

No Color
Documents
In File

2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ROBERT OR KAREN JOHNSTON
(Name of Claimant)

ROUTE 2 BOX 292 SANDPOINT IDAHO 83864 Telephone No. 263-0878
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) May 1969

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) KB
Spring Unnamed Stream tributary to Hornaby Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.02 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.06 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(@pts) SE 1/4 SW 1/4, Sec. 19 Twp. 57N Rge. 2W B.M., County of Bonner
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Spring is being used for domestic use while the creek is used for irrigation. Both have a pump and pipeline to the place of use.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
<u>57N</u>	<u>2W</u>	<u>19</u>												<u>1 X</u>					<u>1</u>

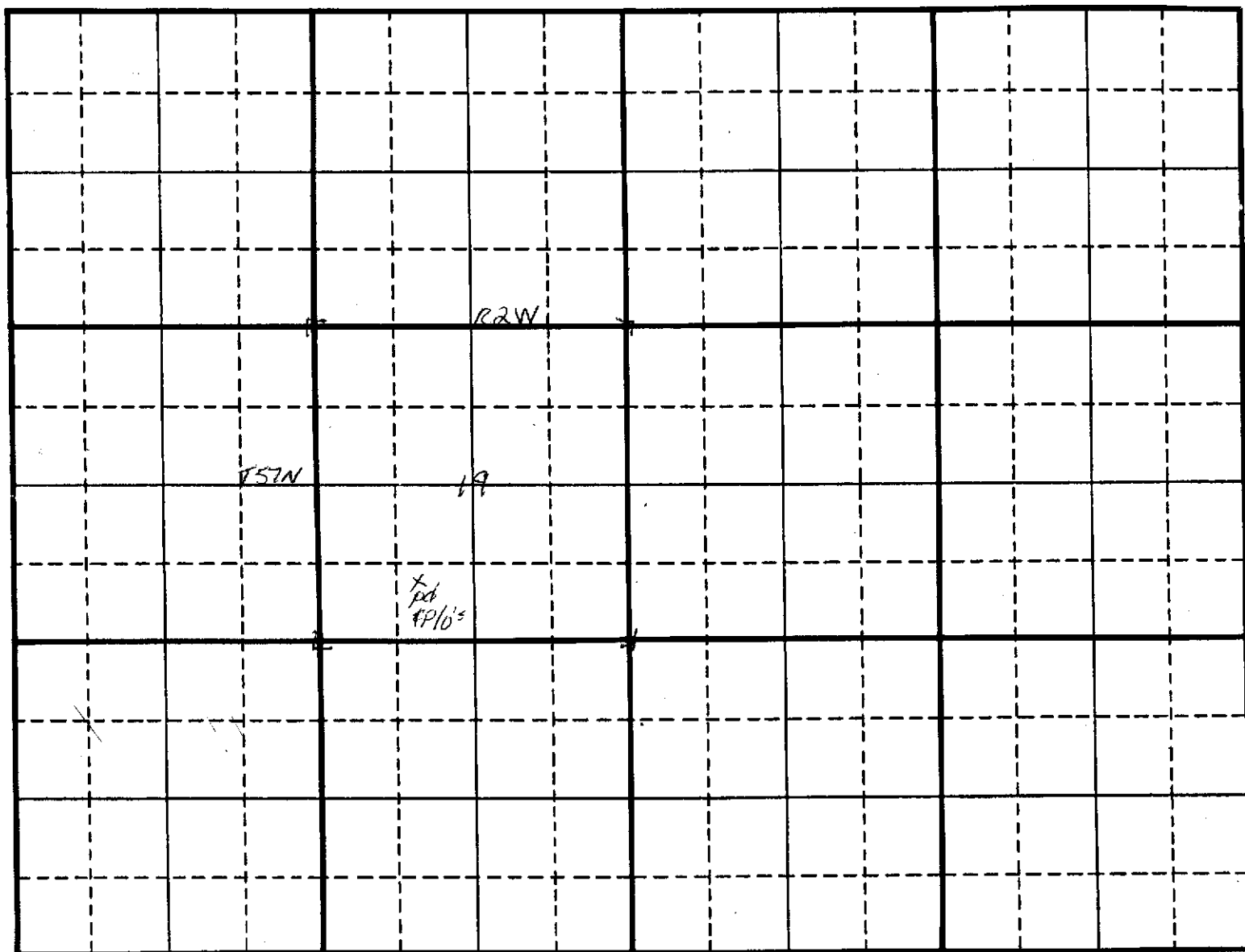
No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: domestic use for one household

NOTE: Include here the type and number of stock watered: _____
If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Footenai) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Robert A. Johnston
(Claimant)

Sworn to before me this 13th day of April 1982.

Peter A. [Signature]
Notary Public
Residing at Footenai

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ZB Date 4/13/82 Exception filed by: _____ Forwarded to _____ Date _____
Preliminary check by JK Date 4-14-82 claimant by: _____
\$30.00 fee received by ZB Date 4/13/82 (21228)
Published in Footenai Bee
Date 4/21-28/82

RECEIVED

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of _____

Legal notice
as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 21 day of 7, 1982 and ending on the 28 day of 4, 1982 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 5 day of 5, 1982.

Adell M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

96-4292

JOHNSTON, ROBERT &/or KAREN

RT. 2 BOX 292, SANDPOINT, ID 83864

Source: SPRING tributary to HORNABY CREEK

UNNAMED STREAM tributary to HORNABY CREEK

Priority Date: 05/01/1969

Amount: 0.06 CFS

Diversion Point: SESW Sec 19 T 57N R 02W, BONNER Co.

Use: IRRIGATION (0.02 CFS) from 03/15 to 11/15

DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 19 T 57N R 02W FOR 1 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id. 83814.

A. KENNETH DUNN
Director

Published April 21, 28, 1982
Department of Water Resources

RECEIVED

MAY 10 1982

Department of Water Resources
Northern District Office

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 96-4292 Applicant Johnston

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By JK Date 5/13/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 5/27/82



Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

96-4292_

JOHNSTON, ROBERT &/or KAREN

RT. 2 BOX 292, SANDPOINT, ID 83864

Source: SPRING tributary to HORNABY CREEK
UNNAMED STREAM tributary to HORNABY CREEK

Priority Date: 05/01/1969

Amount: 0.06 CFS

Diversion Point: SESW Sec 19 T 57N R 02W, BONNER Co.

Use: IRRIGATION	(0.02 CFS)	from 03/15 to 11/15
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SESW Sec 19 T 57N R 02W FOR 1 ACRES

NOTED
JAN 11 1970

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 10, 1982

ROBERT JOHNSTON
KAREN JOHNSTON
RT. 2 BOX 292
SANDPOINT ID 83864

RE: Claim No. 96-4292

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filings and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure