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MAR 04 1988



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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-7484

Priority: October 27, 1976 Amount: .14 CFS 20.8 AFA

This is to certify, that GEORGE O. JOHNSTON

RT. 1 BOX 81-G

ATHOL, ID 83801

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 27, 1976, and has submitted proof to the Department of Water Resources on May 16, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .14 cfs of water from;

UNNAMED STREAMS
TRAPPER CREEK

tributary to TRAPPER CREEK
tributary to LEWELLEN CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.04 cfs	19.4 afa
Stockwater	01/01 to 12/31	.02 cfs	.2 afa
Domestic	01/01 to 12/31	.08 cfs	1.2 afa
Totals		.14 CFS	20.8 AFA

LOCATION OF POINT OF DIVERSION(S):

SWNE , Sec. 27, Township 53N, Range 2W
SENW , Sec. 27
Kootenai County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
53N	2W	27	SWNE 3	SENW 10			13

Total number of acres irrigated: 13

PLACE OF USE: Stockwater, same as Irrigation use

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 2 points of diversion located in SWNE, S27, T53N, R2W

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State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 96-7484

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29th day
of February, 1988.


Director

REPRODUCED

MAR 04 1988

State of Idaho
Department of Water Resources

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JAN 25 1988

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-7484

no \$ encl. 99
Department of Water Resources

APPROVED

Date of Priority: October 27, 1976

Comes now GEORGE O. JOHNSTON
RT. 1 BOX 81-G
ATHOL, ID 83801

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 96-7484, and requests that the permit be changed as follows:

Source: UNNAMED STREAMS
Source: TRAPPER CREEK

tributary to: TRAPPER CREEK
tributary to: LEWELLEN CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.04 cfs	19.4 afa
Stockwater	01/01 to 12/31	.02 cfs	.2 afa
Domestic	01/01 to 12/31	.08 cfs	1.2 afa
Totals		.14 CFS	20.8 AFA

LOCATION OF POINT OF DIVERSION(S):

SWNE, Sec. 27, Township 53N, Range 2W
SENE, Sec. 27

Kootenai County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
53N	2W	27	SWNE 3	SENE 10			13

Total number of acres irrigated: 13

PLACE OF USE: Stockwater, same as Irrigation use

PLACE OF USE: Domestic, same as Irrigation use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Home, this 18 day of Jan., 1988.

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George Johnston
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-7484

FOR DEPARTMENT USE ONLY

48461

Preliminary check by KW Fee = \$20.00 Received by sy Date 2-23-88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 96-7484 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. 2 points of diversion located in SWNE, S27, T53N, R2W.

Witness my hand this 29th day of February, 19 88.

R. Keith Higginson
(Director)

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Identification No. 96-7484

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

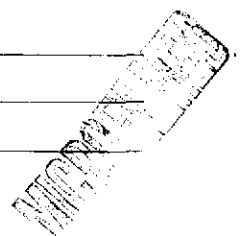
APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant George O. Johnston Phone: _____
244 3379 New address Rt 1 Box 316 Athol ID 83881
post office address 1315 East 10th, Anchorage, Alaska 99581
2. Source of water supply Unnamed Streams which is a tributary of ~~Teapot Creek~~
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27 Township 53N
Range 2W B.M. Kootenai County; additional points of diversion if any: _____
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 53N, R. 2W, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.08 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump with pipeline to place of use.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation: SE $\frac{1}{4}$ of NW $\frac{1}{4}$
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 53N
Range 2W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 10 head of beef.

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water two.
(5) If water is to be used for other purposes describe: _____



b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
53N	2W	27			5					15									20

Total number of acres to be irrigated 20

c. Describe any other water rights used for the same purposes as described above. None

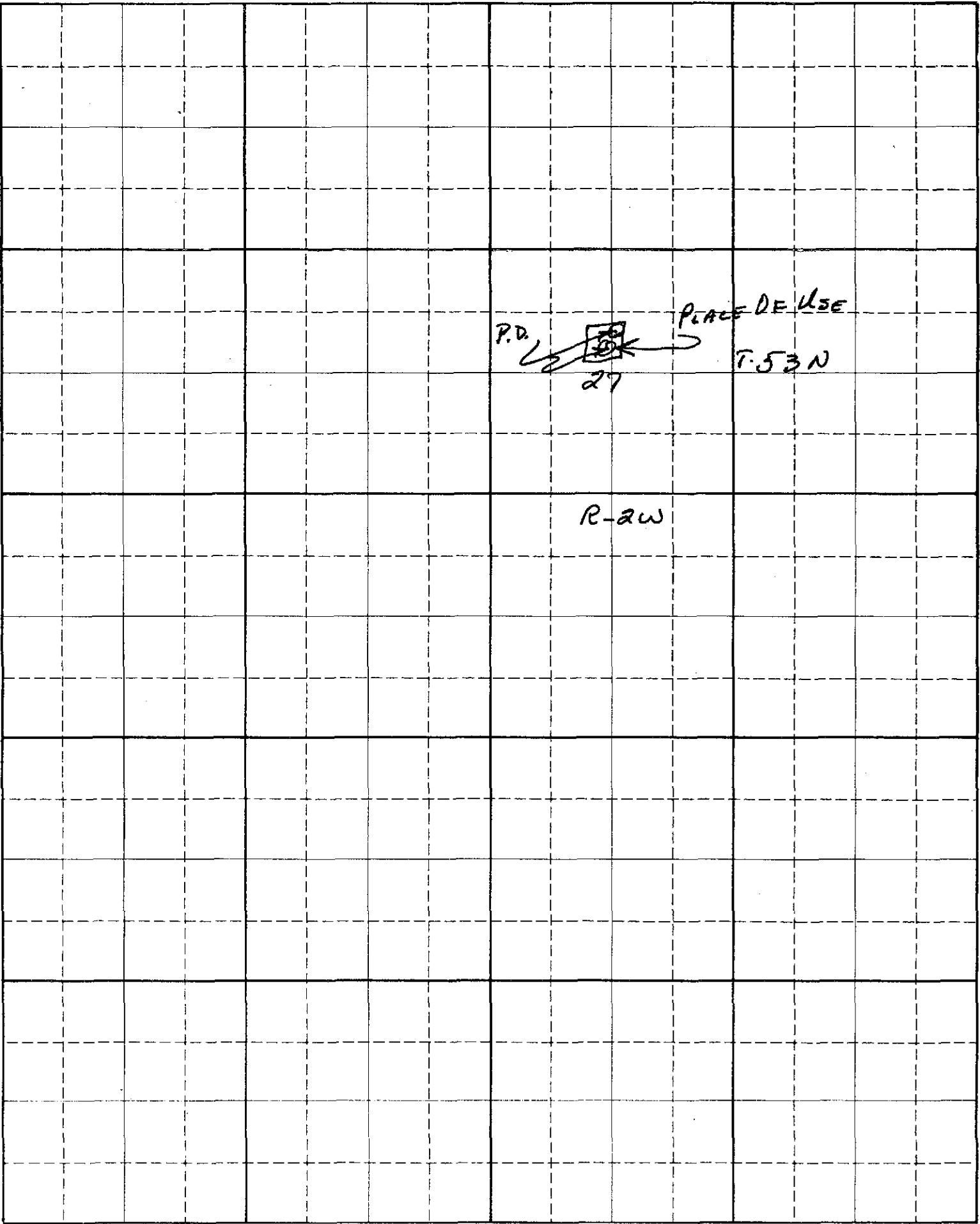
9. a. Who owns the property at the point of diversion Applicant

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 _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

George J. [Signature]
(Applicant) X

Proposed Priority 10-27-76

Received by RGH Date 10-27-76 Time 11:30 am

Preliminary check by TK Fee \$ 10.00

Receipted by cp Date 10-27-76 (Rec. #4831)

Publication prepared by cp Date 10-29-76

Published in Coeur d'Alene Press

Publication dates 11-4 & 11-11-76

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: Susan Marmon 11/5/76, Don Merkeley 11/12/76,

Don Merkeley withdrew protest 12/26/78

Order dismissing Susan Marmon's protest issued

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RJA ss

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7484, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 84.

c. Other: (1) Use of water under this permit is subject to control by the water-master of the state water district. (2) An alternate supply of water adequate to meet the needs of the permit holder's domestic and stockwater use for a sixty (60) day period shall be obtained.

2. Denial of said application is for the following reasons: _____

Witness my hand this 6th day of June, 19 79.

L. Glen Saxton
Chief, Operations Bureau

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF DISMISSING THE PROTEST)
AGAINST APPLICATION NO. 96-7484 IN THE) O R D E R
NAME OF GEORGE O. JOHNSTON.)

WHEREAS, on October 27, 1976, George O. Johnston applied to the Department of Water Resources for a permit to appropriate 0.20 cubic foot per second of water from unnamed springs with a point of diversion within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 53N, Range 2W, Kootenai County; and also within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 53N, Range 2W, B. M. Kootenai County, to be used for domestic, stockwater and irrigation purposes; and,

WHEREAS, on November 4 and 11, 1976, notice of this proposed appropriation was published in the Coeur d'Alene Press, a newspaper published in Coeur d'Alene, Idaho; and,

WHEREAS, a protest against the granting of this application was received from Susan E. Marmon on November 5, 1976; and,

WHEREAS, a conference concerning this matter was held on January 15, 1979, at which the protestant failed to appear; and,

WHEREAS, on January 22, 1979, the Department sent an Order to Show Cause on or before February 22, 1979, why the protest should not be dismissed for failure of the protestant to appear at the conference; and,

WHEREAS protestant failed to show adequate cause why the protest should not be dismissed;

IT IS, THEREFORE, HEREBY ORDERED that the protest of Susan E. Marmon against Application for Permit No. 96-7484 is DISMISSED for failure of the protestant to appear at said conference.

DATED: This 29 day of May, 1979.


C. Stephen Atired
Director

RECEIVED
MAY 29 1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

RECEIVED

OCT 27 1976

Department of Water Resources
Northern District Office

The undersigned holder(s) of Permit / Application No. 96-7484 of the
Department of Water Resources of the State of Idaho hereby nominates DAVID
E. JEFFCOAT, whose address is Rt 1 ATHOL, ID
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendments of said permits, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 20th day of October, 1976.

STATE OF ALASKA)
IDAHO) ss.
County of _____)

On this 20th day of October, 1976, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Ellen M. Sprague
Notary Public
Residing at Anchorage, Ak.

My Commission expires:

My Commission Expires
November 26, 1978.

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AFFIDAVIT OF PUBLICATION

RECEIVED

NOV 12 1976

STATE OF IDAHO,
County of Kootenai,

Cause Nedge

Department of Water Resources
Northern District duly sworn
being first and

FOR WATER PERMIT

Notice is hereby given that George O. Johnston, 1315 East 10th, Anchorage, Alaska has on October 27, 1976 submitted Application No. 96-7484 for a permit to appropriate 0.20 cubic feet per second of water from Unnamed Streams, tributary of Trapper Creek by means of pump and pipeline within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 53N, R. 2W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic (0.08 cfs) and stockwatering purposes (0.02cfs); and from March 15 to Nov. 15 for the irrigation of 20 acres (0.20 cfs) within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 53N, R. 2W, B.M.

If issued, this permit will subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before November 22, 1976.

R. KEITH HIGGINSON
Director

Nov. 4, 11, 1976
Legal 551

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *Weeks* commencing on the *4* day of *Nov*, 19 *76* and ending on the *11* day of *Nov*, 19 *76*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

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

Cause Nedge

Subscribed and sworn to before me this *11* day of *November*, 19 *76*.

Roberta Manley

Notary Public for the State of Idaho
residing at Coeur d'Alene, Idaho.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 96-7484
Name(s) of Permit Holder(s): GEORGE O. JOHNSTON
Post Office Address: RT. 1, Box 81-G, ATHOL, ID.
Tel. No. 883-2470

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 6-82 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

Our irrigation system is completed.
*Note: A financing difficulty is 5-15-84 Date
not an acceptable reason. George O. Johnston Signature of Permit Holder

George O. Johnston
Route 1, Box 81-G
Athol, Idaho 83801

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MAY 18 1984



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

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DEC 4 1988



February 29, 1988

GEORGE O. JOHNSTON
RT. 1 BOX 81-G
ATHOL, ID 83801

RE: Permit No. 96-7484

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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MAR 04 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 8, 1988

RE: Permit No. 96-7484

George O. Johnston
Rt. 1, Box 81-G
Athol, ID 83801

Dear Permit Holder:

Thank you for returning the licensing Amendment, however you did not include the \$20.00 filing fee.

I will hold the amendment form here for twenty (20) days without further action. Please return the \$20.00 filing fee for the amendment by February 29, 1988.

If you have any questions, please contact me at 334-7947.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MAILED

MAR 04 1988

i.m.,
I don't object to the
source charge provided
other users are not injured.

Gary

MEMORANDUM

TO: FILE, GARY

FROM: JIM JOHNSON

RE: RECOMMENDATIONS TO ADD SOURCE

DATE: 12-29-87

This right has an interesting situation.

The field examiner has recommended that the permit be amended prior to licensing to add a source which was not on the permit.

Since the examination was conducted prior to the change in policy of not adding sources can the source be added ?

Also, the condition on the permit requires the permit holder to obtain an alternate source of supply for the domestic and stockwater use for a 60 day period. Is this justification for adding the source to this permit or should have the permit holder be required to file a second permit?

I called Bob H. and talked to him about this. He said that the permit holder had actually developed additional water by excavating an spring area adjacent to the unnamed stream and that the amount developed probably exceeded the amount needed for stockwater and domestic uses. Therefore the condition on the permit was probably met.

This permit is within the Lewellen Creek Drainage Basin which was adjudicated within the last 10 years, however, the water district has been inactive. There is, according to Bob, no controversy on the

MAR 04 1988

use of water under this right.

His recommendation, and I concur, is to issue the License with the watermaster control condition with the condition of devevelopment of the secondary source left off since the secondary source was in fact developed.

Also, since the policy of the Dept. at the time the examination was conducted was to allow source changes his recommendation was to allow the addition of the source via the amendment. I also concur.

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January 4, 1988
~~December 29, 1987~~

GEORGE O. JOHNSTON
RT. 1 BOX 81-G
ATHOL, ID 83801

RE: Permit No. 96-7484

Dear Permit Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment. If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

Since the license will be a permanent water right your prompt attention to this matter will be appreciated.

If you have any questions, please contact us as soon as possible.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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MAR 04 1988

October 5, 1987

GEORGE O. JOHNSTON
RT. 1 BOX 81-G
ATHOL, ID 83801

RE: Permit No. 96-7484

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

FILED

MAR 04 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

30 DAY

96-7484
Permit No.

1. Measurement Calculations

a) **Field Measurement Calculations (Include theoretical capacities and system capacity)**

Irrigation SEE 219A

Domestic two homes = 0.08
stock from stream 0.02

b) **Volume Calculations for Irrigation:**

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 13(3) = 39.0 \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.9835(245)(404) = 19.43 \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 19.43 \end{aligned}$$

c) **Volume Calculations for Other Uses:**

2 homes 1.6 no irr.
stock 0.2 - well / TABLE

2. Overlap Review

a) Other water rights with same place of use: none

b) Other water rights with same point of diversion: none

c) Analysis:

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RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 96-7484 | 10-27-76 | 0.14 | 10-27-76 | 5-16-84 | 0.14 |

4. Permit Holder: GEORGE O. JOHNSTON

Address: Rt. 1 Box 81-G-ATHOL, Id. 83801

5. Source: Trapper Creek tributary to Lewellen Cr.

6. Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	3-15	11-15	2.04	19.4
Stock	1-1	12-31	0.02	0.2
Domestic (2)	1-1	12-31	0.08	1.2

Allowable Maximums: 0.14 20.8

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
53 N	2 W	27			3					10									13
Total Acres 13																			

9. Recommended Conditions/Remarks: D12 - 3 Pts of Div. (2 Pts in SWNE)
 Note:
~~the~~ Trapper Creek runs through property change in source amounts
 for picking up water at a lower point on property.

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10. Recommended Amendments

☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other SOURCES

11. Examiner's Signature

Date 9/14/82

Checked in Regional Office by Bob Rhymes

Date 9/20/84

Approved in State Office by Ron Hoverton

Date 20 Aug '87

REGISTERED

SEP 24 1984

Department of Water Resources
Permit No. 96-7484

Phone No. _____

1. Owner: George O Johnston Phone No. 72-7-81
Current Address: Rt 1 Box 81-G Athol, Ind.

2. Accompanied by: George Johnston EXAM. DATE: 9/11/84
Address: _____ Phone No. _____

Relationship to Permit Holder:

3. Source: tributary to Trapper Creek
 & Trapper Creek trib to Jewellon Creek

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
 Stock from unnamed stream - Dam 100' diam $\approx 8'$ deep $\frac{1}{2}$ 26' dia $\times$ 3' pond
 for stock $\frac{1}{2}$ 16" pipe to home irr plot,
 30' $\times$ 4' high with pond $\approx$ 30' dia $\times$ 6' deep with 4" gravity flow to
 4 risers $\frac{1}{2}$ 4" RB @ 5' @ 45' (100' to each side with $\frac{3}{4}$ " hose)
 Domestic: 5' dia pond in stream with 4" gravity flow to 1000 gal storage tank $\frac{1}{2}$ 1 1/2" gravity
 to home

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

7. Measurements ☐ Additional data/computation sheets attached

~~AREAGUE~~

$$C = 0.5 \text{ m}^2 \times 5280 = 2640' = 840 = 420 \times 420'' = 12.72 \text{ A} \therefore 13 \text{ AC}$$

IRRIGATION

$$\frac{5}{32} @ 45 = 4.68 / 4 = \frac{18.72}{446.8} = 0.04 \text{ cfs} \quad 0.04 (1.9835) 245 = 19.43 \text{ AF}$$

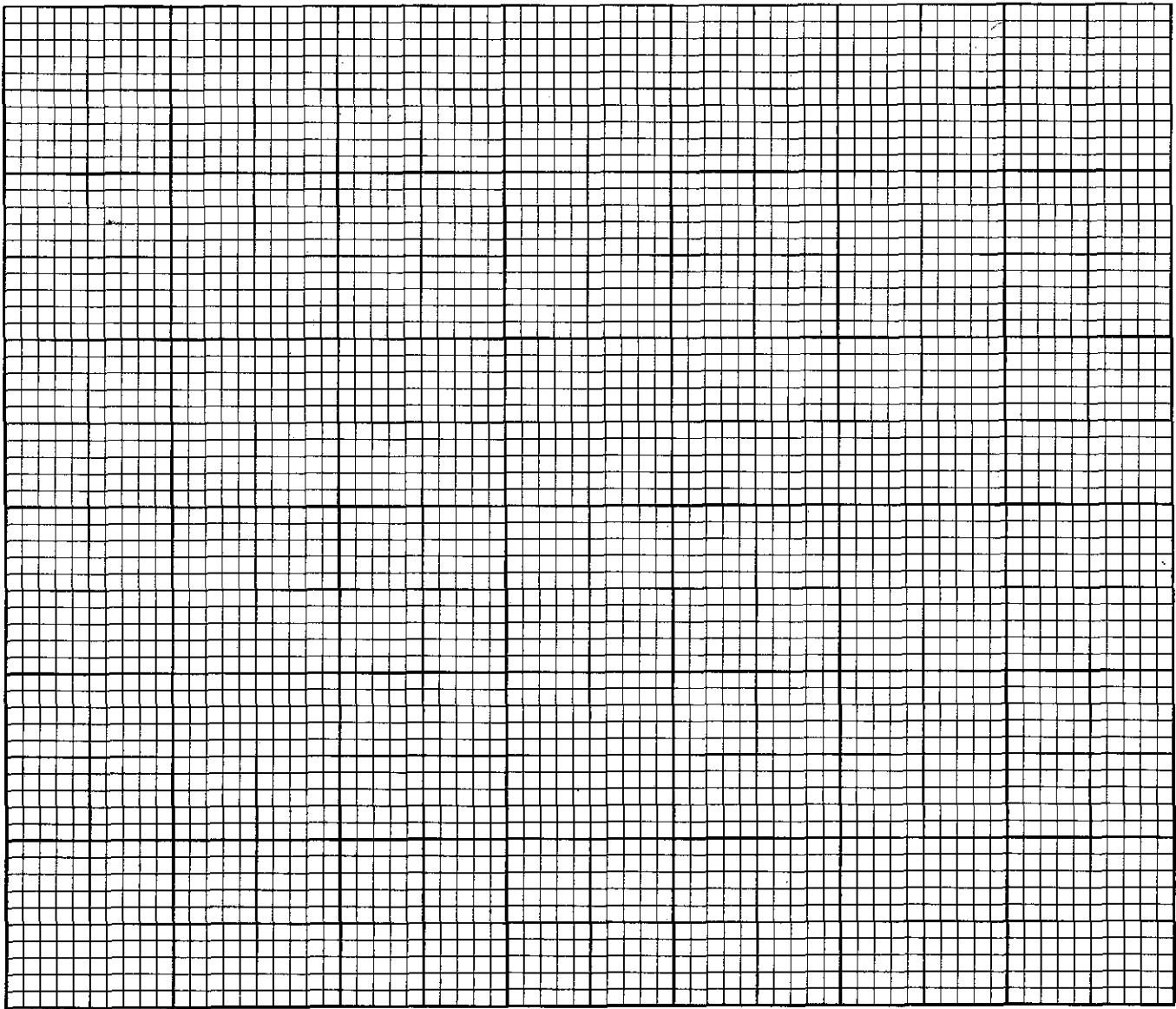
8. Point(s) of Diversion: Indicate Method of Determination *MAD*

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination MA & Calc

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
53N	2W	27			3					19								13	

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks _____
- _____
- _____
- _____

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None
- ☐ Change P.U. as reflected above

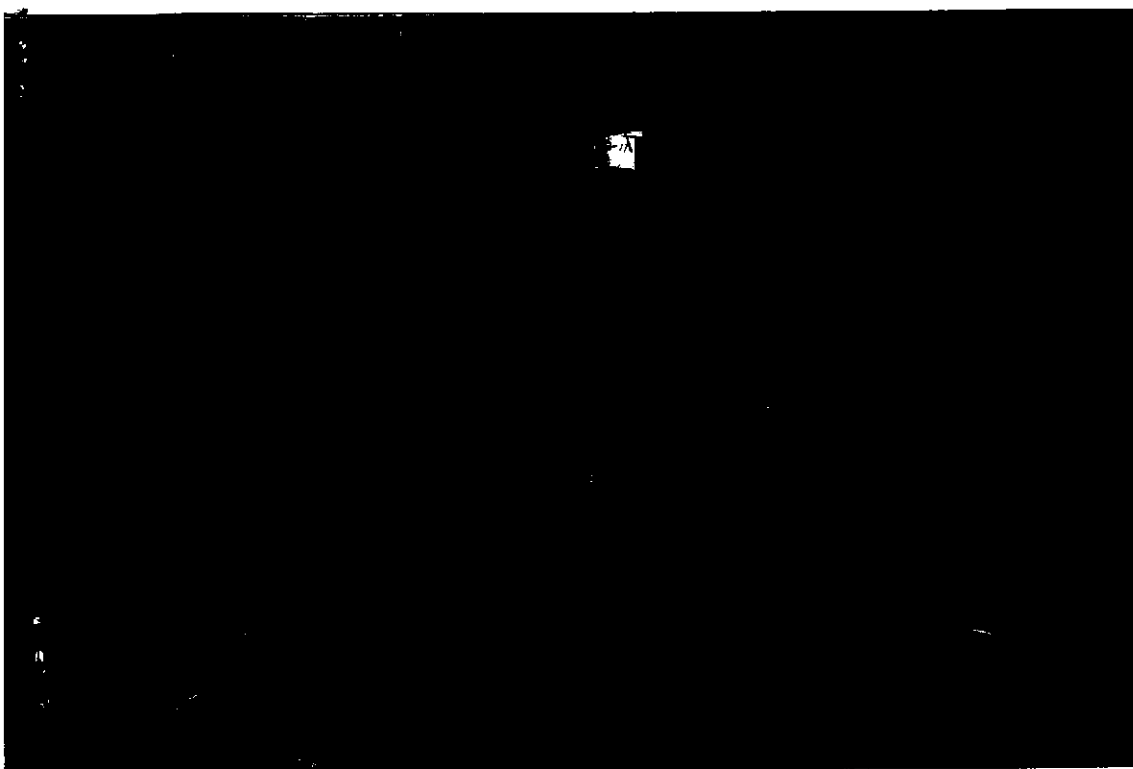
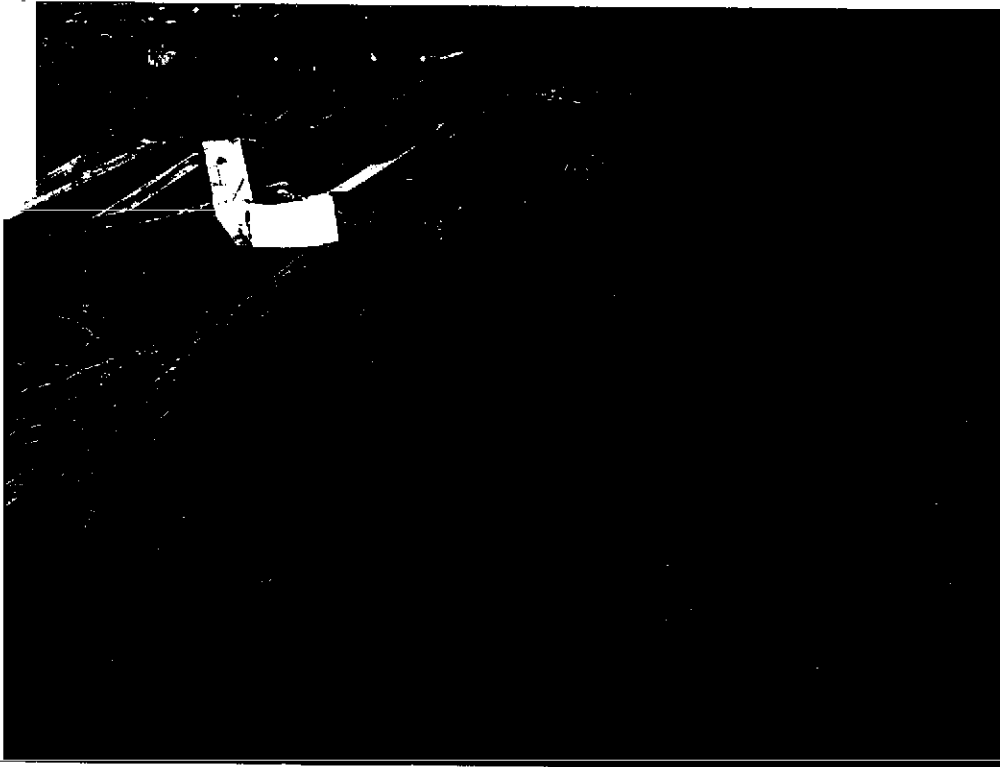
☐ Add P.U. as reflected above

☒ Other SOURCE
16. Examiner's/Consultant's Signature John King Date 2/11/84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

_____ Date

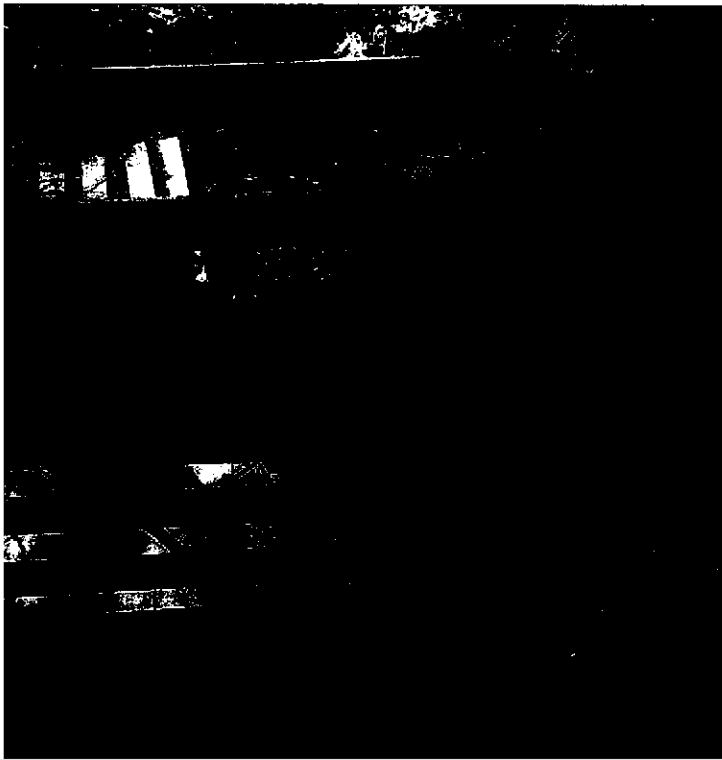
MICROFILMED

MAR 04 1988 CONSULTANT SEAL



MICROFILMED

MAR 04 1988



MICROFILMED

MAR 04 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

MAY 29, 1984

GEORGE O. JOHNSTON
RT. 1 BOX 81-G
ATHOL ID 83801

RE: Permit No. 96-7484

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

RECEIVED

MAR 04 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-7484.

Name(s) of Permit Holder: GEORGE O. JOHNSTON

Post Office Address: RT. 1, Box 81-G ATHOL

Tel. No. 683-2470

Source of Water:

Extent of Use:

- | | | |
|--|-----------|----------------------------|
| ☒ Domestic | <u>2</u> | (number of households) |
| ☒ Stockwater | <u>20</u> | (number and type of stock) |
| ☒ Irrigation | <u>55</u> | (acres) |
| ☐ Other | | |

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

5-15-84
Date

George Johnston
Signature of Permit Holder

MICROFILMED

George O. Johnston
Route 1, Box 81-G
Athol, Idaho 8301



RECEIVED

MAY 16 1984



Department of Water Resources IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138639

JOHNSTON, GEORGE O.
RT. 1 BOX 816
ATHOL, ID 83801

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 96-7484 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
MAY 1 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

June 7, 1979

Mr. George O. Johnston
Route 1, Box 816
Athol, Idaho 83801

RE: 96-7484

Dear Mr. Johnston:

Enclosed is a copy of your approved application for the above-referenced permit.

We direct your attention to the conditions of approval as listed on the fourth page, more specifically to the condition requiring you to make provision to obtain a 60-day supply of water without diverting it directly from the creek. This condition is necessary because there is not sufficient unappropriated water in Lewellen Creek to supply you with domestic and stock water during the summer months.

Several possible alternatives are available to you. Among those alternatives are:

1. You may wish to have a well drilled.
2. You may haul water from another source.
3. You may install a storage tank which could hold enough water diverted from the creek at times when water was plentiful to carry you through the dry period.

If you elect to install a storage tank, we suggest that it be of approximately a 10,000-gallon capacity for each household that you intend to serve with your system. You should also plan to provide storage of about 720 gallons for each head of beef that you will have during the summer months.

This, of course, also means that the period of time when water will be available for your proposed irrigation use will be very limited. This information is provided so that you will not be misled into thinking that this permit will provide sufficient water through the entire season of use.

MICROFILMED

Mr. George O. Johnston
PAGE 2

If you have any questions or if we may be of any service, please do not hesitate to contact us.

Sincerely,



ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/rms

Enclosure

MICROFILMED

96-7484

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. S.W. Source
3. 2 Point of Diversion
4. 0.2 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. 20 Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 10 Fee & Rec't. No. ✓

Copies Sent To:

NO Idaho Health Department
✓ Idaho Fish & Game Dept.
✓ Bureau of Land Management

NO U.S.F.S.
✓ Dept. of Lands
✓ Other

Dam Safety Information 0/2 (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land None plotted

Withdrawals of all protests received Don Merkley - Yes yes X no
Order to show cause sent
Order dismissed protest

Conditions:

ID Power Co. Letter - Snake R. NO

ID Power Co. Letter - G.W. & Tribs. ✓

Snake River Condition ✓

Payette River Letter ✓

Priority Date 10/27/76

Water Quality #16 NO

Water Quality #10 ✓
 intrastate ✓ interstate ✓

Meas. Dev. or Sc. Meas. NO

Totalizing meter ✓

Supplemental ✓

Right-of-Way Cond. ✓

Watermaster Cond. yes #06
 Wtr. Dist No. ✓

Meas. Dev. Cond. for apps within
 a Water Dist. NO

add condition attached to
regional staff analysis

Jim

Reviewer

5/23/79

Date

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF DISMISSING THE PROTEST)
AGAINST APPLICATION NO. 96-7484 IN THE) O R D E R
NAME OF GEORGE O. JOHNSTON.)

WHEREAS, on October 27, 1976, George O. Johnston applied to the Department of Water Resources for a permit to appropriate 0.20 cubic foot per second of water from unnamed springs with a point of diversion within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 53N, Range 2W, Kootenai County; and also within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 53N, Range 2W, B. M. Kootenai County, to be used for domestic, stockwater and irrigation purposes; and,

WHEREAS, on November 4 and 11, 1976, notice of this proposed appropriation was published in the Coeur d'Alene Press, a newspaper published in Coeur d'Alene, Idaho; and,

WHEREAS, a protest against the granting of this application was received from Susan E. Marmon on November 5, 1976; and,

WHEREAS, a conference concerning this matter was held on January 15, 1979, at which the protestant failed to appear; and,

WHEREAS, on January 22, 1979, the Department sent an Order to Show Cause on or before February 22, 1979, why the protest should not be dismissed for failure of the protestant to appear at the conference; and,

WHEREAS protestant failed to show adequate cause why the protest should not be dismissed;

IT IS, THEREFORE, HEREBY ORDERED that the protest of Susan E. Marmon against Application for Permit No. 96-7484 is DISMISSED for failure of the protestant to appear at said conference.

DATED: This ____ day of _____, 1979.

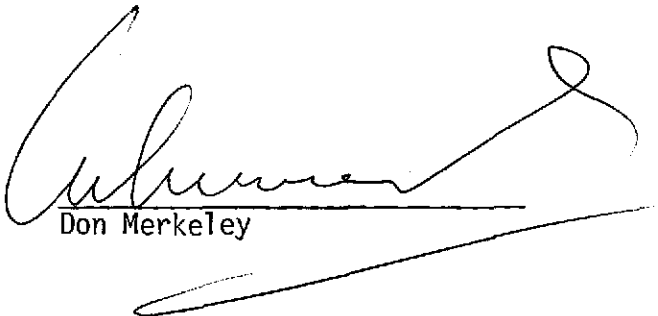
C. Stephen Allred
Director

MICROFILMED
1980

Withdrawal

I hereby withdraw my protest of the approval of Application for
Permit No. 96-7484.

DATED: This 26th day of December, 1978.



Don Merkeley

RECEIVED

George O.
Johnston

Rt 1 Box 814

At Hol, Id

83801

MICROFILMED

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered.....\$
☐ Show to whom, date, and address of delivery.....\$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....\$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Mr. David E. Jeffcoat
 Route 1
 Athol, Idaho 83801

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13366	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

DATE OF DELIVERY

12/26/78

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER, BECAUSE:

CLERK'S
INITIALS

MICROFILMED

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE 201
COEUR D'ALENE, ID 83814

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

96-7484

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered.....\$
☐ Show to whom, date, and address of delivery.....\$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....\$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery. \$____
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Mr. George O. Johnston
 Route 1, Box 81 G
 Athol, Idaho 83801

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13412	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

POSTMARK

1-DECEMBER 1973

JAN
 4
 1974

5. ADDRESS (Complete only if requested)

JAN 5 1974

6. UNABLE TO DELIVER BECAUSE:

Department of Motor Vehicles
 Northern California

CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moistan gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D'ALENE, ID 83814

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

96-7484

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered \$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Ms. Susan Marmon
 Route 1, Box 73
 Athol, Idaho 83801

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13365	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

DEC 27 1978

POSTMARK

5. ADDRESS (Complete only if requested)

DEC 28 1978

6. UNABLE TO DELIVER BECAUSE

Post Office Resources
 Northern District Office

CLERK'S
 INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #41
COEUR D'ALENE, ID 83814
(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

96-7484

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered.....\$
☐ Show to whom, date, and address of delivery.....\$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....\$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery.....\$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Ms. Susan Marmon
 Route 1, Box 73
 Athol, Northern District Office

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13415	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY:

1/26/1979

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



Dept 7 Water Resources
(Name of Sender)

4055 Grant Way
(Street or P.O. Box)

Calif 92814
(City, State, and ZIP Code)

● SENDER: Complete items 1 and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered \$
☐ Show to whom, date, and address of delivery \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered \$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Mr. Don Merkeley
 Route 1, Box 81
 Athol, Idaho 83801

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13367	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

12-26-78

POSTMARK

DEC 26 8/61

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Return to Sender
 Return to Office

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D'ALENE, ID 83814
(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSE- MENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE
1	13413 Mr. Larry Tucker, Gen. Dely., Clark Fork, Ida 96-7656	15	80			45			
2	13414 Mr. Greg Smith, Box 1237, Bonners Ferry, Ida. 98-7245	"	"			"			
3	13415 Ms. Susan Marmon, Rt 1, Box 73, Athol, Ida. 96-7484	"	"			"			
4									
5									
6									
7									
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16									
17									
18									
19									
20									

TOTAL NUMBER OF
PIECES LISTED
BY SENDER

3

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE

3

POSTMASTER, PER (Name of receiving employee)

Hell

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

Microfilm

1/15/79

Conference Notes 96-7489

Applicant appeared protestant
did not appear. Harvey will
send order to show cause to
protestant.

NOT

MICROFILMED

CONFERENCE NOTES

Coeur d'Alene Idaho

96-7484 = GEORGE G. JOHNSTON

Applicant present & represented
by MRS Johnston

Protestant did not appear. Did
not answer telephone.

Applicant was advised that
protestant would be given opportunity
to justify non-appearance.

HAYNES reviewed the application
with MRS Johnston to insure that
it was accurate.

NCY
1/15/79

46-7484

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered..... 65¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. Don Merkeley
 Route 1, Box 81
 Athol, ID 83801

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	12566	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RETURN
TO



Department of Water Resources
Northern District Office

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 208, SUITE #1
COEUR D' ALENE, ID 83814

DEC 20 1976
Department of Water Resources
Northern District Office

NAME AND ADDRESS OF SENDER

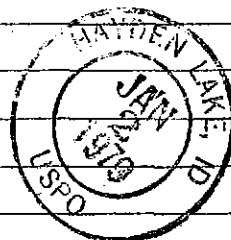
Indicate type of mail

☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE
1	13412 1/5th Ave. O. Johnston, Rt. 1, Box 816, Wheeling, W. Va. 26061 (96-7484)	15¢	80¢			45¢			
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
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18									
19									
20									



TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

MICROFILMED

All renewed Jan 1/1958

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 96-7484 IN THE NAME OF GEORGE O.) ORDER TO SHOW CAUSE
JOHNSTON)

WHEREAS, on October 27, 1976, George O. Johnston applied to the Department of Water Resources for a permit to appropriate 0.20 cfs of water from unnamed streams within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 53N, Range 2W Boise Meridian, Kootenai County to be used for Domestic, Stockwater and Irrigation purposes;

WHEREAS, on November 4 and 11, 1976, notice of this proposed application was published in the Coeur d'Alene Press, Coeur d'Alene, Idaho; and whereas protests against the approval of said application were received from Susan E. Marmon on November 5, 1976; and whereas on January 15, 1979, a hearing concerning this matter was held at Coeur d'Alene, Idaho, at which the protestant failed to appear.

IT IS THEREFORE HEREBY ORDERED that the protestant show cause on or before February 22, 1979, why the protest for permit No. 96-7484 should not be voided for failure of the protestant to appear at the hearing.

DATED: This 22nd day of January, 1979.


ROBERT G. HAYNES, P.E.
Northern Regional Supervisor

MICROFILMED

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSE- MENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE REMARKS
1 13356	Mr. Archie Bretears, S.R.1, Bonners Ferry	15	80			45			
2 13357	L. R. Richardson, SR1, Box 44, Bonners Ferry	"	"			"			
3 13358	Jms A Ansley & Bill Hayden, SR 1, Box 1076, Bonners F.	"	"			"			
4 13359	Mr. and Mrs. Kermit Black, SR 1, Boyie Springs,	"	"			"			
5 13360	Lawson Farms Inc, Box 31, T&koa, Wa	"	"			"			
6 13361	Robert D. Dellwo, 1016 Old Nat'l Bank Bldg, Spokane	"	"			"			
7 13362	Marvin A. Willadsen, Rt 1, Box 646, Rathdrum	"	"			"			
8 13363	Mr. and Mrs. Kenneth MacLaughlan, rt 3, Box 9, Rathdrum	"	"			"			
9 13364	Mr. George O. Johnston, 1315 E. 10th, Anchorage, Alas.	"	"			"			
10 13365 12/27	Susan Marmon, Rt 1, Box 73, Athol ✓	"	"			"			
11 13366 12/27	David E. Jeffcoat, Rt 1, Athol ✓	"	"			"			
12 13367 12/27	Don Merkeley, Rt 1, Box 81, Athol ✓	"	"			"			
13 13368	Paul N. Tallman, P. O. Box 385, Clark Fork,	"	"			"			
14 13369	Larry Tucker, Gen. Del, Clark Fork	"	"			"			
15 13370	Paul Weber, 11703 E. 8th, Spokane, 99106	"	"			"			
16 13371	E. D. Clark, Rt 5, Box 148-A, Priest Lake, 83856	"	"			"			
17 13372	Mr. and Mrs. Forrest Ault, Rt 1, Box 30C, Colbert Wa 99005	"	"			"			
18 13373	Nonna Sommerfeld, 101 N. 1st, Sandpoint	"	"			"			
19 13374	John T. Tordoff, RR 5, Box 49-1A, Priest River	"	"			"			
20 13375	Jms. Parker Remond, Box 153, Newport, Wa. 99156	"	"			"			
TOTAL NUMBER OF PIECES LISTED BY SENDER 20		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE 20		POSTMASTER, PER (Name of receiving employee) S. Jones		¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." ² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.			

U. S. GOVERNMENT PRINTING OFFICE

C48-16-72542-2

MICROFILMED

Call received Oct 1/10/75

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Permit No. 96-7484 in)
the name of GEORGE O. JOHNSTON)

NOTICE OF CONFERENCE
AND/OR HEARING

On October 27, 1976, George O. Johnston filed with the Department of Water Resources an application for Permit No. 96-7484. The Department received protests against approval of said permit from Susan Marmon and from Don Merkeley.

This matter was set for conference and/or hearing on December 17, 1976, and continued. The Department has reset the matter of protests for conference and/or hearing for Monday, January 15, 1979, at 3:00 p.m., at the Department of Water Resources Northern Region Office, 4055 Government Way, Coeur d'Alene, Idaho 83814. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such nonappearance may be assessed against such non-appearing parties.

Dated this 19 day of December, 1978.


ROBERT G. HAYNES, P.E.
Regional Supervisor

MAILED 10 1978

RECEIVED

TO	Robert Hughes. West Super	DEPT. LOCATION	Dep. Water Resources CDLIA
FROM	Don Murbely	DEPT. LOCATION	Dep. Water Resources ATTOLIP
SUBJECT	Permit H96-7484	DATE	12/27/76

MESSAGE

would you please send the notice for the proposed conference / hearing on the above permit, to me at the above address & also to P.S. me % P.S.I.P. Box 21145, Seattle WA 98111

Thank you

ORIGINATOR - DO NOT WRITE BELOW THIS LINE

SIGNED

REPLY

COPY OF NOTICE OF HEARING SENT 12-2-76. (Not Certified) cp

DEPT. - LOCATION

SIGNED

DATE

96-7484

PS Form 3811, Jan. 1975

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered..... 65¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. David E. Jeffcoat
 Route 1
 Athol, ID 83801

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	12567	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

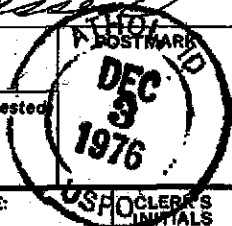
4.

DATE OF DELIVERY

12-3-76

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D' ALENE, ID. 83814**

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300**

RECEIVED



DEC 6 1976

**Department of Water Resources
Northern District Office**

96-7484

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. George O. Johnston
 1315 East 10th
 Anchorage, Alaska 99581

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	12564	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. *Carlene Johnston*
 DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, and 3 on reverse side.
• Moisten gummed ends and attach to back of article.

**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D' ALENE, ID 83814

RECEIVED
DEC 7 1976

Department of Water Resources
Northern District Office

96-7484

PS Form 3811, Jan. 1975

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered..... 65¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery 85¢

2. **ARTICLE ADDRESSED TO:**

Mrs. Susan Marmon
 Route 1, Box 73
 Athol, ID 83801

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

12565

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

4.

DATE OF DELIVERY

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

POSTMARK

9761

2
DEC

CLERK'S
INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



**RETURN
TO**



**IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D' ALENE, ID 83814**

R E C E I V E D

DEC 8 1976

**Department of Water Resources
Northern District Office**

NAME AND ADDRESS OF SENDER

DEPT. OF WATER RESOURCES - Northern Region

Indicate type of mail

☐ INSURED☐ C. O. D.☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

NOTICES OF HEARINGS

POSTMARK AND DATE OF RECEIPT November 30, 1976

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE	REMARKS
1	12564 George O. Johnston, 1315 E. 10th, Anchorage, Alaska	13¢	60¢			25¢				96-7484
2	12565 Mrs. Susan Marmon, Rt. 1, Box 73, Athol, Idaho 83801	"	"			"				"
3	12566 Don Merkeley, Rt. 1, Box 81, Athol, Idaho 83801	"	"			"				"
4	12567 David E. Jeffcoat, Route 1, Athol, Idaho 83801	"	"			"				"
5	12568 Michael D. & Martha Myers, P.O. Box 22, Porthill, ID	"	"			"				98-7169
6	12569 Trow Creek Water Assoc., Porthill, Idaho 83853	"	"			"				"
7	12570 Peter B. Wilson, P.O. Box 749, Bonners Ferry, Idaho	"	"			"				"
8	12571 Charles R. Johnson, St. Rt. 1, Bonners Ferry, Idaho	"	"			"				"
9	12572 Burl Baker, St. Rt. 1, Bonners Ferry, Idaho	"	"			"				"
10	12573 C. Morris, St. Rt. 1, Bonners Ferry, Idaho	"	"			"				"
11	12574 John Morris, St. Rt. 1, Bonners Ferry, Idaho	"	"			"				"
12	12575 Perry Kelson, St. Rt. 1, Bonners Ferry, Idaho	"	"			"				"
13	12576 Bernie Heinemann, St. Rt. 1, Bonners Ferry, Idaho	"	"			"				"
14	12577 J. F. Bush, St. Rt. 1, Box 110, Bonners Ferry, Idaho	"	"			"				"
15	12578 Mr. & Mrs. Dennis Drury, St. Rt. 1, Box 118-A, Bonners Ferry	"	"			"				"
16	12579 Mrs. Annie King, St. Rt. 1, Box 117, Bonners Ferry, ID	"	"			"				"
17	12580 Byron Baker, St. Rt. 1, Box 120, Bonners Ferry, Idaho	"	"			"				"
18	12581 Donald A. Wright, P.O. Box 7, Porthill, Idaho	"	"			"				"
19	12582 Charles A. MacKenzie, Box 59, Porthill, Idaho	"	"			"				"
20	12583 W. C. Stroud, Porthill, Idaho	"	"			"				"

TOTAL NUMBER OF
PIECES LISTED
BY SENDER
**Twenty
(20)**

TOTAL NUMBER OF
PIECES RECEIVED
AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

FD-357-A-July 1958

MICROFILMED

C48-18-72948-2

REC'D. NOV 15 1976

TO	Keith Huggins	DEPT. - LOCATION	Dept. of Water Resources Northern District Office	4055 Gov Way
FROM	DON MERKELEY Rte 1 Box 81 Airdid	DEPT. - LOCATION	Cañon & Alameda Id	83814
SUBJECT	Water Application of George Johnson on Unnamed stream on			DATE 11/12/76

MESSAGE

Reference claim to a water right ID# 96-4034 dated 9-6-72 Pursuant to Groundwater
claiming 0.2 C.F.S. from Trapper Creek in name of DON MERKELEY. 11/11/76
Because Trapper Creek gets very low several times each year
I do not think it can support George Johnson's application of 0.30 C.F.S.
without interfering my claim of 0.2 C.F.S. & leave me without water.
I would be without water if this happens as my whole water
system originates in Trapper Creek

ORIGINATOR - DO NOT WRITE BELOW THIS LINE

SIGNED

REPLY

would you please sign 1 copy of this on receipt &
return it to me.

x Robert G. Haynes

DEPT. - LOCATION
Dept. of Water Resources

SIGNED
ROBERT G. HAYNES

DATE 11 / 15 / 76

MICROFILMED

P R O T E S T D A T A

REC'D: 16 1976

TO R. Keith Heggins Department of Water Resources
Northern District Office DEPT.-LOCATION
FROM DON MERKELEY Rte 1 Box 81 Afton, WY DEPT.-LOCATION

SUBJECT

Application for Water Permit # 96-7484 George O. Johnson.

DATE

11 / 14 / 76

MESSAGE

I forgot to put the # above in my note of 11/12/76
protecting this application of George O. Johnson on
an unnamed tributary of Teton Creek for water
to be used of SE 1/4 NW 1/4, SW 1/4 NE 1/4 S 27 T 53 N R 24 W
BM

ORIGINATOR - DO NOT WRITE BELOW THIS LINE

SIGNED

REPLY

Please sign 1 copy & return to me.

DEPT.-LOCATION

Dept. of Water Resources

SIGNED

ROBERT G. HAYNES

DATE

11 / 16 / 76

MICROFILMED

Rediform® 45 470

Poly Pak (50 sets) 4P470

SEND PARTS 1 AND 3 WITH CARBON INTACT - PART 3 WILL BE RETURNED WITH REPLY.

November 16, 1976

Re: Application for Permit No. 96-7484

Mr. George O. Johnston
1315 East 10th
Anchorage, Alaska 99581

Dear Mr. Johnston:

Enclosed is a copy of the protest filed against the issuance of a permit pursuant to your application referenced above. You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest.

Please contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure

bcc: IDWR - Boise
cc: David E. Jeffcoat

RECEIVED
NOV 17 1976
MICHIGAN

November 16, 1976

Re: Application for Permit No. 96-7484 - George O. Johnston

Mr. Don Merkeley
Route 1, Box 81
Athol, ID 83801

Dear Mr. Merkeley:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the application, approve the application for a quantity of water less than applied for, or approve the application subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

RECEIVED
NOV 17 1976
IDAHO DEPARTMENT OF
AGRICULTURE

Page 2

Re: 96-7484

Mr. Don Merkeley

November 16, 1976

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of any further assistance, feel free to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

bcc: IDWR - Boise

11/17/76

November 5, 1976

RECEIVED

NOV 5 1976

Department of Water Resources
Northern District Office

Idaho Department of Water Resources
Northern Region
4055 Government Way - Suite #1
Coeur d'Alene, ID 83814

Gentlemen:

We want to protest the approval of Application for Permit No. 96-7484 to appropriate 0.20 cubic feet per second of water from Unnamed Streams, tributary to Trapper Creek. Trapper Creek is tributary to Lewellen Creek, which is our source of water supply for irrigation *AND* domestic purposes. We purchased Fred Moore's property and his water rights which are one of the first water rights on the creek.

Last summer we frequently ran out of irrigation and domestic water and could not irrigate.

Very truly yours,

Susan E. Marmon

Susan Marmon
Route 1, Box 73
Athol, ID 83801

November 10, 1976

Re: Application for Permit No. 96-7484 - George O. Johnston

Mrs. Susan Marmon
Route 1, Box 73
Athol, ID 83801

Dear Mrs. Marmon:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the application, approve the application for a quantity of water less than applied for, or approve the application subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

Page 2

Re: 96-7484

Mrs. Susan Marmon

November 10, 1976

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. If we may be of any further assistance, feel free to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

bcc: IDWR - Boise

November 10, 1976

Re: Application for Permit No. 96-7484

Mr. George O. Johnston
1315 East 10th
Anchorage, Alaska 99581

Dear Mr. Johnston:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 96-7484. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 42-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

Page 2

Re: 96-7484

Mr. George O. Johnston

November 10, 1976

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

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

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure

bcc: IDWR - Boise

cc: David E. Jeffcoat

Name: George O. Johnston
File: 96-7484
Place: Department of Water Resources, 4055 Government Way,
Coeur d'Alene, Idaho 83814
Date: Monday, January 15, 1979 - 3:00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
<i>Maureen Johnston</i>	<i>Rt. 1, Box 81-G Athol</i>	<i>George Johnston</i>

MICROFILMED

DON MERKELEY
Rte 1 Box 81
ATHOL ID 83801



R. Keith Higginson
Idaho Dept Water Resources
4055 Government Way
Coeur d'Alene

Ida.

83801

RETURN RECEIPT
REQUESTED

CERTIFIED

No. 669414

MAIL

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval
of Application for Permit No. 96-7484 in
the name of GEORGE O. JOHNSTON

NOTICE OF CONFERENCE
AND/OR HEARING

On October 27, 1976, George O. Johnston filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. The Department received protests against approval of said application from Susan E. Marmon and Don Merkeley.

The Department has set the matter of protests for conference and/or hearing for Friday, December 17, 1976, at 9:00 a.m., in the Community Room of the Kootenai County Courthouse, Coeur d'Alene, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or the protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 29 day of November, 1976.

Robert G. Haynes

ROBERT G. HAYNES
District Supervisor

RECEIVED
NOV 29 1976
DISTRICT SUPERVISOR

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Johnston, George O. 96-7484

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

(1) TK 10-27-76

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

(4) TK 10-27-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: Protest dismissed for failure to
appear

(11) CP 11/15

Affidavit of Publication received (date) Nov. 12, 1976

(12) CP 10/29

Final date for protests NOVEMBER 22, 1976

Protests received: yes ☒ no _____

(13) _____

All requested information received from agencies or
applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve

_____ Deny

10-27-76 Proposed Priority

An alternate supply of water adequate to meet the needs of the permit holder's domestic and stockwater use for a sixty (60) day period shall be obtained.

(15) District Northern By Bob Hughes Date 5-8-77

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Johnston, George O. 90-7484

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

(1) TK 10-27-76

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) TK 10-27-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: Protest dismissed for failure to
appear

(11) CP 11/15

Affidavit of Publication received (date) Nov. 12, 1976

(12) CP 10/29

Final date for protests NOVEMBER 22, 1976

Protest _____

Reason for Reduction _____

Measuring device required

☒ See attached sheet for other conditions of approval

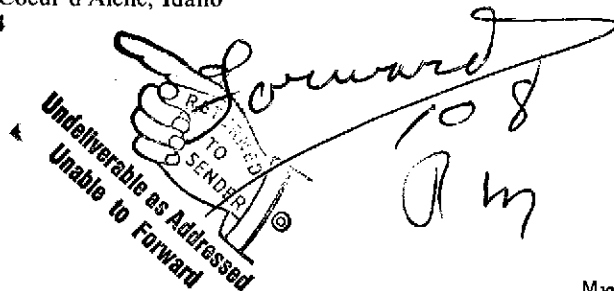
No special conditions for approval

(15) District Northern

By Bob Haynes

Date 3-8-79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
5 Government Way • Coeur d'Alene, Idaho
83814



Mr. George O. Johnston
1315 East 10th
Anchorage, Alaska 99581

CERTIFIED
NO. 13364

96-7484

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one). ☒ Show to whom and date delivered.....\$ ☐ Show to whom, date, and address of delivery.....\$ ☐ RESTRICTED DELIVERY Show to whom and date delivered.....\$ ☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery.....\$ (CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: Mr. George O. Johnston 1315 East 10th Anchorage, Alaska 99581								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>13364</td> <td></td> </tr> </table>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		13364	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	13364							
(Always obtain signature of addressee or agent)								
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent								
4.	DATE OF DELIVERY	POSTMARK						
	5. ADDRESS (Complete only if requested)							
	6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS						

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



INDIAN DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUFFOLK
CORUR D'ALENT, ID 83211

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

October 29, 1976

Re: Application No. 96-7484 - George O. Johnston

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

RECEIVED
OCT 31 1976
DISTRICT SUPERVISOR

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that George O. Johnston,
1315 East 10th, Anchorage, Alaska
has on October 27, 1976 submitted Application No. 96-7484
for a permit to appropriate 0.20 cubic feet per second ~~and 0.02 cfs~~
of water from Unnamed Streams, tributary of Trapper Creek
by means of pump and pipeline
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 53N, R. 2W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31 for domestic (0.08 cfs) and stockwatering
~~for~~ purposes (0.02 cfs); and from March 15 to Nov. 15 for the irrigation of
20 acres (0.20 cfs)
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 53N, R. 2W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before November 22, 1976.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Nov. 4 and Nov. 11, 1976