

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 96-9403

WATER RIGHT NUMBER: 96-9403

DRAFT

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVEN R JOHNSON 1497 BEERS-HUMBIRD RD SAGLE, ID 83860 (208)263-4450
Current Owner	MARGUERITE A JOHNSON 1497 BEERS-HUMBIRD RD SAGLE, ID 83860 (208)263-4450

Priority Date: 03/13/1998

Basis: License

Status: Active DRAFT

<u>Source</u>	<u>Tributary</u>
HOODOO CREEK SPRINGS	PEND OREILLE RIVER HOODOO CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.380 CFS	57.00 AF
	<u>Total Diversion:</u>	0.380 CFS	57.00 AF

Location of Point(s) of Diversion

HOODOO CREEK	NW 1/4 SW 1/4 SE 1/4	Sec. 14, Twp 55N, Rge 04W, B.M.
BONNER County		
SPRINGS	NW 1/4 SW 1/4 SE 1/4	Sec. 14, Twp 55N, Rge 04W, B.M.
BONNER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	04W	14									14.0	5.0							19.0

Total Acres: 19

Conditions of Approval:

1. R62 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
3. Water shall not be diverted under this right when flows in the Pend Oreille River are below established minimum stream flows.

Remarks:

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Comments:

1. Aaron Marshall 8/14/2008 License Processing

Comment: Permit 96-8984 was split prior to licensing based on the assignment of permit, current property ownership, and field examination, into rights 96-9402 and 96-9403.

Licensed water right 96-2190 overlaps 80 acres of permit 96-8984, diverts water from the same source (Hoodoo Creek), but diverts from a different point on the creek. It is unclear whether right 96-2190 is still used or to what extent but there appears to be no actual overlap of use.

The field examiner recommended right 96-8984 be licensed for 1.70 cfs, for irrigation of 80 acres, from Hoodoo Creek and springs tributary to Hoodoo Creek. The flow rate would be limited to 1.60 cfs based on the standard rate of 0.02 cfs per acre as permitted. The annual diversion volume at the field headgate would be limited to 3.0 acre-feet per acre for a total of 240 acre-feet annually.

The 80 acres of land recommended by the examiner under permit 96-8984 is owned by two separate parties, Charesse Moore (61.0 acres) and Albert and Martina Sanders (19.0 acres). The new rights split from permit 96-8984, 96-9402 and 96-9403, will be licensed proportionally based on acreage. 96-9402 will be licensed in the name of Charesse Moore since Steven Johnson assigned permit 96-8984 to her and she owns 61.0 acres developed under the permit. Steven Johnson did not assign the remaining portion to the Sanders. 96-9403 will remain in his name and can be changed based on ownership once the license is issued.

Right 96-9402 should be licensed with a flow rate of 1.22 cfs from Hoodoo Creek and Springs tributary to Hoodoo Creek, for irrigation of 61.0 acres, and an annual volume limit of 183 acre-feet.

Right 96-9403 should be licensed with a flow rate of 0.38 cfs from Hoodoo Creek and Springs tributary to Hoodoo Creek, for irrigation of 19.0 acres, and an annual volume limit of 57 acre-feet.

Dates and Other Information:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre: 0.02

Generic Max Volume Per Acre: 3

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: