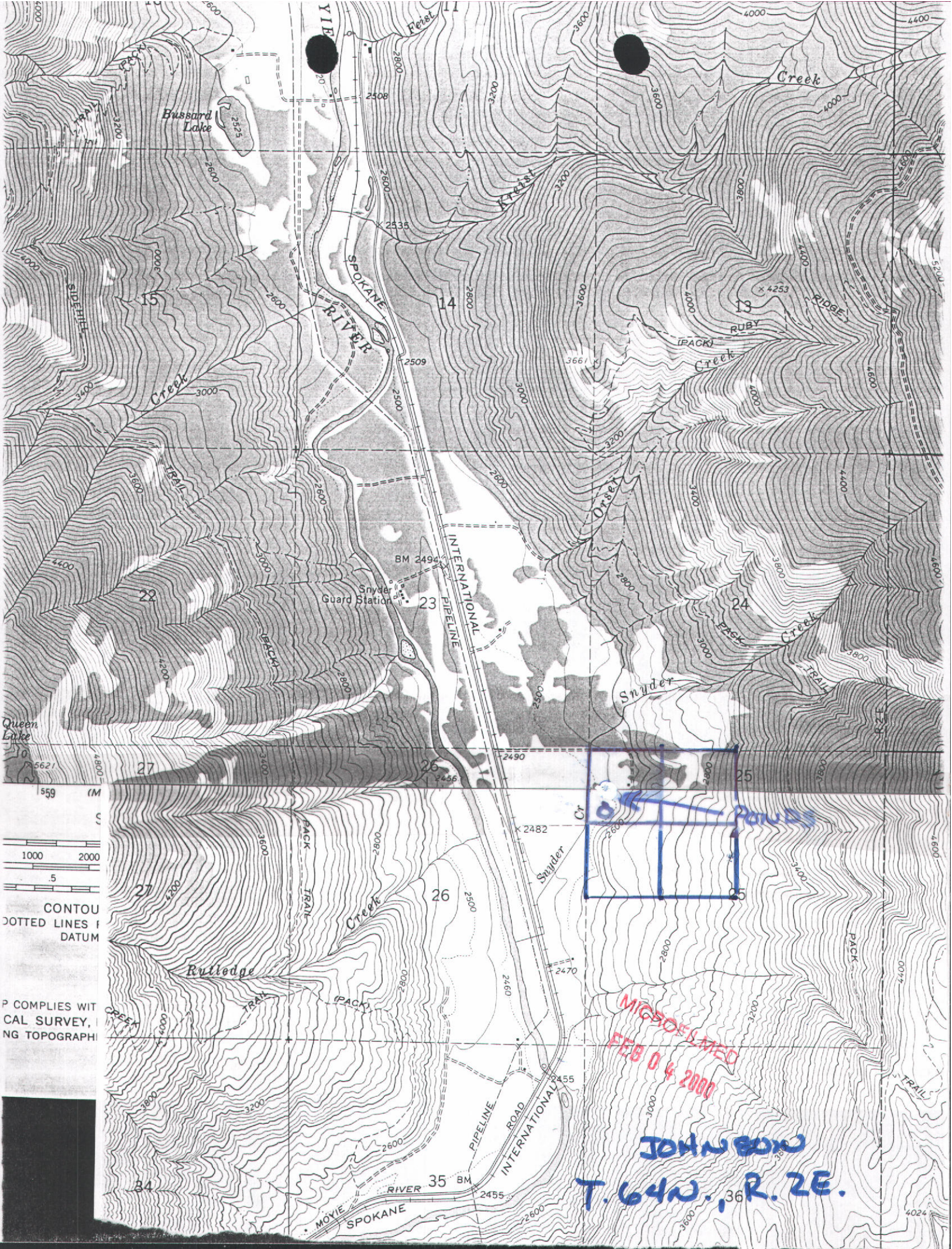


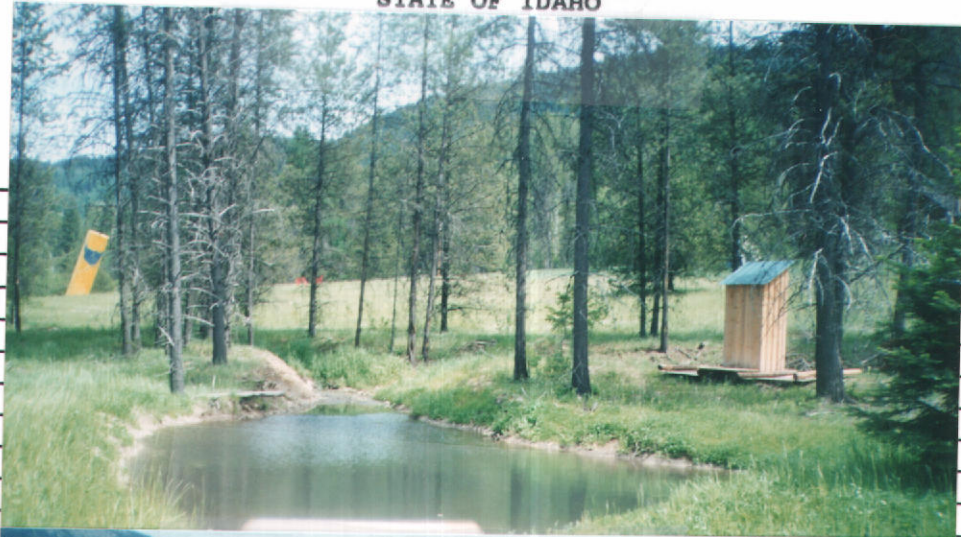


559 (M)
1000 2000
5
CONTOUR LINES
DOTTED LINES
DATUM

P COMPLIES WITH
CAL SURVEY,
NG TOPOGRAPHY

MICROFILMED
FEB 04 2000
JOHN BOW
T. 64N., R. 2E.

98-0772



Pond 1



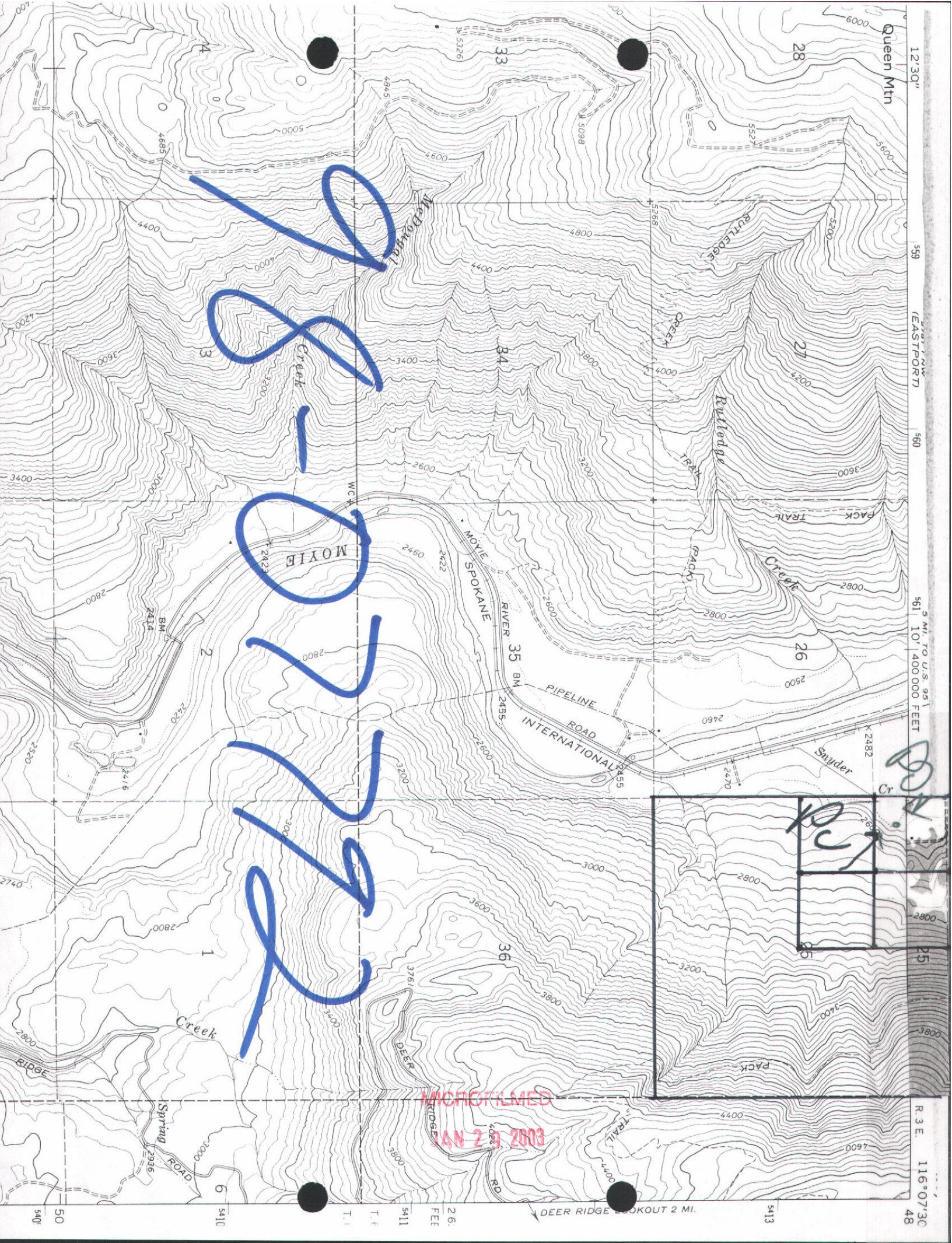
Pond 2



EXIT 2
TO SNYDER CREEK

MICROFILMED
JAN 29 2003

Queen Mtn



8-072

MICROFILMED
JAN 29 2003

PC

DEER RIDGE LOOKOUT 2 MI.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

by S. Curtis

No.: 98-07792 Name: Johnson Date: 9/29/99 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - **P16**

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: 9/27/99 RESPONSE: NONE

IN/ABOVE MSF (✓ MAP) - *WB9 Maye River

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____

OTHER CONDITIONS:

- _____

STANDARD REMARKS:

- Rs/swimming & fishing

BENEFICIAL USE DUE:

- 10/1/2000

COMMENTS:

- _____

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 98-07792

Priority: August 4, 1999

Maximum Diversion Volume: 4.2 AF

It is hereby certified that DENIS JOHNSON And CINDY JOHNSON
HCR 61 BOX 192
BONNERS FERRY ID 83805 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 4, 1999; and has
submitted Proof of Beneficial Use on October 28, 1999. An examination indicates that the works have a
diversion capacity of 4.2 af of water from:

SOURCE

UNNAMED STREAM
SNYDER CREEK

Tributary: SNYDER CREEK
MOYIE RIVER

and a water right has been established as follows:

BENEFICIAL USE

RECREATION STORAGE

PERIOD OF USE

01/01 to 12/31

**ANNUAL
DIVERSION VOLUME**
4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SNYDER CREEK NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, Twp 64N, Rge. 2E, B.M. BOUNDARY County
UNNAMED STREAM NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25, Twp 64N, Rge. 2E, B.M. BOUNDARY County

PLACE OF USE: RECREATION 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
64N 02E 25						X											

CONDITIONS OF APPROVAL

1. Recreation storage is for swimming and fishing.
2. Water shall not be diverted under this right when flows in the Moyie River are below established minimum stream flows.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 18TH day of June, 2002.

MICROFILMED

JAN 29 2003


KARL J. DREHER
Director

RECEIVED

OCT 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 98-07792 Telephone No. 208-267-7277

2. Name(s) of Permit Holder(s): Denis + Cindy Johnson

3. Mailing Address: HCR 61, Box 192, Bonners Ferry, ID 83805

4. Source of Water: Unnamed Stream
Snyder Creek If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Recreation Storage

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 6.0 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 ☒

Has the measuring device been installed? Yes ____ or No ☒

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ☒

Has the measurement port been installed? Yes ____ or No ☒

8. Fee Enclosed: \$ 50⁰⁰ (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: Denis Johnson Telephone Number: 208-267-7277

Address: HCR 61, Box 192, Bonners Ferry, ID 83805

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 10-26-99
(include your title, if on behalf of company or organization)

FEB 04 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 98-07792

Priority: August 4, 1999

Maximum Storage Volume:

6.0 AF

This is to certify, that DENIS JOHNSON
CINDY JOHNSON
HCR 61 BOX 192
BONNERS FERRY ID 83805

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of SNYDER CREEK
SNYDER CREEK tributary of MOYIE RIVER

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>
RECREATION STORAGE	01/01 to 12/31		6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 25, Township 64N, Range 02E
BOUNDARY County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

64N 02E 25

NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before October 1, 2000.
2. Subject to all prior water rights.
3. Water shall not be diverted under this right when flows in the Moyie River are below established minimum stream flows.
4. Recreation storage is for swimming and fishing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Witness the signature of the Director, affixed at Boise, this

12th day of October, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

FEB 04 2000

Ident. No. 98-07792

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

SEP 29 1999

Department of Water Resources

1. Name of Applicant Denis and Cindy Johnson Phone 208 267-7277
Mailing address HCR 61, Box 192, Bonners Ferry, ID 83805
~~UNDUNN STREET~~ SNYDER CREEK
2. Source of water supply SNYDER CREEK which is a tributary of MOJAVE RIVER
3. Location of point of diversion is Township 64N. Range 2E. Sec. 25 in the 1/4,
1/4 1/4, 1/4 1/4, Govt. Lot BOUNDARY, B.M., BOUNDARY County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.0 for STORAGE FOR RECREATION purposes from 1/1 to 12/31 (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) _____ and/or (b) 6.0
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 IN-STREAM POND
(2) POND
b. Height of storage dam 5 feet; active reservoir capacity 6.0 acre-feet; total
reservoir capacity 6.5 acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 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. RECREATION IS FOR SWIMMING + FISHING.

MICROFILMED

FEB 04 2000

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.

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.

use below. See instructions for standard symbols.

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above.

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

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

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

၂၀၁၆ ခုနှစ်၊ ဇူလိုင်လ ၁ ရက်နေ့၊ နံနက် ၈ နာရီ ၀၀ မိနစ်

12. Remarks:

place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

of the State of Idaho as herein set forth.

Signature of Applicant (and title, if applicable)

Fee \$ 50- Received by # 12013116 Date 8-4-88

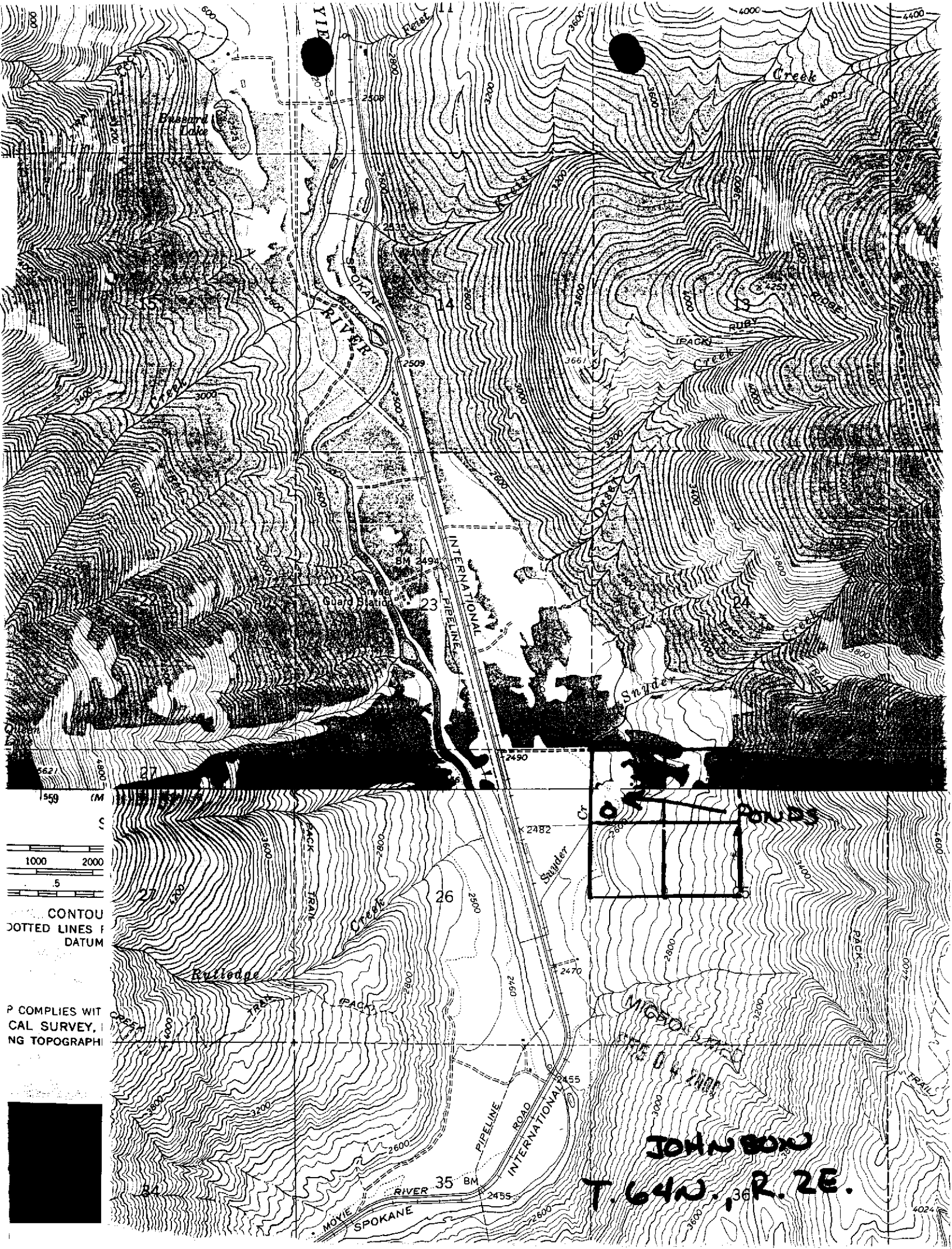
Publication approved _____

Date _____

6/3/99 Date

~~Microfilm~~

1000000



Bull Lodge Lake

SPokane River

INTERNATIONAL PIPELINE

Snyder

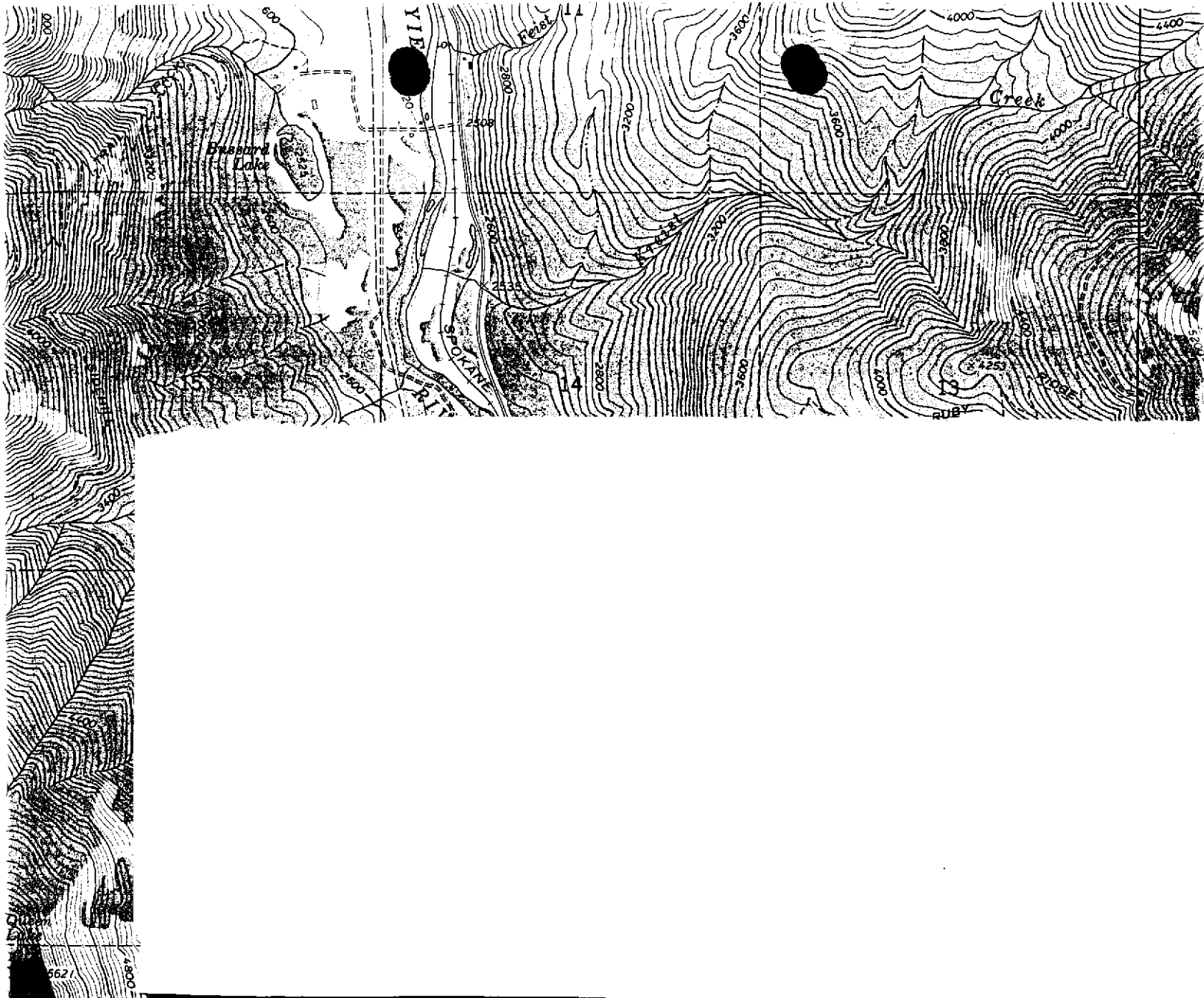
POND

1000 2000
5

CONTOUR
DOTTED LINES
DATUM

P COMPLIES WITH
CAL SURVEY,
NG TOPOGRAPHY

JOHN BOW
T. 64N., R. 2E.



559 (M ADOW CREEK) 560
2781 1 SW

561 10'

562

MEADOW CREEK 5 MI.

INTERIOR—GEOLOGICAL SURVEY, WASHINGTON, D. C.—1967
563000m E

SCALE 1:24 000

1 MILE

1000 2000 3000 4000 5000 6000 7000 FEET

5 0 1 KILOMETER

CONTOUR INTERVAL 40 FEET

DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

ROAD CLASSIFICATION

Heavy-duty ——— Light-duty ———

Unimproved dirt - - - - -

U. S. Route



QUADRANGLE LOCATION

EASTPORT, ID
N4852.5—W11607.

1965

AMS 2781 1 NW—SERIE

P COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
CAL SURVEY, DENVER, COLORADO 80225 OR WASHINGTON, D. C. 20242
NG TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



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

June 20, 2002

CINDY JOHNSON
DENIS JOHNSON
HCR 61 BOX 192
BONNERS FERRY ID 83805

RE: License No. 98-7792 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

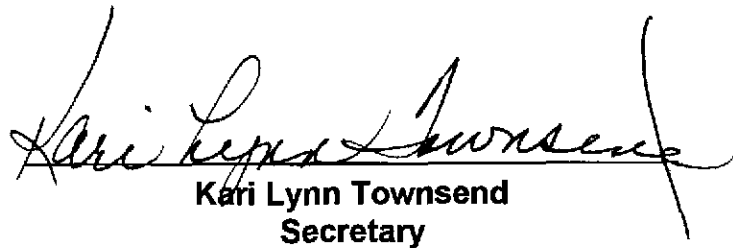
JAN 29 2003

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 98-7792

**CINDY JOHNSON
DENIS JOHNSON
HCR 61 BOX 192
BONNERS FERRY ID 83805**


**Kari Lynn Townsend
Secretary**

MICROFILMED
JAN 29 2003

**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.

Comment Report

98-7792

1. S. Keen 6/13/2002 License Review

Comment: Licensing review and data entry by S. Keen on 6/13/2002.

MICROFILMED

JAN 23 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 29 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 98-07792

1. Owner: Denis & Cindy Johnson Phone No. (208) 267-7277

Current Address: 4CR Bl, Box 192, Bonanza Ferry, ID 83805

2. Accompanied by: Denis Johnson EXAM DATE: 6-6-00

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Unnamed Stream & Snyder Creek tributary to Snyder Creek, Mozie River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	25	64N	02E	Boundary	USGS 7.5 min Quad

2. Place(s) of Use:

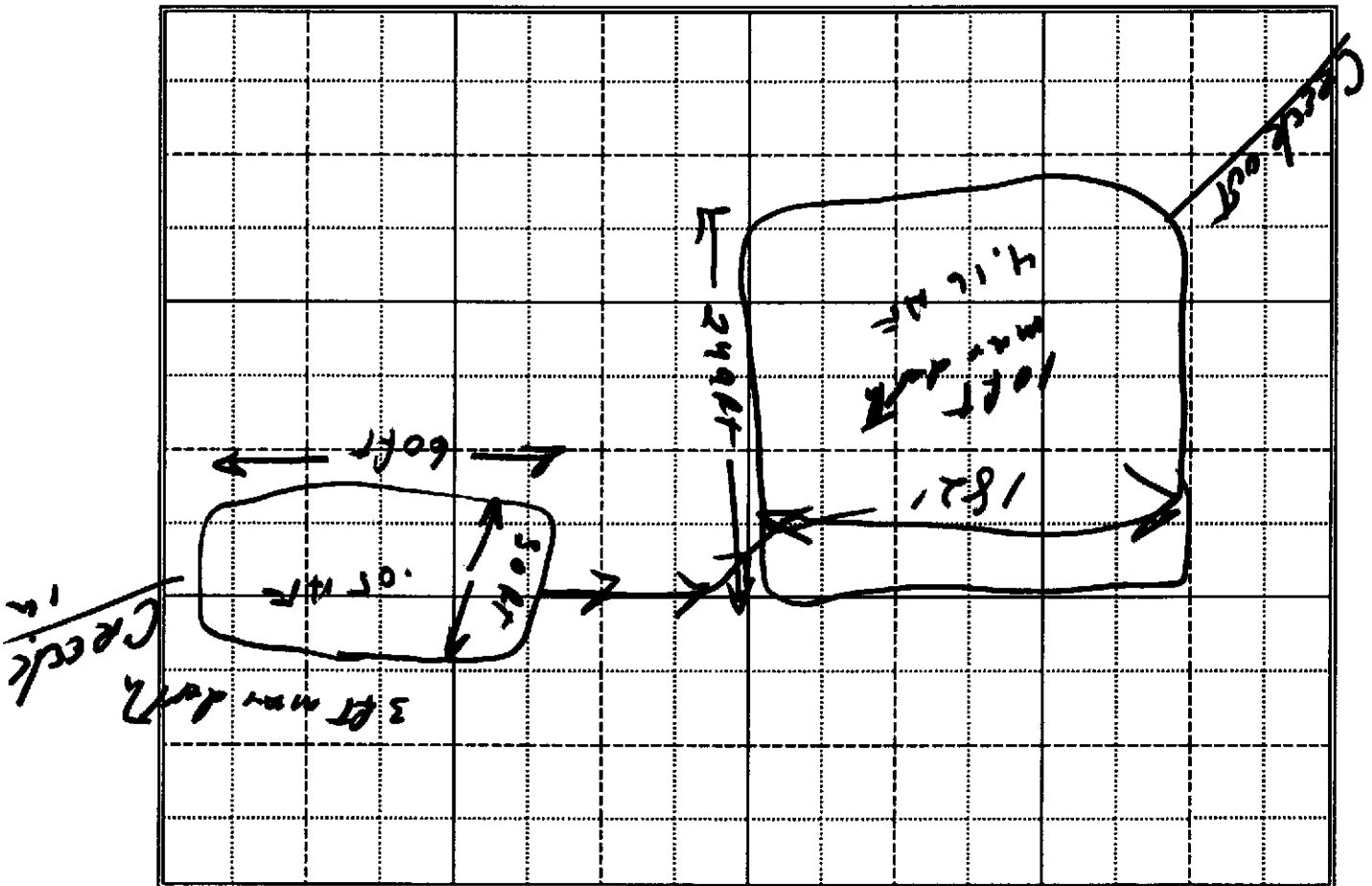
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
64N	02E	25					R												

MICROFILMED

JAN 2 9 2000

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" = _____

Copy of USGS Quadrangle Attached Showing location(s) of
point(s) of diversion and place(s) of use (required).

Aerial Photo Attached
(required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

STATE OF IDAHO

PERMIT #



Pond 1

Pond 2

EXIT 2
TO SANDER CREEK

98-07792

MADECO

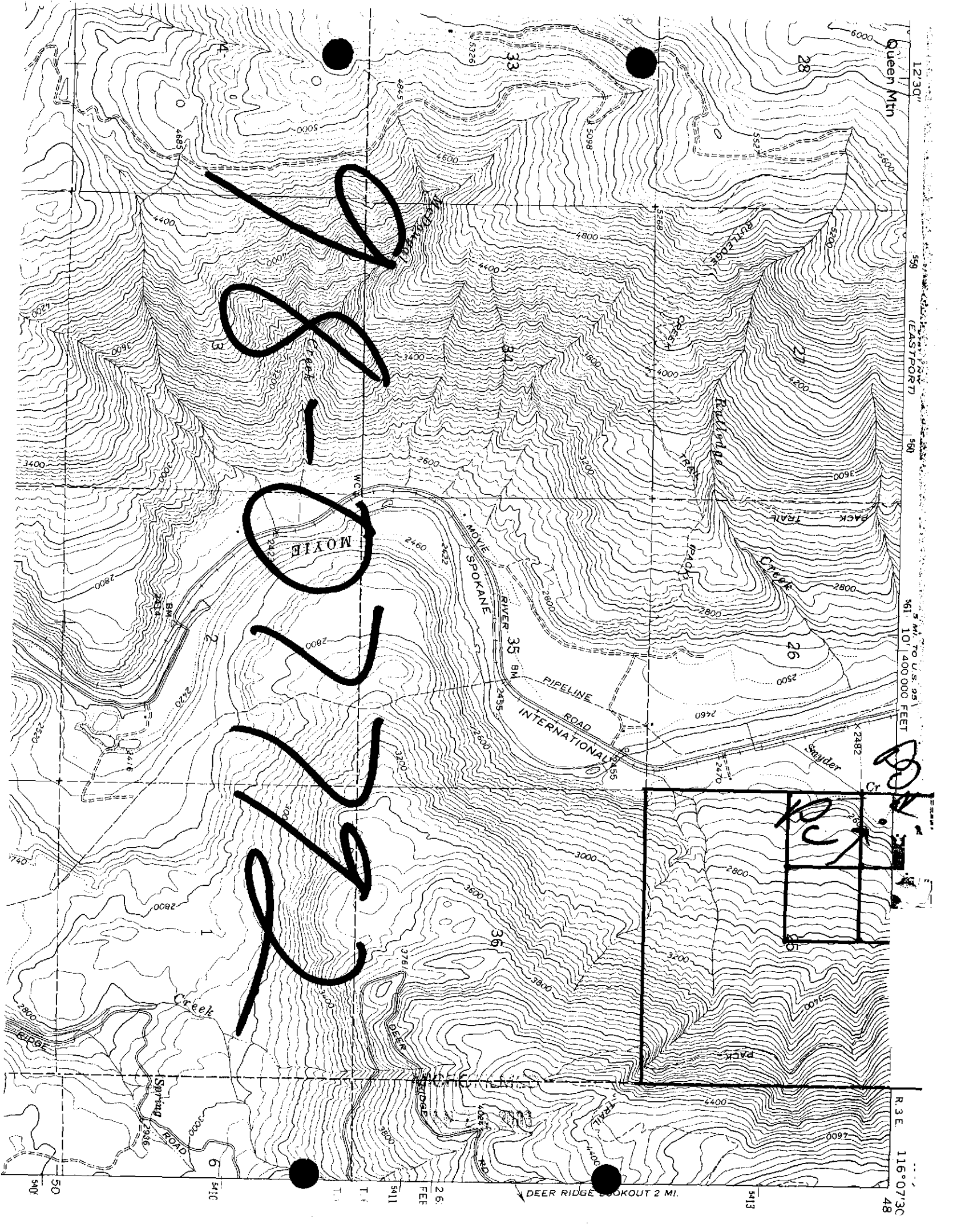
Queen Mtn

12°30' 59" (EASTPORT) 59

5 mi to U.S. 99 161 10 1400 000 FEET

R 3 E 116°07'30 48

8-0772



DEER RIDGE LOOKOUT 2 MI.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

MAILED: LENSE
JAN 29 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} =$$

2. Volume Calculations for Other Uses:

$$\text{pond 1 } 30' \times 60' \times 3.4' \times 4' = .054 \text{ AF}$$

$$\text{pond 2 } 182' \times 249' \times 10' \times 4' = 4.16 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion	Annual Volume
<i>Recreation</i>	<i>01-01</i>	<i>12-31</i>		<i>1.5 STRAYING</i>	<i>4.2</i>

Totals:

2. Recommended Amendments

Change P.D. as reflected above
Change P.U. as reflected above
Add P.D. as reflected above
Add P.U. as reflected above
None
Other

I. AUTHENTICATION

Field Examiner's Name *Wayne R. Blalock* Date *6-27-00*
Reviewer _____ Date _____

SEAL

MICROFILMED

JAN 3 4 2003

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 98-07792 Reviewed by [Signature] Date 12-17-99

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received? Correct Uses? Yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

Yes Required?
50- Amount Submitted
Yes Correct?
NO Required?
 / Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 10-28-99



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

DIRK KEMPTHORNE
GOVERNOR

December 23, 1999

KARL J. DREHER
DIRECTOR

Denis and Cindy Johnson
HCR 61 Box 192
Bonners Ferry ID 83805

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07792

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 conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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 concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

FEB 04 2000



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 12, 1999

DENIS JOHNSON
CINDY JOHNSON
HCR 61 BOX 192
BONNERS FERRY ID 83805

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07792

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

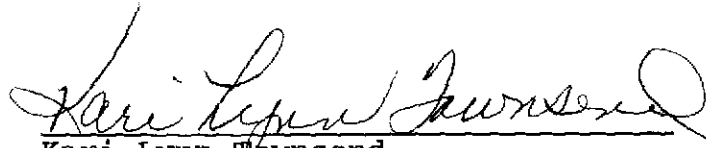
FEB 04 2000

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of October, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 98-07792

DENIS JOHNSON
CINDY JOHNSON
HCR 61 BOX 192
BONNERS FERRY ID 83805


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 04 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

FEB 04 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

FEB 6 4 2000

Keen, Shelley

From: Graham, Bill
Sent: Friday, October 01, 1999 1:42 PM
To: Keen, Shelley
Subject: RE: Applications if MSF reaches

Shelley - Thanks for the quick review opportunity. Whereas these draft permits contain the standard minimum streamflow condition, we have no further comments.

Bill G.

-----Original Message-----

From: Keen, Shelley
Sent: Friday, October 01, 1999 8:20 AM
To: Graham, Bill
Cc: Beardslee, Allen; Curtis, Sharla; Peppersack, Jeff
Subject: Applications if MSF reaches

Bill,

The attached file shows four draft permits for applications made in minimum streamflow reaches or on tributaries to minimum streamflow reaches. I do not see documentation in the files that your unit has reviewed them yet, so I am forwarding them to you for comment as directed in Norm's 8/16/99 memo.

Unless you see problems with these, they are ready to be approved. Therefore, I would appreciate quick turnaround. I apologize for the late notice. It looks like they were already being processed as we were working out the mechanics of implementing the memo. In the future you should be notified by the regional office so you can comment before the end of the protest period.

Shelley Keen

<< File: NORTHAPPS.LIS >>

MICROFILMED
1
FEB 04 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 98-07792 Name: Johnson Date: 9/29/99 Ad OK? / / Gvmt Lts: by SCurtis

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17
≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDAQ3) - 046-P23
In Basin 347 - 085
Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067
≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)
Supp. irr. + uses - 100-101
> 0.24 cfs/5 acres - 01M (report when notified)
≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: 9/27/99 RESPONSE: NONE

IN/ABOVE MSF (✓ MAP) - *WB9 Payette River

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
STOCKWATER - R37 (BLM/USFS); NA
MINING - 054(req) -081-P10
FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
HEATING/COOLING - R07 (injection well)
POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)
Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
>1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)
MITIGATION - 120
42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- R/Swimming & fishing

BENEFICIAL USE DUE:

- 10/11/2000

COMMENTS:

**ID DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED

SEP 29 1999

APPLICATION # 98-07792

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: Johnson

BY: B

DATE: 8/1/99

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

- Field check: by _____
- Field report attached _____
- Analysis Supp. attached (>5cfs/500af) _____
- Water delivered by water master? _____
- Water District # _____

PROCESSING

(Yes) (No) PRIORITY DATE: 8/1/99

 (X) (Include Moratorium Remark)

 (X) Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

BF/Wel/ok

ADVERTISE IN: Bumgar County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: n/a

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: n/a

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()

Groundwater management area

Remarks: _____

Critical ground water area

Well Drilling Permit required

Well Drilling Application and Fees received

Well Drilling Application approved?

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

Notice of pending void order issued. Final order response date: / /

Further information required from applicant

Affidavit of publication received

Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application | Sr. Agent initial _____

Protests received, Final protest date: 9/7/99

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: _____

Date: / /

RECEIVED

SEP 29 1999

Memorandum

Department of Water Resources

Date: September 27, 1999

To: File 98-07792

From: Al Beardslee

RE: Surface water approval from Idaho Fish and Game Dept.

Northern Region received no negative reply from the Panhandle Office of Idaho Fish and Game. A Point of Diversion Index was faxed to Mr. Chip Corsi of this filing on September 21, 1999. No negative reply was received.

MICROFILMED

FEB 04 2000

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

David Keyes being first duly sworn on oath
deposes and says that he/she is publisher
of the Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho; that
the said newspaper has been continuously and
uninterruptedly published in said Boundary County during
a period of 12 months prior to the first publication of the
hereto attached notice of publication in the case of:

#432 Water Right Application

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 18 day of August, 19 99
and ending on the 25 day of August, 19 99
and that said notice was published in said newspaper.

Dated: August 25, 1999

Subscribed and sworn to before me this 31 day
of August, 19 99.

Jean E. Dail
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2002

RECEIVED

SEP 03 1999

IDWR/North

NOTICE OF APPLICATION FOR
WATER RIGHT

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

98-07792

JOHNSON, DENIS

JOHNSON, CINDY

HCR 61 BOX 192

BONNERS FERRY, ID 83805

Source: UNNAMED STREAM

Tributary: SNYDER CREEK

Source: SNYDER CREEK

Tributary: MOYIE RIVER

Diversion Pt: NWNW Sec 25

T 64N R 02E in BOUNDARY County.

Use: RECREATION STORAGE

(6.00AF)

Total Diversion: (6.00

AF)

Date Filed: 8/4/1999

In: BOUNDARY County

T64N R02E S25 NWNW

98-07793

MASTRE, BOB

MASTRE, JOANNE

PO BOX 1374

BONNERS FERRY, ID 83805

Source: SPRING Tributary: SINKS

Diversion Pt: NWNESW

Sec 4 T 61N R 02E in BOUNDARY

County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 8/10/1999

In: BOUNDARY County

T62N R02E S33 SWSW

For additional information concerning
the property location, call the Northern
Regional Office at (208) 769-1450.

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the applicant and with the Director,
Dept. of Water Resources, Northern
Region, 1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814, together
with a protest fee of \$25.00 on or before
SEPTEMBER 7, 1999.

KARL J. DREHER, Director

BFH#4132

August 18, 25, 1999

MICROFILMED

FEB 04 2000

98-07792

JOHNSON, DENIS
JOHNSON, CINDY
HCR 61 BOX 192
BONNERS FERRY, ID 83805

Source: UNNAMED STREAM
Source: SNYDER CREEK

Tributary: SNYDER CREEK
Tributary: MOYIE RIVER

Diversion Pt: NWNW Sec 25 T 64N R 02E in BOUNDARY County.

Use: RECREATION STORAGE	(	6.00 AF)
Total Diversion:	(	6.00 AF)

Date Filed: 8/ 4/1999

In: BOUNDARY County
 T64N R02E S25 NWNW

MICROFILMED

FEB 04 2000

August 11, 1999

Denis and Cindy Johnson
HCR 61 Box 192
Bonners Ferry ID 83805

Re: Water Appropriation Application No. 98-07792

Dear Mr. and Mrs. Johnson:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED
FEB 04 2000

WR0749NP
No. 98-07792

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENIS JOHNSON	08/04/1999	RECREATION STORAGE	01/01 12/31		6.00 AFA
C	CINDY JOHNSON					
	HCR 61 BOX 192					
	BONNERS FERRY ID 83805					
	(208) 267-7277					
				TOTAL DIVERSION:		6.00 AFA

Water Source: UNNAMED STREAM
SNYDER CREEK

Tributary to: SNYDER CREEK
MOYIE RIVER

Stage: APPLICATION

Point(s) of Diversion: T64N R02E S25 NW NW BOUNDARY County

Place of use Legal Description for: RECREATION STORAGE

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
64N	02E	25	:					R										:

Pou County: BOUNDARY

Remarks: GEN Recreation storage is for swimming and fishing.

Dates: App. Received: 08/04/1999 Priority Date: 08/04/1999
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/04/1999 User-ID: DBALL Subject: Examiner's notes.
Instream pond (2) ponds.
Height of storage dam 5 ft, active reservoir capacity 6.0 AF;
total reservoir capacity 6.5 AF.
Time required 1 year.

Audit: 08/04/99 DBALL

MICROFILMED

FEB 04 2000