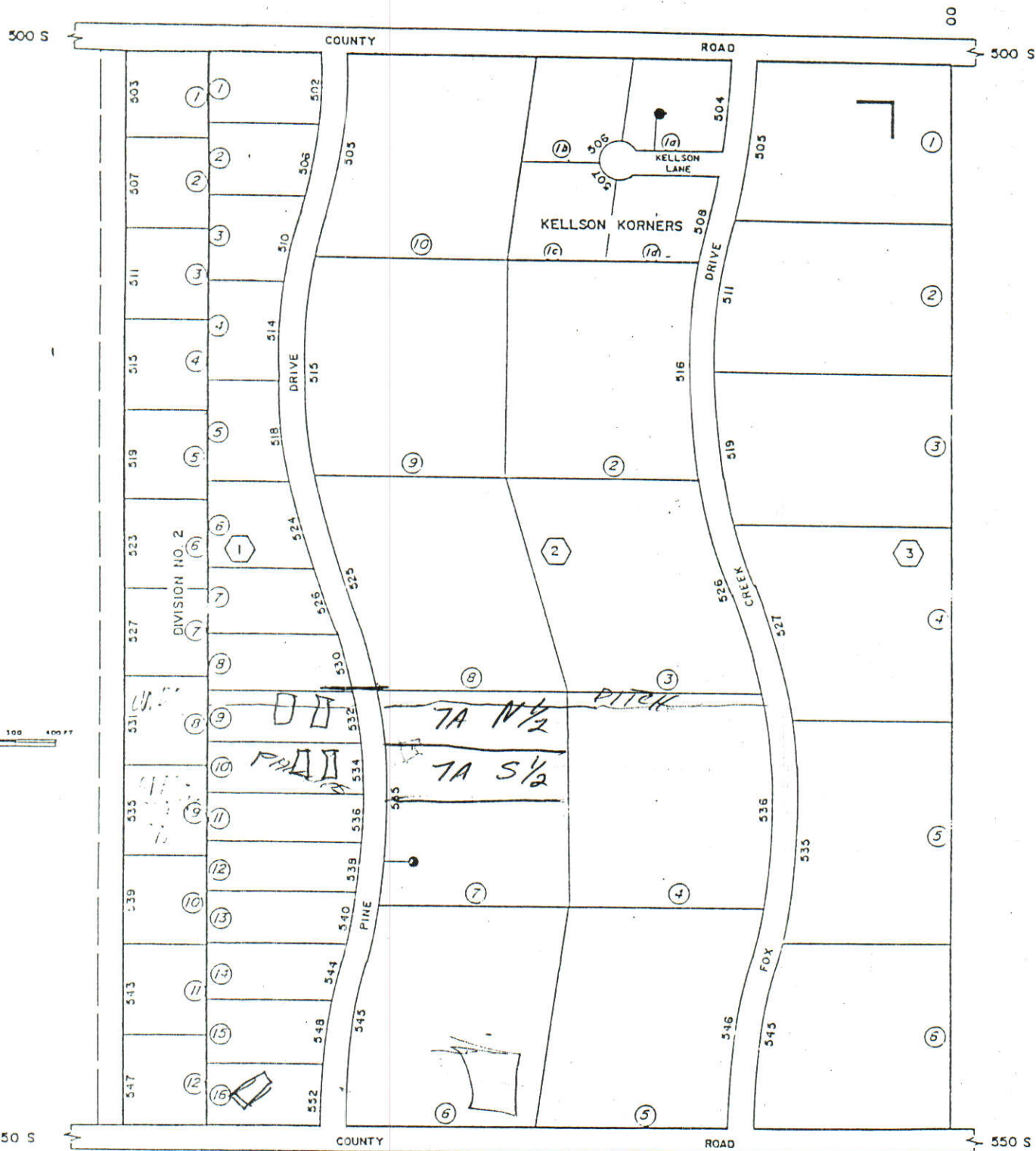
MICROFILMED
MAR 29 2001

132.70'

S 00°47'47"E

282.00'

129.30'



TETON VIEW ESTATES SUBDIVISION

Lot 9, Block 1, Division 1	Approx. 1.05 Acres, No C.C. & R's	\$13,500.
Lot 6, Block 2, Division 1	Approx. 5.75 Acres, Dividable	\$27,500.
Lot 8, Block , Division 2	Approx. 1.00 Acres,	\$15,000.
Lot 9, Block , Division 2	Approx. 1.00 Acres,	\$15,000.

3-D

Darryl Edgington

MICROFILMED

MAR 29 2001

Amt. of Fee \$ 50.00
Receipt No. 0064578
Receipt By: [Signature]
Date Received: 12-30-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 30 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 22-7816 Telephone No. 307-413-1375
2. Name of Permit Holder(s): MOISES TZOMPA & ADELA TZOMPA, HUS. & WIFE
3. Mailing Address: P.O. BOX 638,
City DRIGGS State ID. Zip 83422
4. Source of Water: GROUNDWATER (WELL) If GROUNDWATER (well), Date Drilled: mo. 10 / yr. 99
Well Driller: HIGH PLAINS DRILLING, INC. Drilling Permit Number: 22-99-E-114
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 4 Stockwater (No. and type of stock): N/A/APPLICABLE
Irrigation (No. of acres): N/A Other: N/A
6. Total rate of diversion and/or volume for which proof is submitted: 0.14 cfs OR N/A acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No X
8. Fee Enclosed: \$ \$50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: NELLY TZOMPA Telephone Number: 307-413-4410
Address: P.O. BOX 893, DRIGGS, IDAHO 83422
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: x Moises Tzompa x Adela Tzompa Date: x 12-17-02
(include your title, if on behalf of company or organization)

MICROFILMED

November 26, 1999

For Office Use Only
\$25 filing fee ☒
Receipt # 30 F028054
Date 8/14/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, NEIL A. JOHNSON, hereby assign to MOISES TZOMPA & ADELA TZOMPA
of, P.O. BOX 638, DRIGGS, ID. 83422 208-354-2451
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 22-7816 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

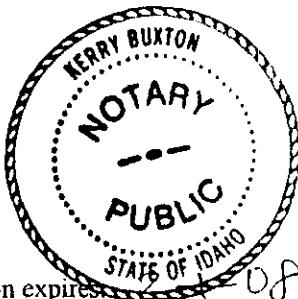
RECEIVED
AUG 14 2002
Department of Water Resources
Eastern Region

Made this 2 day of AUGUST, 2002.

Neil A. Johnson
Permit Holder(s)

State of Idaho)
County of TETON)ss

On this 2nd day of AUGUST, 2002, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.



SEAL

My commission expires 8/20/08

[Signature]
Notary Public residing at

(Driggs, ID)

MICROFILMED

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 22-07816

Priority: 10/24/2000

Maximum Diversion Rate: 0.14 CFS

This is to certify, that NEIL A JOHNSON
PO BOX 546
DRIGGS ID 83422

has applied for a permit to appropriate water from:

GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼SE¼ Sec. 26, Twp 04N, Rge 45E, B.M. TETON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 45E 26													X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2003**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. Domestic use is for 4 homes.
8. Point of diversion is located within Lot 7A S½, Blk. 2, Teton View Estates Subdivision.
9. Place of use is located within Lots 7A S½ and 7A N½, Blk. 2; Teton View Estates Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 31st day of January, 2001.

MICROFILMED

MAR 28 2003

Karl J Dreher
for **KARL J DREHER, Director**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR PERMIT

JAN 19 2001

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Neil A. Johanson Phone 354-8421
Mailing address PO Box 546 Driggs Idaho 83422
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 4N Range 45E Sec. 26, in the _____ 1/4, NE 1/4, SE 1/4, Govt. Lot _____, B.M., Teton County County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.14 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.14 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Well & pump to a distribution system for four (4) homes
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 6 inches; proposed depth of well is 143' feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? yes; Drilling firm High Plains
Well was drilled for (well owner) 10-11-1998; Drilling Permit No. 0006413
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. 4 households

MICROFILMED

MAR 23 2001

9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	45E	26													Δ				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? applicant

b. Who owns the land to be irrigated or place of use? applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

MAILED 2 5 2000

Neil M. Johnson
Signature of Applicant (and title, if applicable)

Received by Dennis Duvall Date 10-24-2000 Time 12:04 Preliminary check by FE 026327 Date 11-16-00

Fee \$ 100.00 Receipted by DMA # E026274 Date 10-24-2000

Publication prepared by SC Date 12/7 & 12/14/00 Published in Teton Valley News

Publication approved SC Date 1/12/01

9

10

11

BLOCK 1

PINE DRIVE

8

S 89°58'54"E 466.84'

LOT 7A N 1/2

1.36 ACRES

Place of use

⊕-Tel. Place of use

N 89°57'11"W 449.18'

LOT 7A S 1/2

1.36 ACRES

N 89°58'06"W 443.04'

MICROFILMED

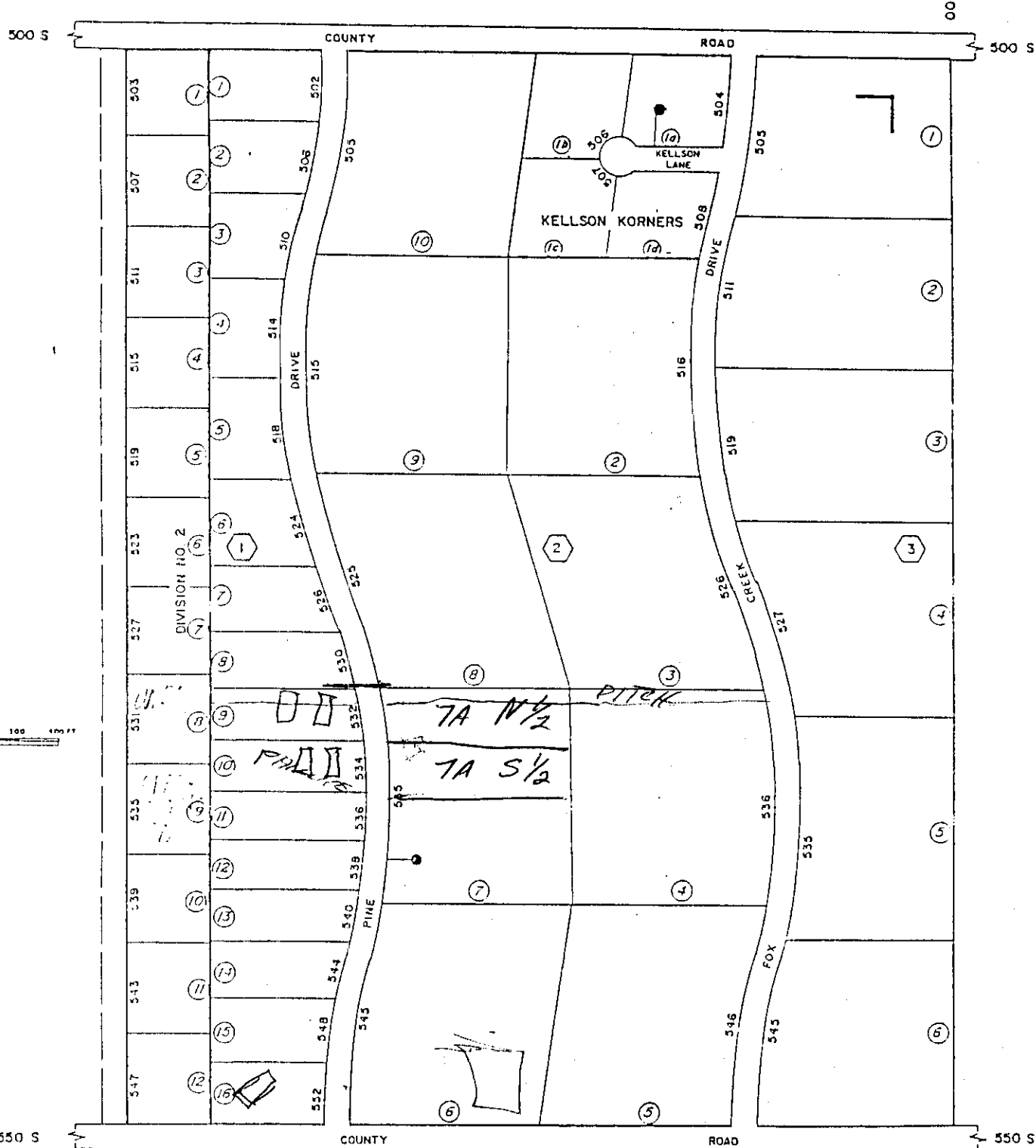
1975 JUN 2001

132.70'

S 00°47'47"E

282.00'

129.30'



TETON VIEW ESTATES SUBDIVISION

Lot 9, Block 1, Division 1	Approx. 1.05 Acres, No C.C. & R's	\$13,500.
Lot 6, Block 2, Division 1	Approx. 5.75 Acres, Dividable	\$27,500.
Lot 9, Block , Division 2	Approx. 1.00 Acres,	\$15,000.
Lot 9, Block , Division 2	Approx. 1.00 Acres,	\$15,000.

3-D

Darryl Edgington

MICROFILMED

2001

Idaho Department of Water Resources
1301 North Orchard Boise ID 83706-2237

Write Tag Number Here

00006413

Start Card/Permit for a Domestic Well

(Not Valid Without Tag Number)

(Cold Water 85 degrees or less)

Press Hard

1. Well Owner (please print): NEIL JOHNSON
2. Owner's Address: P.O. Box 546
City DRIGGS State ID Zip 83422 Phone() - -
3. Well Location: Twp: 4N Rge: 45E Sec. 26 1/4 NE 1/4 SE 1/4
Gov't Lot No. 9A County TETON Lat : : Long : :
Street Address of Well Site
City TETON Lot 9A Block 2 Sub. TETON VIEW ESTATES
4. Well Construction Information:
☒ New Construction, [] Deepen, [] Modify, [] Replace Existing Well (Previous #)
5. Construction Start Date: 10-05-99 6. Well Driller HIGH PLAINS License # 299
7. Signature of Driller or Owner: Carol Grandon Date 10/05/99

Submit White Copy to Department of Water Resources

Applicant agrees to comply with the Underground Facilities Damage Prevention Act I.C. 55-2201 et seq. and contact the locator service telephone number Digline 1-800-342-1585 prior to commencing excavation.

22-99-E-0114-000

looks like
from what I
see

MICROFILMED

4/2/2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

13 November 2000

Mr. Neil Johnson
P.O. Box 546
Driggs, Idaho 83442

RE: Application for Permit & Drilling Fees

Dear Mr. Johnson,

Idaho Code 42-235 sets the drilling permit fee for any well requiring a water right at two hundred (\$200.00) dollars.

IDAPA 37.03.09.e requires the difference between the lower drilling permit fee required by domestic wells and the higher drilling permit fee to be paid by the applicant.

The original drilling permit fee paid for your well was seventy-five (\$75.00) dollars. The difference is one hundred twenty five (\$125.00) dollars. Please remit this amount to the Idaho Department of Water Resources.

The application for permit that you submitted to the Department is ready to be advertised. However before advertising may occur the difference in fees must be received by the Department.

If you have any questions please contact me.

Sincerely

Dennis M. Dunn
Sr. Water Resource Agent

MICROFILMED

NOV 23 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 3, 2003

MOISES TZOMPA
ADELA TZOMPA
PO BOX 638
DRIGGS ID 83422

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-7816

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JAN 13 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 22-7816

Reviewed By: dgibson

Date: January 2, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E026274, C066578		Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/30/2002
Date proof due	-	02/01/2003
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/24/2000
New priority date	=	10/24/2000

Deficiencies of Actions Items

Acknowledge proof.

November 30, 2002

MOISES TZOMPA
ADELA TZOMPA
PO BOX 638
DRIGGS, ID 83422

PROOF DUE NOTICE

RE: PERMIT NO. 22-7816

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

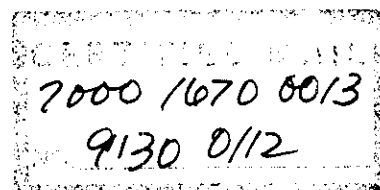
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau
Enclosures

MICROFILMED

NOV 30 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 20, 2002

MOISES TZOMPA
ADELA TZOMPA
PO BOX 638
DRIGGS ID 83422

RE: Change of Ownership for Water Right Permit 22-7816

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

2002 11 14



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

January 31, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NEIL A JOHNSON
PO BOX 546
DRIGGS ID 83422

RE: Permit No. 22-7816

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED

MAY 23 2001

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,


for Shelley W. Keen
Water Rights Supervisor

SWK:klt
Enclosure(s)

MICROFILMED

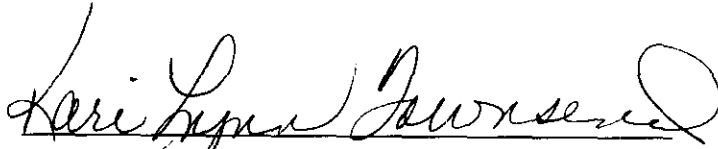
MAY 25 2004

CERTIFICATE OF MAILING

I hereby certify that on January 31, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 22-7816

**NEIL A JOHNSON
PO BOX 546
DRIGGS ID 83422**



**Karl Lynn Townsend
Secretary**

MICROFILMED

MAR 23 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 1/23/01

No. 22-07816 Name: Johnson Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes SR Moratorium _____ GWMA _____ TRUST/NON-TRUST _____

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 2/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr, GW supp to SW - 102
DOMESTIC W014
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59 Lot 7A, S1/2, Bk 2
Subd lot desc (pu) - W60 Lots 7A S1/2 & 7AN1/2, Bk 2
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

AN 19 2001

Department of Water Resources

Dist for Staffing _____
Submitted for advertising 11-16-00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

Johnson
INITIAL REVIEW BY HWS DATE 10-25-00 APPLICATION NO. 22-07816

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☐ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION:

- ☐ Overlapping place of use (Describe source & relationship to present application on the back)
☐ Overlapping point of diversion
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
☐ Yes ☐ No Public Water System
☐ Yes ☐ No Planning section review
☐ Yes ☐ No Moratorium Hold file
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

_____ Date Requested _____

PROCESSING:

- ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☐ Id Dept of Health & Welfare
☐ Id Dept of Fish & Game
☐ Id Dept of Lands
☐ Adjudication Bureau Unit

- ☐ U.S. BLM
☐ U.S. Forest Service
☐ Water District
☒ Other Dept of Agr & #7

☒	Yes	☐	No	Affidavit of publication received
☒	Yes	☐	No	Application published correctly. If not, record action taken
☒	Yes	☒	No	Publication dates & paper, recorded on application
☐	Yes	☒	No	Protests received
				Final date for protest _____
☐	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐	No	Recommendations attached
☐	Yes	☐	No	Measuring device required
☐	Yes	☐	No	Access port required
☐	Yes	☐	No	Will water be delivered by watermaster? If yes, what District _____
☐	Yes	☐	No	Special conditions of approval or cover letter below.

By: _____ Date: _____
 ADDITIONAL INFORMATION: _____

Comments received from:

_____ City	_____ Id Fish & Game	_____ Irrigation District
_____ County	_____ Id Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. Of Environment	_____ Other _____

COMMENTS

AFFIDAVIT OF PUBLICATION

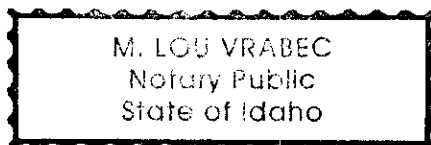
State of Idaho)
)ss
County of Teton)

I Judy Lou E. Davis
being first duly sworn, depose and say that I am
the Office Manager of the Teton Valley
News, a newspaper as defined by Idaho Codes
Annotated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed
and published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice,
advertisement, or publication of Notice of
Application for Water Right.
And affiant further says that said attached
notice, advertisement, or publication, as per
clipping attached, was published in said
newspaper, in the regular and entire issue
thereof, and not in any supplement issue thereof,
for 2 consecutive issues thereof; first
publication having been made on the 7th day
of Dec., 2000. And affiant further says
that at the times herein mentioned said
newspaper was made up of at least eight pages of
at least five columns each, printed from typed
matter, of at least sixteen inches deep.

Judy Lou E. Davis
State of Idaho)
)
County of Teton)

On this 14 day of Dec., 2000,
before me, a Notary Public, personally appeared
Judy Lou E. Davis known or
identified to me to be the person whose name
subscribed to the within instrument, and being
by me first duly sworn, declared that the
statements there-in are true, and acknowledged
to me that he/she executed the same.

M. Lou Vrabec
Notary Public for Idaho
Residing at Driggs Idaho
My commission expires 12-21-2003



RECEIVED

JAN 11 2001

Department of Water Resources
Eastern Region

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of the
State of Idaho: NEIL A. JOHNSON, P.O.
BOX 546, DRIGGS, ID 83422. Source:
GROUND WATER. Diversion Pt: NESE
Sec 26 T 04N R 45E in TETON County.
Use: DOMESTIC (0.140 CFS). Total Di-
version: (0.140 CFS). Date Filed: 10/24/
2000. In: TETON County, T04N R45E S26
NESE.

Any protests against the proposed ap-
plication must be filed with the Dept. of
Water Resources, 900 N. Skyline Dr., Ste.
A, Idaho Falls, ID 83402, together with a
protest fee of \$25.00 on or before DECEM-
BER 26, 2000, to be considered by the
Department in its decision to grant or deny
any part of the proposed application. The
protestant must also send a copy of the
protest to the applicant.

KARL J. DREHER, Director

Published in the *Teton Valley News*
December 7 & 14, 2000.

MICROFILMED

MAR 2 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

November 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NEIL A JOHNSON
PO BOX 546
DRIGGS ID 83422

RE: Applications for Permit #22-07816

Dear Applicant:

This office is currently in the process of advertising the application in the Teton Valley News on December 7 and 14, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

MAR 7 8 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 29, 2000

Legal Notices Department
TETON VALLEY NEWS
80 E LITTLE AVE
DRIGGS, ID 834225163

Dear Legal Dept.:

Enclosed you will find legal notices 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 26, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.

MICROFILMED

MAR 29 2001

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07816

JOHNSON, NEIL A
PO BOX 546
DRIGGS, ID 83422

Source: GROUND WATER

Diversion Pt: NESE Sec 26 T 04N R 45E in TETON County.

Use: DOMESTIC (0.140 CFS)
Total Diversion: (0.140 CFS)

Date Filed: 10/24/2000

In: TETON County
T04N R45E S26 NESE

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of \$25.00 on or before DECEMBER 26, 2000. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 12/ 7/2000 & 12/14/2000

MICROFILMED

NOV 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

November 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Dept of Health District 7
314 N 3 East
Rexburg ID 83440

RE: Application for Permit #22-07816

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is December 26, 2000, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

MAY 2 3 2001