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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 92-7077 Priority July 8, 1980 Amount .08 cfs

THIS IS TO CERTIFY, that Barney E. Johnston Jr. &/or Dolores J. Johnston
of St. Maries, ID, has complied with the terms and conditions of Permit
No. 92-7077 issued pursuant to Application for Permit dated July 8, 1980,
and has submitted proof to the Department of Water Resources on July 8, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .08 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (2 units)	from Jan 1 to Dec 31	at .08 cfs and	2.4 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.4 acre feet per year, said waters to be diverted within the SE1/4 Section 36, Twp 46N,
Rge 2W in the County of Benewah

Description and location of place of use:

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	
46N	2W	36								X									

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
September, 19 81.

Director

DET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Barney E. Johnston Jr. &/or Dolores J. Johnston Phone (208) 245-3403

Post office address Rt. 4 Box 33 St. Maries, Idaho 83861

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 46N

Range 2W B.M. Benewah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Well, pump and pipeline.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 120 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 46N

Range 2W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

(5) If water is to be used for other purposes describe: _____

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[illegible]

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	Original house served with water since April of 1964 and this application is for additional home included in system in August of 1978.
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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

46N 2W

[illegible]

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.

Barnes Johnston Jr.
(Applicant)

Proposed Priority 7/8/80

Received by JK Date 7-8-80 Time 10:00 AM
Preliminary check by JK Fee \$ 30.00
Received by JK Date 7/8/80 (15298)
Publication prepared by JK Date 7/10/80
Published in Idaho State Journal
Publication dates 7/17 + 24/80
Publication approved JK Date 7/28/80
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JK JK

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. 92-7077, 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 September 1, 19 81.

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. Other: _____

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 26th day of August, 19 80.

J. Alan Saylor
Chief, Operations Bureau

Affidavit of Publication

6243

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 17 day of July, 1980 and the last on the 24 day of July, 1980.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this 24 day of July, 1980

Beverly A. Linn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

Rec'd 7/25/80

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

92-7877

Name: Barney E. Johnston, Jr.,
Dolores J. Johnston,
Address: Rt. 4, Box 33, St. Maries,
Idaho 83861

Date Filed: July 8, 1980
Amount: 0.08 cubic feet per second

Source: Groundwater

Means: Well, pump and pipeline

Point of Diversion: SENW Sec 36 T

46N R 02W, Benewah county

Place of Use: SENW Sec 36 T 46N R

02W

Use: Domestic (0.08 cfs) from Jan. 1

to Dec. 31.

92-7878

Name: Barney E. Johnston, Jr.,
Dolores J. Johnston,
Address: Rt. 4, Box 33, St. Maries,
Idaho 83861

Date Filed: July 8, 1980

Amount: 0.02 cubic feet per second

Source: Saint Maries River

tributary to Saint Joe River

Means: Pump and pipeline

Point of Diversion: SWNW Sec 36 T

46N R 02W, Benewah county

Place of Use: SENW Sec 36 T 46N R

02W for 1 acre

Use: Irrigation (0.02 cfs) from

March 15 to Nov. 15.

92-7879

Name: Thomas L. Rosen
Address: P.O. Box 171, Santa, Idaho
83868

Date Filed: July 1, 1980

Amount: 1.00 cubic feet per second

Source: Cedar Creek tributary to

Tyson Creek; Tyson Creek tributary

to Saint Maries River; Ground-

water.

Means: Pump and pipeline

Point of Diversion: Lot 01 Lot 02 Sec

03 T 43N R 01W SWSE Sec 34 T 44N R

01W, Benewah county

Place of Use: NENE NWNE SWSE

SESE Sec 03 T 43N R 01W for 4 acres

Use: Irrigation (0.12 cfs) from April

1 to Nov. 1; Stockwater (0.02 cfs)

from Jan. 1 to Dec. 31; Mining (1.00

cfs) from Jan. 1 to Dec. 31.

If issued, the permit(s) will be

subject to all prior water rights.

Protests against the granting of any

permit must be filed with the

Director of the Idaho Department of

Water Resources, 4085 Gov't Way,

Coeur d'Alene, Idaho 83814 on or

before August 4, 1980.

C. STEPHEN ALLRED

Director.

No. 6243 — July 17-84.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 28, 1981

RE: Permit No. 92-7077

Barney E. Johnston, Jr. &/or Dolores J. Johnston
Route #4, Box 33
St. Maries, ID 83861

Dear Mr. and Mrs. Johnston:

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

RECORDED

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUL 29 1981

Department of Water Resources

92-7077

Permit No.

5-1

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

- ☐ Appointment letter mailed: _____
- ☐ Telephone call made: _____
(List Telephone No. used) _____
- ☐ Appointment scheduled for: _____
(Date, time, location) _____

EXAMINATION

Date 7-16-81 Accompanied by - Total Q measured -

If source is surface water, estimate total flow of source -

Methods of measurement E&E Meets Permit requirements? yes

Measurement calculations:

2 Homes ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
								<u>Subm</u>

System Description 6" x 120' well, with submersible pump & pipe line

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

Domestic

0.08

2.4

1-1

12-31

Total

0.08 ✓

2.4 ✓

Remarks

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MAP (Attach Aerial Photo)

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SCHEMATIC DIAGRAM OF SYSTEM

(include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ~~SENW 36, 46N 2W~~

Place(s) of Use

[illegible]

Recommended Amendments:

☐ Change P.D., as reflected above

☐ Change P.U., as reflected above

☐ Add P.D. as reflected above

☒ None

EXAMINER'S SIGNATURE

Checked by

Approved by _____

Date 7-23-81

Date _____

Date

January 22, 1981

Barney E. Johnston, Jr.
Route 4, Box 33
St. Maries, ID 83861

Dear Mr. Johnston:

Re: Permit No. 92-7077

Enclosed is the statement of beneficial use submitted to our office on January 15, 1981.

Please be advised that the statement of beneficial use was submitted along with the application for permit. It is not necessary to submit it again.

The next step is for our Northern Regional office to conduct an on-site field examination of the water distribution system. If you wish to schedule this soon, please contact the regional office at No. 5, Box 4055 Government Way, Coeur d'Alene, Idaho (667-6484).

If you have any questions, please feel free to contact this office or the regional office.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

ENCLOSURE

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

October 16, 1980

Mr. Barney E. Johnston, Jr.
Rt. 4 Box 33
St. Maries, Idaho 83861

RE: 92-7077

Dear Mr. Johnston:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

JOHNSTON, JR., BARNEY E.
RT. 4 BOX 33
ST. MARIES, ID 83861

SEPTEMBER 24, 1980

RE: PERMIT NO. 92-7077

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 92-7077

CHECK:

- ☒ Source.
- ☒ Point of diversion.
- ☒ County.
- ☒ Quantity of water and period of use.
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map.
- ☒ Signature.
- ☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
- ☐ Idaho Fish and Game Department.
- ☐ Idaho Department of Lands.
- ☐ U.S. Bureau of Land Management.
- ☐ U.S. Forest Service.
- ☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☐ No Platted by: _____ Map No. _____

☒ Yes ☐ No Other rights on same place of use, _____

☒ Yes ☐ No* 92-7078 (St. Marys R) for irrigation No Overlap

☒ Yes ☐ No* In form for advertising.

☐ Yes ☒ No Final date for protests: 8/4/80

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 7/25/80 ✓

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

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

☒ 7/8/80 Date of priority recommended.

Special conditions of approval or cover letter. _____

By: [Signature] Date: 8/5/80

STATE OFFICE REVIEW:

SLW/o cond 04

☐ See attached sheet for more information.

By: [Signature] Date: 8/18/80

NOT RECORDED

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. 92-7077

Name(s) of Permit Holder: Barney E. Johnston Jr. &/or Dolores J. Johnston

Post Office Address: Rt. 4 Box 33
St. Maries, Idaho 83861

Source of Water: Groundwater

Extent of Use: ☒ Domestic 2 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (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.

July 8, 1980
Date

Barney Johnston Jr.
Signature of Permit Holder

RECEIVED
JUL 10 1980
IDC

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

92-2022-

JOHNSTON, JR., BARNEY E.
JOHNSTON, DOLORES J.

RT. 4 BOX 33, ST. MARIES, ID 83861

Source: GROUNDWATER

Date Filed: 07/08/1980

Amount: 0.08 CFS

Diversion Point: SENW Sec 36 T 46N R 02W, BENEWAH Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: SENW Sec 36 T 46N R 02W

Diversion Means: WELL, PUMP AND PIPELINE.

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