

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Juli Jacob

..... being first duly sworn
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 *Legal Notice*

of which the annexed is a printed copy, was published in the regular *Times* issue of said newspaper for *2* consecutive *weeks* commencing on the *20th* day of *September*, 19*90*, and ending on the *27th* day of *September*, 19*90*, 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.

Subscribed and sworn to before me this *27th* day of *September*, 19*90*.

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

ROBERTA MANLEY
My commission expires *9-3-93*

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
95-08674

JOHANN, DAVID
JOHANN, LINDA
E. 2965 MULLAN ST.
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: SESW Sec 36 T 51N R 05W
Use: IRRIGATION (.200 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.200 CFS)
Date Filed: 9/13/1990
In: T51N R05W S36 SESW
10.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at 765-4639. The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before OCTOBER 8, 1990.

R. KEITH HIGGINSON, Director

Legal 478
Sept. 20, 27, 1990

OK
10/3/90

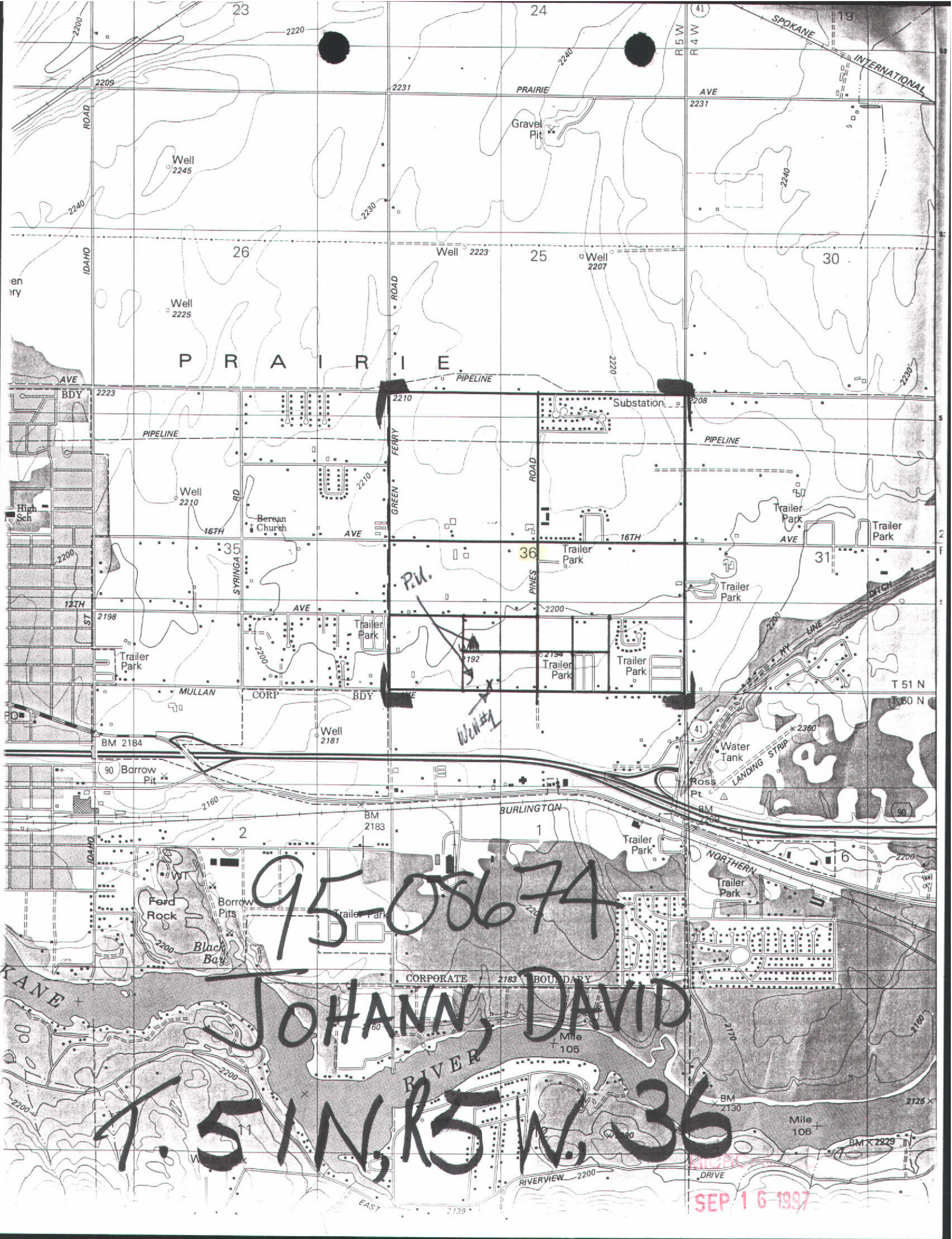
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OCT 01 1990

NORTHERN REGION
IDWR

MICROFILMED

DEC 18 1990



95-05674

JOHANN, DAVID

T. 51 N, R. 5 W, 36

SEP 16 1997



36

TWP 51N

1 TWP 50N

WELL #1

SEP 10 03



PLACE OF USE

WELL HEAD
IRR. Valve SHUT-OFF



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUMMARY

PERMIT # 95-08674



STATE OF IDAHO
DEPARTMENT OF WATER
FIELD REPORT SURVEY

OTOGRA

PLACE OF USE HOME #1
HOME #2



PERMIT # 95-08674

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08674

Priority: September 13, 1990

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

31.2 AF

This is to certify, that DAVID JOHANN
LINDA JOHANN

E 2965 MULLAN ST

POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 13, 1990; and has submitted Proof of Beneficial Use on October 19, 1992. An examination indicates that the works have a diversion capacity of 0.350 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	30.0 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF
	Totals	0.20 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 36, Township 51N, Range 05W
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>TOTAL</u>
51N	05W	36	SESW	10		10

Total number of acres irrigated: 10

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources

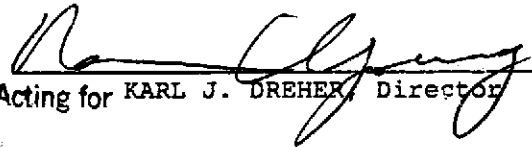
WATER RIGHT LICENSE

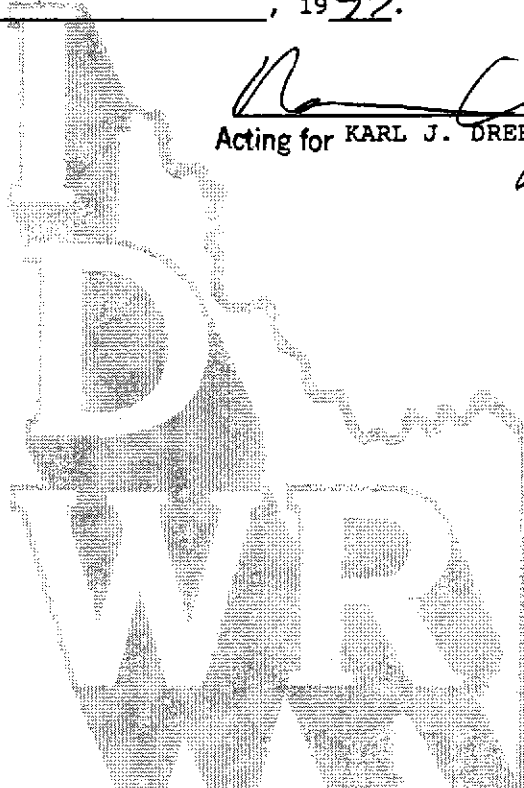
WATER RIGHT NO. 95-08674

CONDITIONS OF APPROVAL AND REMARKS

6. Point of diversion is located within Lot 59 Blk 36, Post Falls Irrigated Tracts.
7. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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 30TH day of JUNE, 1992.


Acting for KARL J. DREHER, Director



10/20/92
SEP 15 1992

RECEIVED

OCT 19 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 10-20-92Receipt No. 0025793Receipt by [Signature]

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-08674 Telephone No. 208-773-2778
2. Name(s) of Permit Holder(s): David Johann Linda Johann
3. Mailing Address: E. 2965 Mullan Avenue Post Falls, ID 83854
4. Source of Water: ground water

If GROUNDWATER, Well Driller's Name: Flanigan + Flanigan Date Drilled: 11/11/90

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 2 (No. of households) Stockwater - (No. and type of stock)

Irrigation 15 (No. of acres) Other 10 10/20 flg

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes L No Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes L No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

David Johann 208-773-2778
Name Telephone No.

E. 2965 Mullan Ave Post Falls, ID 83854
Address

10. The above information 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.

10/15/92
Date

Linda Johann
Signature (and title, if on behalf of a company or organization)

DEC 15 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08674

Proposed Priority: September 13, 1990 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **LINDA JOHANN**
DAVID JOHANN
E. 2965 MULLAN ST.
POST FALLS, ID 83854

has applied for a permit to appropriate water from: **GROUNDWATER**
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>
IRRIGATION	03/15 to 11/15	0.20 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW Sec. 36, Township 51N, Range 05W
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>TOTAL</u>
51N	05W	36	SESW	10		10

Total number of acres irrigated: 10

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1992**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Domestic use is for two homes.
6. Point of diversion is located within Lot 59, Blk 36, Post Falls Irrigated Tracts.

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DEC 18 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08674

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

6th day of November, 1990

R. Keith Higginson

for R. Keith Higginson, Director

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DEC 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95-8674

To appropriate the public waters of the State of Idaho

1. Name of applicant DAVID OR LINDA JOHANN Phone 773-2778
Post office address E. 2965 MULLAN, POST FALLS, ID 83854
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 36 Township 51N Range 5W B.M. HOOTENAL County; additional
points of diversion if any: LOT 59 BLK 36 POST FALLS IRRIGATED TRS.
4. Water will be used for the following purposes:
Amount 0.08 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for IRRIGATION purposes from MAR 15 to NOV 15 (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) 0.20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. WELL & PUMP
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 250 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

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DEC 18 1990

UNCLASSIFIED

applicant to make this filing

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

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

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

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

Total number of acres to be irrigated

[illegible]

ponding 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

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

9. Description of place of use:

e. Other, describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower: show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9):

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

36 T-51N

P.P.
8
P. 1-1

R-5W

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DEC 18 1990

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.

David R. Johnson
(Applicant)

MICROFILMED
DEC 18 1990

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

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 _____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by RCM Date 9/13/90 Time 9:00A Preliminary check by RCM

Fee \$ 35.00 Received by RCM # N-4038 Date 9/13/90

Publication prepared by RCM Date 9/13/90 Published in 9/22/90

Publication approved by RCM Date 10/3/90

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Juli Jacobs

being first duly sworn
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

Legal Notice

of which the annexed is a printed copy, was published in the regular *Times* issue of said newspaper for *2* consecutive *weeks* commencing on the *26th* day of *September*, 19*90*, and ending on the *27th* day of *September*, 19*90*, 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.

Juli Jacobs

Subscribed and sworn to before me this *27th* day of *Sept*, 19*90*.

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

9-3-93

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08674

JOHANN, DAVID
JOHANN, LINDA
E. 2965 MULLAN ST.
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: SESW Sec 36 T 51N R 05W
Use: IRRIGATION (.200 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.280 CFS)
Date Filed: 9/13/1990
In: T51N R05W S36 SESW
10.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at 765-4639. The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before OCTOBER 8, 1990.

R. KEITH HIGGINSON, Director

Legal 478
Sept. 20, 27, 1990

6/3/90

MICROFILMED

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OCT 01 1990

NORTHERN REGION
IDWR

DEC 18 1990



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

July 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID JOHANN
LINDA JOHANN
E 2965 MULLAN ST
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08674

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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

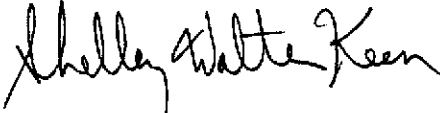
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district 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.

SEP 16 1987

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.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED

SEP 16 1987

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1997, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 95-08674

DAVID JOHANN
LINDA JOHANN
E 2965 MULLAN ST
POST FALLS ID 83854


Kari Lynn Townsend
Secretary

SEP 16 1997

MEMORANDUM

TO: File 95-08674

FROM: Sharla Curtis

DATE: June 30, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 95-08674 are based on the following:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.20 cfs	30.0 afa
Domestic	1/1 - 12/31	0.06 cfs	1.2 afa
	TOTALS	0.20 cfs	31.2 afa

The standard annual volume/acre for this area is 3.0 af.

The irrigation component covers the lawn/garden/tree areas, thus domestic use is in-house use only. The rate of diversion has been adjusted accordingly.

Examiner: Herman Spangle
Exam Date: October 22, 1996

10-24-1996

SEP 16 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08674

DATE 6/30/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.20</u> cfs
Fee limit	<u>.20</u> cfs \$ <u>50⁰⁰</u>
Measured	<u>.18</u> cfs — 16 heads @ 5 gpm/head —
Theoretical	<u>.35</u> cfs no actual measurement made

Recommended Total Div Rate .20 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Volume Calculation
<u>10 X 30 = 30.0</u> af
<u>2 X .6 = 1.2</u> af
<u>—</u> af
<u>—</u> af
SUBTOTAL <u>31.2</u> af

Flow rate .20 cfs X 246 days X 1.9835 = 97.4 af

Total volume recommended 31.2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

D/2 homes - orig not incl.

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

R29 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA

1st Amend Letter NA

Adjustment Memo volume/acre
dom rate

2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1997

Department of Water Resources
GENERAL INFORMATION

Permit No.

95-08674

1. Owner: David & Linda Johann

Phone No. (208)-773-2778

Current Address: E. 2965 Mullan Avenue, Post Falls, Id. 83854

2. Accompanied by: David Johann

EXAM DATE: 10-22-96

Address: Same as above

Phone No. (208)-773-2778

Relationship to Permit Holder: Permit Holder

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 95-08477; 95-08636; 95-08678

2. Other water rights with the same point of diversion: None

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
Well #1		SW	SE	SW	36	51N	05W	Kootenai	U.S.G.S. 7.5' QUAD; Site Visit

2. Place(s) of Use:

Indicate Method of Determination Aerial Photo; Site Visit

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	05W	36												10					10.0

Total = 10.0 ACRES

2. Measurements:

Thompson, Calvin

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

D. FLOW MEASUREMENTS

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

Pump Serial No. or Discharge Size	Pump Make	Motor Serial No.	Hp	Motor Make	Well #	Identification No.*
4" MAIN LINE			20.9	Submersible	1	

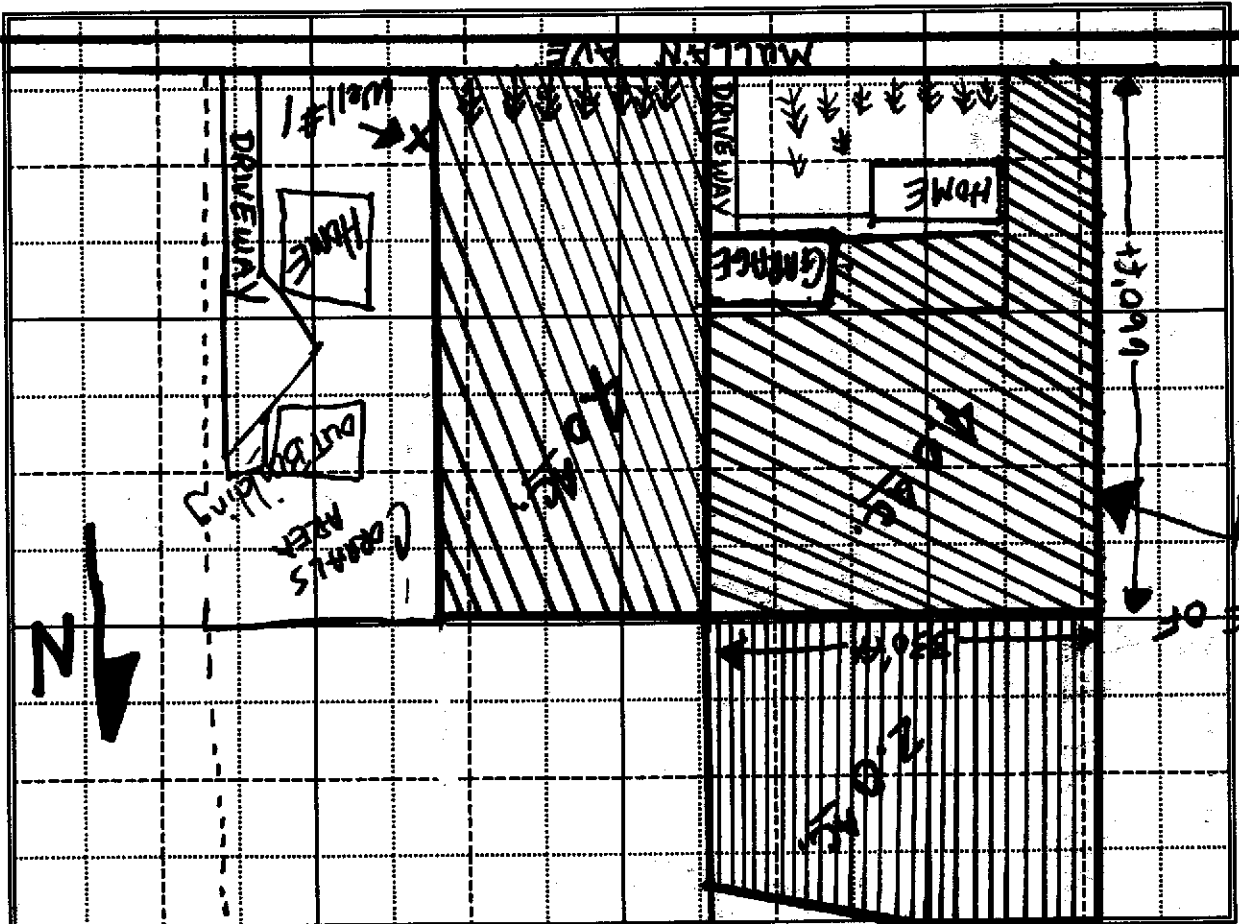
4

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

Scale 1 = NIS.



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

E. NARRATIVE/REMARKS/COMMENTS

System consist of one well with a 20 H.P. Submersible pump. A four inch main line distributes the water to 3 different fields. Two fields are 4 acres and one field is 2 acres. The dimensions dictates the number of heads that are running at one time for each field. They run either 8 or 16 heads @ a time. The heads are 5 gpm. Hand lines are used to irrigate the different fields.

Two domestic homes are also on the same well. Each home has a small yard and 1 home has a small bunch of Fruit trees that are irrigated. These are taken into consideration in the total number of acres.

At the time of the field exam there is no place to use the polysonic Meter. All of the 4" inch main line is buried.

Approximately 3" ft. from the well location is a Concrete flange buried over the main line. Inside this 2 ft. Ring is a Valve that is used to shut off the irrigation part of the Permitted section.

I recommend that this permit 95-08674 be approved for the license of 2 Domestic Homes and 10 acres of irrigation.

Have conditions of permit approval been met? ☒ yes ☐ no

SEP 16 1997

Measured Method:

* See Theoretical Calculations sheet

1/6 head @ 5gpm = 80 gpm or .18 cfs.
8 heads @ 5gpm = 40 gpm or .09 cfs.

1. Volume Calculations for Irrigation:

Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (10/3.5) = 35 \text{ AFT}$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.20)(245)(1.9835) = 97.2$$

$$V_{ir} = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 35 \text{ AFT}$$

2. Volume Calculations for Other Uses:

$$(2 \text{ Domates}) (1.6) = 1.2 \text{ HTM}$$

1. Recommended Amounts

Beneficial Use

Derivative
Integration

Period of Use

FROM

57-

10

CI-

Rate of Diversion

(SIC) 0

07,

Annual Volume

(b)(7) A

0'6

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 _____

1. AUTHENTICATION

Field Examiner's Name _____

Date: _____

SEAL

Date _____

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-08674

DATE: 22-OCT-96

COMPLETE BY: HERMAN

HORSEPOWER = 20

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 200 FEET

SYSTEM PRESSURE = 65 PSI

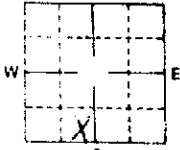
QUANTITY = 0.35 CFS

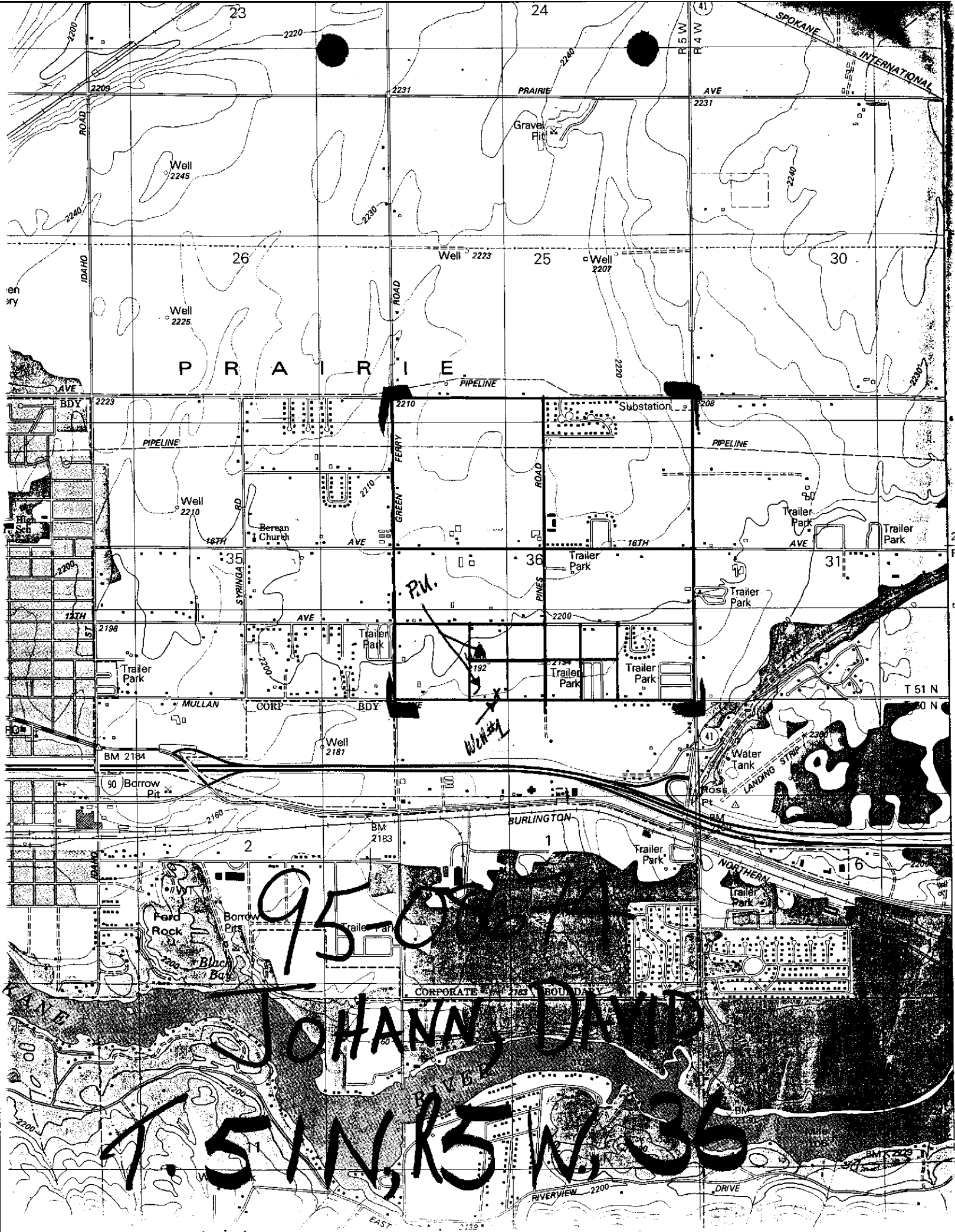
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALLPOINT PEN

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

95-08674

1. WELL OWNER Name <u>DAVE JOHANN</u> Address <u>E. 2965 MULLAN AVE. POSTELL'S JRD</u> Owner's Permit No. <u>95-90-N-107</u>		7. WATER LEVEL Static water level <u>191</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ of Quality _____ Describe artesian or temperature zones below																																																													
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. <u>59</u> Block No. <u>36</u> County <u>KOOTENAI</u> SE 1/4 Sec. 36 T. 51 N. R. 5 W.																																																															





36 WP 51N

1 WP 50N

W 1/4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUR

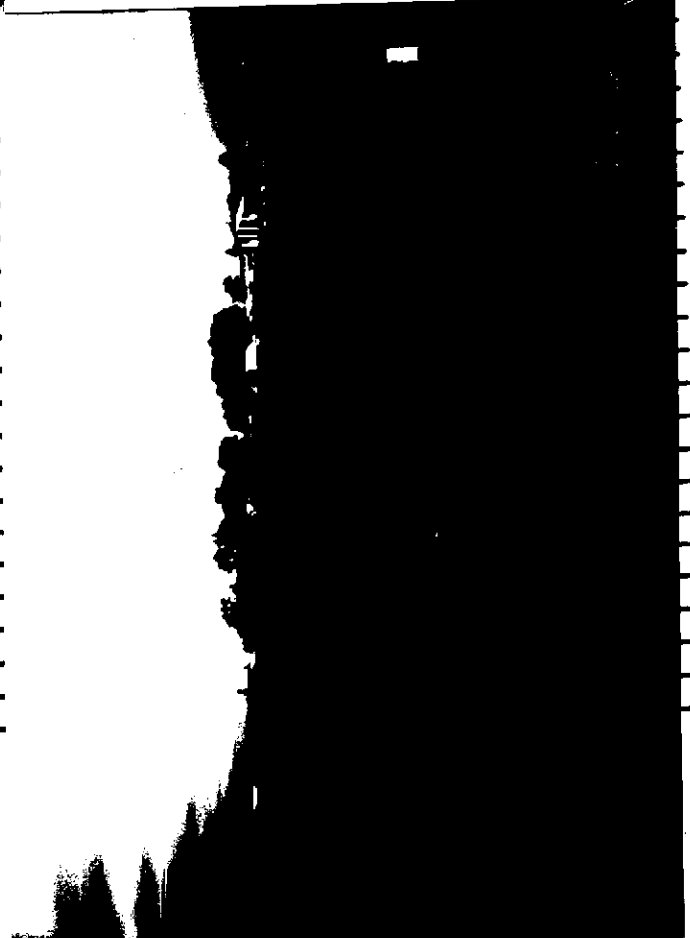
PHOTOGRAPH



WELL HEAD
IRR. VALVE STRUCTURE



PLACE OF USE



PERMIT # **95-0867A**

STATE OF IDAHO
DEPARTMENT OF WATER
FIELD REPORT SURVEY

PHOTOGRAPH



95-0867A

95-0867A

PLACE OF USE
#1 HOME #1



95-0867A

October 23, 1992

LINDA JOHANN
DAVID JOHANN
E. 2965 MULLAN ST.
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08674

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
OCT 23 1992

OCT 15 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-08674

Reviewed by Klg

Date 10/20/92

GENERAL CONSIDERATIONS

TYPES OF USE

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

domestic 2
irrigate - 10
Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

yes Copy in the file? Drilling Permit No. 95-90-N-107

200 Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

NA Required?

/ Installed?

/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due	<u>/</u>	-
No. of days late	<u>/</u>	=
Priority Date	<u>/</u>	+
New Priority Date	<u>✓</u>	

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

Proof Made 10/19/92

10/23/92 Klg

7/90

Drilling Permit No. 95-90-N-107
 Water Right Permit No. 95-8674
 Injection Permit No. _____

State of Idaho
 Department of Water Resources

APPLICATION FOR DRILLING PERMIT

RECEIVED
 OCT 29 1990
 Department of Water Resources

1. Applicant (please print) DAVID OR LINDA JOHANN
2. Mailing Address E-2965 MULLAN
POST FALLS, ID 83854 Telephone 773-2778
- ☒ Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 SW 1/4, or Gov't Lot No. _____
 Sec. 36, Twp. 51N, Rge. 5W, County _____
- Street Address of Well Site _____
- Lot, block and subdivision LOT 59 BLK 36 POST FALLS IRRIGATED TRACT
4. Proposed use of well:

() Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

☒ Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.
 No. of proposed wells: _____

5. Well construction information:

A. ☒ New well () Deepen () Replace - See Condition 9

B. Proposed Surface Diameter 8 Proposed Maximum Depth 250

C. Anticipated bottom hole temperature:

- ☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212° or more (Geothermal well)

6. Construction Start Date OCTOBER 15TH

7. Anticipated Well Driller UNKNOWN AT THIS TIME - FLANNERY FLANNERY
 NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's signature David R. Johann Date 12 Sept 90

Title _____
 (Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is approved

Date 10/10/90

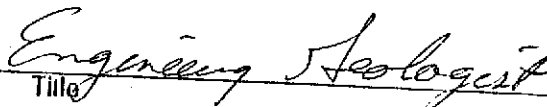
If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:


Signature of Authorized Department Representative


Title

Receipt No. N 4038 Received by Ken Fee \$200.00 Date 9/13/90

MICROFILMED

EXTENSION OF DRILLING PERMIT

Extension approved by _____

Approval Date _____

DEC 15 1992

This extension is good for 60 days beyond the above extension approval date.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

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_____ perforations	_____ feet	_____ feet																																																						
6. LOCATION OF WELL Sketch map location must agree with written location. N <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%; text-align: center;">W</td> <td style="width:25%; text-align: center;">X</td> <td style="width:25%; text-align: center;">E</td> <td style="width:25%;"></td> </tr> </table> S Subdivision Name <u>DEER</u> Lot No. <u>59</u> Block No. <u>36</u> County <u>KOOTENAI</u> <u>SE 1/4 Sec. 36 T. 51 N. R. 5 W.</u>	W	X	E																																																					
W	X	E																																																						

August 31, 1992

LINDA JOHANN
DAVID JOHANN
E. 2965 MULLAN ST.
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08674

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

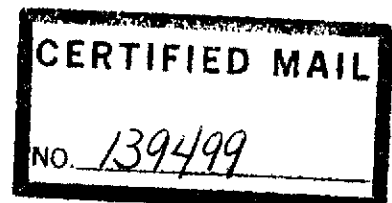
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 26, 1990

7

LINDA JOHANN
DAVID JOHANN
E. 2965 MULLAN ST.
POST FALLS, ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08674

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water.

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DEC 18 1990

Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

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DEC 18 1990

APPLICATION FOR PERMIT REVIEW

Date: 10-24-90

Reviewer: Jim Johnson

Existing:

- No - 026A-P17
- Complete in 1 year - P16
- Yes - P16

Source:

- Groundwater - 01G-P03 (Greater than 0.7 cfs)

Drilling Permit:

- Approved - 046-P99
- Not included - 046-P23

Location:

- Water Districts
 - surface water - 005-P01, 01H-P01, P04
 - groundwater - 005-P05, 01H-P01, 01J-P08
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 58 (Groundwater)
- Trust (see list) - 032, 041, 051, 052, 053
- Non Trust (see list) - 048, 049

River Basins:

- Boise (63) - 11D-P72
- Payette (65) - 047, 059-P71
- Snake (01) - 11A, 061-P22

Use:

- Fish Propagation - (P06) 002, 06A, 007, 09E-P10, 010, 042, 044
- Power - (less than 25cfs P18), 01F-P19, 008, 08A, 09E-P10, 017K, 017G, 017M, 025
- Mining - 06A, 006, 09E-P10, 010, 54
- Storage - 18A-P09, 18B-P09
- Domestic - (restricted areas) 021

Ownership:

- Non land owner - 004

Protested:

- Agreement - 020, 20A

Minimum Stream Flow:

- Overlapping uses - 029-P20

Beneficial Use Due Date:

- 11-1-92

Swan Falls Flag:

- Bennett

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: WAT DATE: 7/13/90 APPLICATION NUMBER: 95-8674

APPLICANT: Johann

REQUIRED INFORMATION

- (1). ☒ Name & Address: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
- (2). ☒ Source: (See USGS Quad for names of water sources)
- (3). ☒ Point of Diversion including county: (spring/10 ac., Subd. lot & block)
- (4). ☒ Quantity: (flow and/or volume)
☒ Nature of proposed use: (Include description of use)
☒ Period of use:
- (5). ☒ Total Quantity: (flow and/or volume)
- (6). ☒ Description of diverting works:
- (7). ☒ Time required for beneficial use of water:
- (8). ☒ Proposed uses:
- (9). ☒ Place of use or acres irrigated:
- (10). ☒ Other Water Rights:
- (11). ☒ Ownership:
- (13). ☒ Map:
☒ Signature: (signator title required for corp., partnership, etc)
☒ Fee: (Amount, receipt number and date recorded on application)
☐ Acknowledgement Letter:
☒ Overlap Review: Attachment? (Y) ☒ (N) ☐ Remarks? (Y) ☐ (N) ☐

ADDITIONAL INFORMATION

YES NO

- ☒ Field check required: Field check by: _____
- ☒ Field report attached:
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ Send dam safety information:
- ☒ Send letter for additional fish information:
- ☒ Send letter for additional power information:
- ☒ Within trust water boundary: (Attach Trust Water Supp. Analysis Sheet):
- ☒ Diversion greater than 5 cfs or 500 af, supp. analysis sheet attached:
- ☒ Well drilling permit required:

PROCESSING

YES NO

- ☒ In form for advertising:
- ☒ Statewide advertising: (10.00 or more cfs.)

Send Copies To

YES NO

- ☒ I.D. H & W
- ☒ I.D. F & G
- ☒ I.D. Lands
- ☒ Adj. Bur.

YES NO

- ☒ U.S. BLM
- ☒ U.S.F.S.
- ☒ W District # _____
- ☒ G.W. Prot. Div.

YES NO

☒ Other

RECEIVED

OCT 17 1990

Department of Water Resources

REMARKS

95-08674

JOHANN, DAVID
JOHANN, LINDA
E. 2965 MULLAN ST.
POST FALLS, ID 83854

Source: GROUNDWATER

Diversion Pt: SESW Sec 36 T 51N R 05W

Use: IRRIGATION (.200 CFS)
 DOMESTIC (.080 CFS)
 Total Diversion: (.200 CFS)

Date Filed: 9/13/ 1990

In: T51N R05W S36 SESW

10.0 ACRES TOTAL

MICROFILMED

DEC 18 1990

