

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 93-07176

Priority: April 11, 2011

Maximum Diversion Rate: 0.03 CFS

This is to certify, that DALE JOHNSON And/Or CONNIE JOHNSON
2840 KING VALLEY RD
DESMET ID 83824

has applied for a permit to appropriate water from:

Source: SPRING

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>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
RECREATION	01/01 to 12/31	0.03 CFS	
STOCKWATER STORAGE	01/01 to 12/31		0.4 AF
RECREATION STORAGE	01/01 to 12/31		10.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING, NW1/4SE1/4NW1/4, Sec. 35, Twp 44N, Rge 05W, B.M., BENEWAH County

PLACE OF USE: STOCKWATER, RECREATION STORAGE, RECREATION
STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
44N 05W 35								X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2013**.
2. Subject to all prior water rights.
3. Stockwater use is for 20 head mixed stock.
4. Right 93-7176 authorize the diversion of an annual total of 10.1 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by seepage and evaporation.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. This right does not grant any right-of-way or easement across the land of another.
7. The pond established by the storage of water under this right shall not exceed a total capacity of 7.0 acre-feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 26 day of March, 2012.


GARY SPACKMAN, Interim Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 26, 2012

DALE JOHNSON
2840 KING VALLEY RD
DESMET ID 83824

CONNIE JOHNSON
2840 KING VALLEY RD
DESMET ID 83824

RE: Permit No.93-7176

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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 208-762-2800.

Sincerely,

A handwritten signature in black ink, reading "Eric J. Davis". The signature is written in a cursive style with a large, stylized "E" and "D".

Eric Davis

Sr. Water Resource Agent

Enclosure(s)

CERTIFICATE OF SERVICE

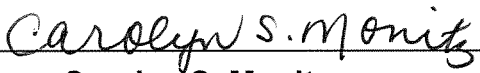
I hereby certify that on March 27, 2012 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

93-7176

**CONNIE JOHNSON
2840 KING VALLEY RD
DESMET ID 83824**

**DALE JOHNSON
2840 KING VALLEY RD
DESMET ID 83824**



**Carolyn S. Monitz
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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.

ILLINOIS DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 93 - 7176

APPLICATION ID # 77172

ENT. E.D

BCA 9/7/11

OK to Publish 7/1/11

INITIAL REVIEW

APPLICANT: DALE for CONNIE JOHNSON

BY: E.D

DATE: 4/27/2011

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☐ Source
3. ☐ Point of Diversion & County
4. ☐ Quantity
5. ☐ Nature of Proposed Use
6. ☐ Period of Use
7. ☐ Total Quantity
8. ☐ Description of diverting works
9. ☐ Time required for b/u
10. ☐ Proposed use
11. ☐ Place of use or acres irrigated
12. ☐ Other water Rights
13. ☐ Ownership
14. ☐ Map
15. ☐ Signature
16. ☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

(Yes)(No)

☒ Shape File Created Date 4-11-11 By: ED

☐ Field check: by _____

☐ Field report attached

☐ Analysis Supp. Attached (>5cfs/500af)

☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 4/11/2011

☒ (Include Moratorium Remark)
☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN:

Newspaper: 5M Benedict County

Dates scheduled for publication 9/7/11 9/14/11 9/21/11 9/28/11

Affidavit of Publication received: 9/15/11

Dates actually published: 9/17/11 9/14/11

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 9/26/11 2/21/12

Protests Received: Yes ☐ No ☒

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
() Power Information () Other: _____

INFORMATION RECEIVED:

() Dam Information () Fish Information
() Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:

Tag #

Type:

Fees

Receipt No.

Upgrade Needed?

Dom. Non-Dom. Paid \$
Dom. Non-Dom. Paid \$
Dom. Non-Dom. Paid \$

Y () N ()
Y () N ()
Y () N ()

☐ Groundwater management area

☐ Critical ground water area

☐ Well Drilling Permit required

☐ Well Drilling Application and Fees received

☐ Well Drilling Application approved?

SPRING / Pond

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

☒ Notice of pending void order issued.

☒ Further information required from applicant

Final order response date: ____/____/____

☒ Measuring device required

☒ Measuring port required

☒ Special conditions: _____

☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: E.D

Date: 10/14/2011 Sr. Agent initial E.D

RECEIVED

FEB 13 2012

IDWR / NORTH

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 1st day of February, 2012... and the last on the 8th day of February, 2012.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 8 day of February, 2012

Cynthia Ann Hammes

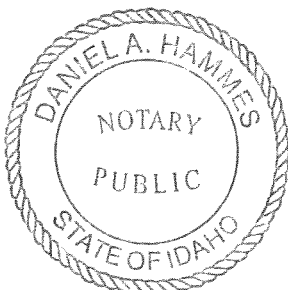
STATE OF IDAHO)

COUNTY OF BENEWAH)

On this 8 day of February, in the year of 2012 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Daniel A. Hammes

Notary Public for Idaho
Residing at St. Maries, Idaho
My commission expires:



07-13-2013

APPLICATION NOTICE

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

93-7176

DALE JOHNSON

CONNIE JOHNSON

2840 KING VALLEY RD

DESMET, ID 83824

Point of Diversion NWSNW S35 T44N R05W

BENEWAH CO

Source SPRING

Use: DIVERSION to Storage 01/01 to 12/31 0.02 CFS

Use: RECREATION 01/01 to 12/31 0.03 CFS

Use: RECREATION Storage 01/01 to 12/31 10.1 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: STOCKWATER Storage 01/01 to 12/31 0.4 AF

Total Diversion: 0.03 CFS

Date Filed: 4/11/2011

Place of Use: STOCKWATER T44N R05W S35 SENW

Place of Use: ALL OTHER USES same as STOCKWATER

Stockwater use is for 20 head of mixed stock.

Recreation use is for swimming.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 2/21/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

8222 Feb. 1 - Feb. 8

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

93-7176

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CONNIE JOHNSON

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DESMET, ID 83824

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Use: STOCKWATER Storage 01/01 to 12/31 0.4 AF

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Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'
Alene ID 83815 together with a protest fee of \$25.00 for
each application on or before 2/21/2012. The protestant
must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 2/1/2012 and 2/8/2012

Ball, Dianne

From: Ball, Dianne
Sent: Friday, January 27, 2012 3:06 PM
To: 'Kaisie Brede'
Subject: Application for Permit No. 93-7176
Attachments: LegalNotice 01-27-12 SM e-mail 93-7176.doc

Good afternoon, Kaisie,

Please publish the enclosed legal notice on the dates indicated, February 1 and 8, 2012, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please provide a proof/preview copy for my review before this goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/21/2012. Your cooperation is greatly appreciated.

Thanks, Kaisie, it's always a pleasure to work with you.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 27, 2012

DALE JOHNSON
CONNIE JOHNSON
2840 KING VALLEY RD
DESMET, ID 83824

Application For Permit No. 93-7176

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

Due to the amendments made to the original application it is necessary for us to re-advertise this application.

A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 2/1/2012 and 2/8/2012. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Eric J Davis
Sr. Water Resource Agent

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 100 issues, the first publication being on the 17 day of September, 2011 and the last on the 14 day of September, 2011.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 14 day of September, 2011.

Cynthia Ann Hammes

STATE OF IDAHO)

COUNTY OF BENEWAH)

On this 14 day of September, in the year of 2011 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

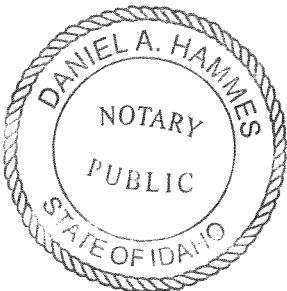
Daniel A. Hammes

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires:

07-13-2013



RECEIVED
SEP 15 2011
IDWR / NORTH

NOTICE OF APPLICATION

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

93-7176

DALE JOHNSON

CONNIE JOHNSON

2840 KING VALLEY RD

DESMET, ID 83824

Point of Diversion NWSNW S35 T44N R05W

BENEWAH County

Source SPRING

Use: DIVERSION to STORAGE 01/01 to 12/31 0.02 CFS

Use: RECREATION 01/01 to 12/31 0.03 CF 10.1 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS 0.4 AF

Total Diversion: 0.03 CFS

Date Filed: 4/11/2011

Place of Use: STOCKWATER T44N R05W S35 SENW

Place of Use: RECREATION T44N R05W S35 SENW

Stockwater use is for 20 head of mixed stock.

Recreation use is for swimming.

93-7182

THOMAS A HALL

CAROLYNN J HALL

3603 WINDFALL PASS RD

PLUMMER, ID 83851

Point of Diversion NWNW S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM tributary MOCTILEME CRK

Use: FIRE PROTECTION Storage 01/01 to 12/31 2.1 AF

Use: RECREATION STORAGE 01/01 to 12/31 2.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2.1 AF

Total Diversion: 2.1 AF

Date Filed: 5/4/2011

Place of Use: ALL STORAGE USES

T45N R04W S20 NWNE

Recreational use is for fishing, swimming and boating.

93-7213

PHILIP SERGENT

MARIA SERGENT

3676 FOUR CORNERS RD

TENSED, ID 83870

Point of Diversion NWSW S9 T44N R04W

BENEWAH County

Source SPRING tributary SINKS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: Stockwater from Storage 01/01 to 12/31 0.2 AF

Total Diversion: 0.02 CFS

Date Filed: 5/12/2011

Place of Use: STOCKWATER T44N R04W S9 SWSE

Stockwater use is for 24 head of mixed stock.

93-7242

JAMES P DEVER

LYNN C DEVER

4170 FOUR CORNERS RD

TENSED, ID 83870

Point of Diversion SWSW S10 T44N R04W

BENEWAH County

Source UNNAMED STREAM tributary SQUAW CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 1 AF

Total Diversion: 1 AF

Date Filed: 5/23/2011

Place of Use: WILDLIFE STORAGE

T44N R04W S10 SWSW

Place of Use: FIRE PROTECTION STORAGE

same as WILDLIFE STORAGE

93-7249

LEE DRAPER

CYNTHIA DRAPER

PO BOX 344

PLUMMER, ID 83851

Point of Diversion SESW S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM Tributary LOLO CREEK

Point of Diversion SESW S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM tributary LOLO CREEK

Point of Diversion SESW S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM Tributary LOLO CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 20 AF

Use: IRRIGATION 01/01 to 12/31 0.14 cfs

Use: IRRIGATION from STORAGE 01/01 to 12/31 20 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 20 AF

Use: STOCKWATER 01/01 to 12/31 0.02 cfs

Use: STOCKWATER from Storage 01/01 to 12/31 0.2 AF

Total Diversion: 0.16 CFS 20 AF

Date Filed: 5/23/2011

Place of Use: IRRIGATION T45N R04W S20 SESW SWSE

Place of Use: IRRIGATION from STORAGE

same as IRRIGATION

Place of Use: IRRIGATION STORAGE

T45N R04W S20 SESW

Place of Use: STOCKWATER T45N R04W S20 SESW

Place of Use: STOCKWATER from STORAGE and FIRE PROTECTION STORAGE same as STOCKWATER

Total Acres: 7

Stockwater use is for 10 head mixed stock.

93-7262

MICHAEL HENRY

MARIANNE HENRY

1281 MCCLEILAN RD

PLUMMER, ID 83851

Point of Diversion SENE S19 T46N R05W BENEWAH CO

Source UNNAMED STREAM tributary HANGMAN CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 4.4 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.7 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 5.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 4.4 AF

Total Diversion: 5.1 AF

Date Filed: 5/31/2011

Place of Use: STOCKWATER STORAGE, WILDLIFE STORAGE

and FIRE PROTECTION STORAGE and

STOCKWATER from STORAGE

T46N R05W S19 SENE

Stockwater use is for 50 head of mixed stock.

93-7265

LON B REYNOLDS

5862 MINALOOSA RD

PLUMMER, ID 83851

Point of Diversion L2(NWNE) S6 T45N R04W

BENEWAH County

Source GROUNDWATER

tributary LITTLE PLUMMER CREEK

Point of Diversion SWSE S31 T46N R04W

BENEWAH County

Source SPRING tributary LITTLE PLUMMER CREEK

Point of Diversion L2(NWNE) S6 T45N R04W

BENEWAH County

Source SPRING tributary LITTLE PLUMMER CREEK

Point of Diversion L2(NWNE) S6 T45N R04W

BENEWAH County

Source SPRING tributary LITTLE PLUMMER CREEK

Use: DIVERSION to Storage 01/01 to 12/31 0.2 CFS

Use: FIRE Protection Storage 01/01 to 12/31 3.3 AF

Use: RECREATION 01/01 to 12/31 0.2 CFS

Use: RECREATION Storage 01/01 to 12/31 3.3 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: Stockwater from Storage 01/01 to 12/31 0.7 AF

Use: Stockwater Storage 01/01 to 12/31 4 AF

Use: WILDLIFE 01/01 to 12/31 0.02 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 3.3 AF

Total Diversion: 0.2 CFS 4 AF

Date Filed: 6/1/2011

Place of Use: STOCKWATER and STOCKWATER FROM STORAGE

T45N R04W S6 L2(NWNE)

T46N R04W S31 SWSE

Place of Use: STOCKWATER STORAGE, WILDLIFE STORAGE,

FIRE PROTECTION STORAGE, RECREATION and RECREATION STORAGE

T45N R04W S6 L2(NWNE)

Stockwater use is for 50 head mixed stock.

Recreation use is for fishing and swimming.

93-7392

JEREMY HOPSON

KRISTINA HOPSON

422 MERIDITH ROAD

PLUMMER, ID 83851

Point of Diversion SWSE S13 T46N R06W BENEWAH CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/28/2011

Place of Use: IRRIGATION T46N R06W S13 SWSE

Total Acres: 20

Permits will be subject to all prior water rights. For additional information concerning the property location, contact

Northern Region office at (208) 762-2800. Protests may be

submitted based on the criteria of Idaho Code § 42-203A. Any

protest against the approval of this application must be filed

with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815

together with a protest fee of \$25.00 for each application on

or before 9/26/2011. The protestant must also send a copy of

the protest to the applicant.

GARY SPACKMAN, Interim Director

8104 Sept. 7-Sept. 14

RECEIVED

SEP 15 2011

IDWR / NORTH

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

93-7176

DALE JOHNSON

CONNIE JOHNSON

2840 KING VALLEY RD

DESMET, ID 83824

Point of Diversion NWSNW S35 T44N R05W

BENEWAH County

Source SPRING

Use: DIVERSION to STORAGE 01/01 to 12/31 0.02 CFS

Use: RECREATION 01/01 to 12/31 0.03 CF 10.1 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS 0.4 AF

Total Diversion: 0.03 CFS

Date Filed: 4/11/2011

Place Of Use: STOCKWATER T44N R05W S35 SENW

Place Of Use: RECREATION T44N R05W S35 SENW

Stockwater use is for 20 head of mixed stock.

Recreation use is for swimming.

93-7182

THOMAS A HALL

CAROLYNN J HALL

3603 WINDFALL PASS RD

PLUMMER, ID 83851

Point of Diversion NWNE S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM tributary MOCTILEME CRK

Use: FIRE PROTECTION Storage 01/01 to 12/31 2.1 AF

Use: RECREATION STORAGE 01/01 to 12/31 2.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2.1 AF

Total Diversion: 2.1 AF

Date Filed: 5/4/2011

Place Of Use: ALL OTHER STORAGE USES same as

FIRE PROTECTION STORAGE

Recreational use is for fishing, swimming and boating.

93-7213

PHILIP SERGENT

MARIA SERGENT

3676 FOUR CORNERS RD

TENSED, ID 83870

Point of Diversion NWSWSE S9 T44N R04W

BENEWAH County

Source SPRING tributary SINKS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: Stockwater from Storage 01/01 to 12/31 0.2 AF

Total Diversion: 0.02 CFS

Date Filed: 5/12/2011

Place Of Use: STOCKWATER T44N R04W S9 SWSE

Stockwater use is for 24 head of mixed stock.

93-7242

JAMES P DEVER

LYNN C DEVER

4170 FOUR CORNERS RD

TENSED, ID 83870

Point of Diversion SWSW S10 T44N R04W

BENEWAH County

Source UNNAMED STREAM tributary SQUAW CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 1 AF

Total Diversion: 1 AF

Date Filed: 5/23/2011

Place Of Use: WILDLIFE STORAGE

T44N R04W S10 SWSW

Place Of Use: FIRE PROTECTION STORAGE

same as WILDLIFE STORAGE

93-7249

LEE DRAPER

CYNTHIA DRAPER

PO BOX 344

PLUMMER, ID 83851

Point of Diversion SESW S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM Tributary LOLO CREEK

Point of Diversion SESW S20 T45N R04W BENEWAH CO

Source UNNAMED STREAM tributary LOLO CREEK

Point of Diversion SESW 20 T45N R04W BENEWAH CO

Source UNNAMED STREAM Tributary LOLO CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 20 AF
Use: IRRIGATION 01/01 to 12/31 0.14 cfs
Use: IRRIGATION from STORAGE 01/01 to 12/31 20 AF
Use: IRRIGATION STORAGE 01/01 to 12/31 20 AF
Use: STOCKWATER 01/01 to 12/31 0.02 cfs
Use: STOCKWATER from Storage 01/01 to 12/31 0.2 AF
Total Diversion: 0.16 CFS 20 AF

Date Filed: 5/23/2011

Place of Use: IRRIGATION T45N R04W S20 SESW SWSE

Place Of Use: IRRIGATION from STORAGE

same as IRRIGATION

Place of Use: IRRIGATION STORAGE

T45N R04W S20 SESW

Place of Use: STOCKWATER T45N R04W S20 SESW

Place Of Use: STOCKWATER from STORAGE and FIRE
PROTECTION STORAGE same as STOCKWATER

Total Acres: 7

Stockwater use is for 10 head mixed stock.

93-7262

MICHAEL HENRY

MARIANNE HENRY

1281 MCCLEILAN RD

PLUMMER, ID 83851

Point of Diversion SENE S19 T46N R05W BENEWAH CO

Source UNNAMED STREAM tributary HANGMAN CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 4.4 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.7 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 5.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 4.4 AF

Total Diversion: 5.1 AF

Date Filed: 5/31/2011

Place of Use: STOCKWATER STORAGE, WILDLIFE

STORAGE and FIRE PROTECTION STORAGE and

STOCKWATER from STORAGE

T46N R05W S19 SENE

Stockwater use is for 50 head of mixed stock.

93-7265

LON B REYNOLDS

5862 MINALOOSA RD

PLUMMER, ID 83851

Point of Diversion L2(NWNE) S6 T45N R04W

BENEWAH County

Source GROUNDWATER

tributary LITTLE PLUMMER CREEK

Point of Diversion SWSE S31 T46N R04W

BENEWAH County

Source SPRING tributary LITTLE PLUMMER CREEK

Point of Diversion L2(NWNE) S6 T45N R04W

BENEWAH County

Source SPRING tributary LITTLE PLUMMER CREEK

Point of Diversion L2(NWNE) S6 T45N R04W

BENEWAH County

Source SPRING tributary LITTLE PLUMMER CREEK

Use: DIVERSION to Storage 01/01 to 12/31 0.2 CFS

Use: FIRE Protection Storage 01/01 to 12/31 3.3 AF

Use: RECREATION 01/01 to 12/31 0.2 CFS

Use: RECREATION Storage 01/01 to 12/31 3.3 AF

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: Stockwater from Storage 01/01 to 12/31 0.7 AF

Use: Stockwater Storage 01/01 to 12/31 4 AF

Use: WILDLIFE 01/01 to 12/31 0.02 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 3.3 AF

Total Diversion: 0.2 CFS 4 AF

Date Filed: 6/1/2011

Place of Use: STOCKWATER and STOCKWATER FROM
STORAGE

T45N R04W S6 L2(NWNE)

T46N R04W S31 SWSE

Place of Use: STOCKWATER STORAGE, WILDLIFE

STORAGE, FIRE PROTECTION STORAGE,

RECREATION and RECREATION STORAGE

T45N R04W S6 L2(NWNE)

Stockwater use is for 50 head mixed stock.

Recreation use is for fishing and swimming.

93-7392

JEREMY HOPSON

KRISTINA HOPSON

422 MERIDITH ROAD

PLUMMER, ID 83851

Point of Diversion SWSE S13 T46N R06W BENEWAH CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/28/2011

Place of Use: IRRIGATION T46N R06W S13 SWSE

Total Acres: 20

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 9/26/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 9/7/2011 and 9/14/2011

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 02, 2011 1:51 PM
To: 'Kaisie Brede'
Subject: Application for Permit No. 93-7176, 93-7182, 93-7265, 93-7213, 93-7242, 93-7249, 93-7262, 93-7392
Attachments: LegalNotice 09-01-11 SM e-mail 93-7176,82,7213,42,47,62,65,7392.doc

Good afternoon, Kaisie,

Please publish the enclosed legal notice on the dates indicated, September 7 and 14, 2011 (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof/preview copy before this goes to print. I realize we have a holiday this weekend so I probably won't get back to you before Tuesday. That's tight, but hope it will be OK if early enough on Tuesday morning.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/26/2011. Your cooperation is always appreciated.

Thanks for all you do to help us.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 2, 2011

DALE JOHNSON
CONNIE JOHNSON
2840 KING VALLEY RD
DESMET, ID 83824

Application For Permit No. 93-7176

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 9/7/2011 and 9/14/2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Eric J. Davis
Sr. Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 02, 2011 3:40 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Apps for permits No. 93-7176 spring; 93-7182 Unnamed Stream; 93-7213 Spring; 93-7242 Unnamed Stream; 93-7249 Unnamed Stream/Pond; 93-7262 Unnamed Stream; 93-7265 Springs/groundwater
Attachments: 93-7176_Johnson.pdf; 93-7182_Hall.pdf; 93-7213_Sergeant.pdf; 93-7242_Deaver.pdf; 93-7249_Draper.pdf; 93-7262_Henry.pdf; 93-7265_Reynolds.pdf

Dear Mary,

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. A copy of each of the applications is enclosed for your reference.

These are being prepared for publication in St Maries Gazette on September 7 and 14, 2011 with September 26, 2011 as final date for protests to be received in our office.

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 12, 2011

DALE JOHNSON
2840 KING VALLEY RD
DESMET, ID 83824

Re: Application for Permit to Appropriate the Public Waters of the State of Idaho.

The application you had submitted was missing some data. I discovered this after the application was submitted. Please review the application I have returned to you with this letter. If you agree with all the data on this application please sign and return it with the map. I have attached a map with the outline location of the place use and the location of the spring. Please review this map for the correct location of the place of use and point of diversion. Please make your changes to the application and map to reflect how this water application is to be used.

Once the department receives this additional information, processing of the application can continue. If you have any questions, please call me at 208-762-2800 or email me at eric.davis@idwr.idaho.gov

Sincerely,

Eric Davis
Senior Water Resource Agent
Northern Region