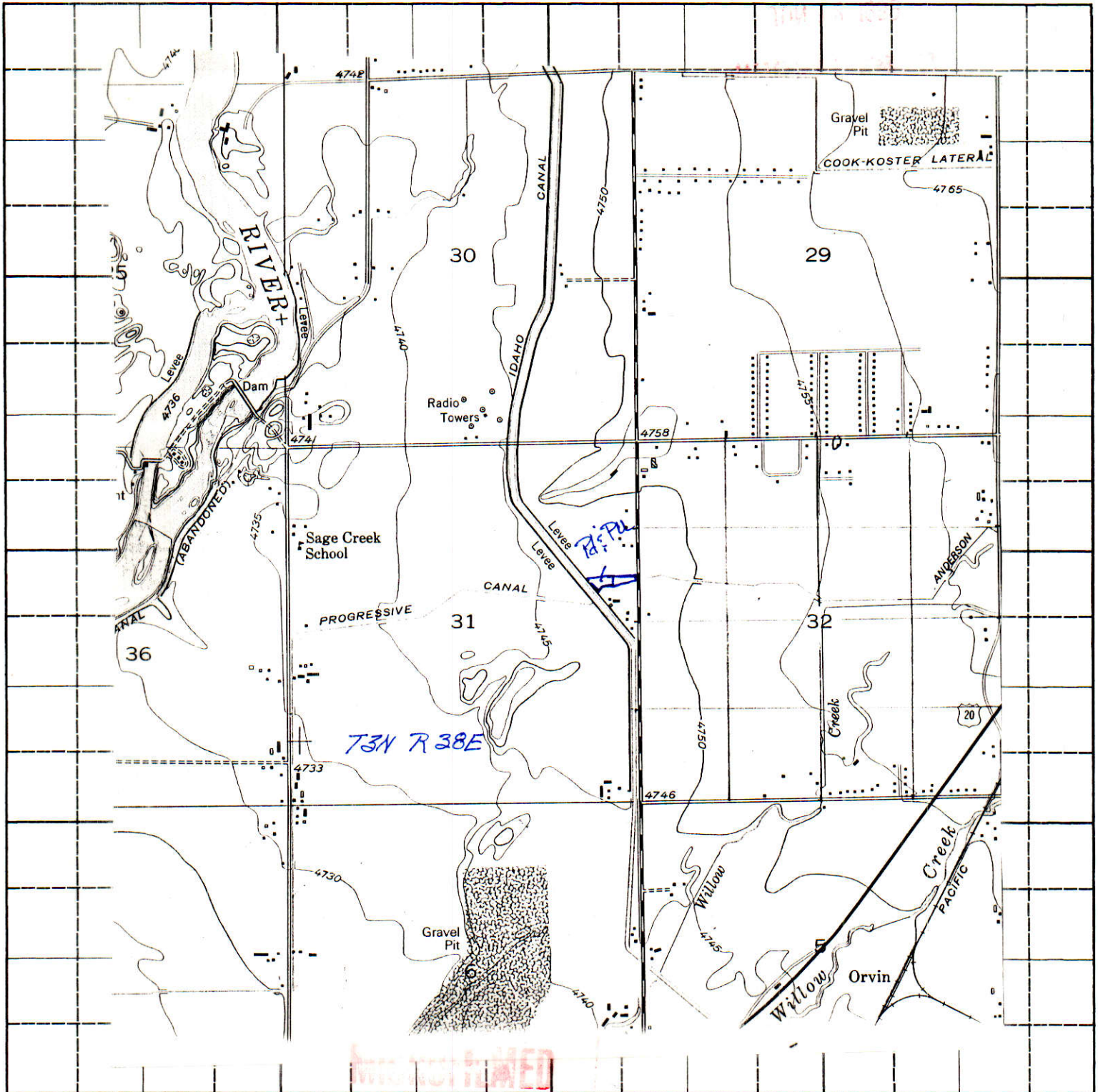


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

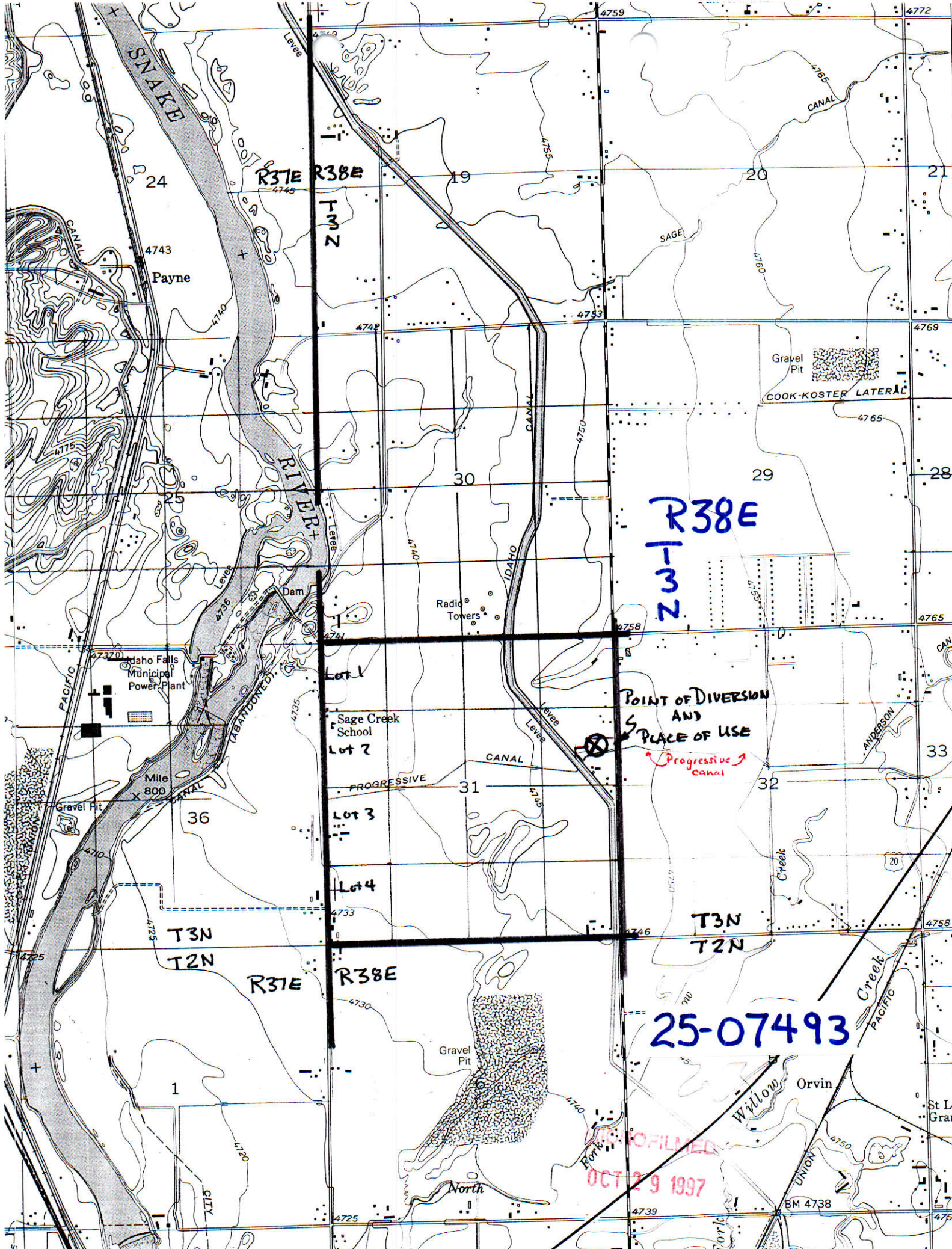


Scale: 2 inches equal 1 mile.

JUN 12 1989

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.

Lauree Johnson
(Applicant)



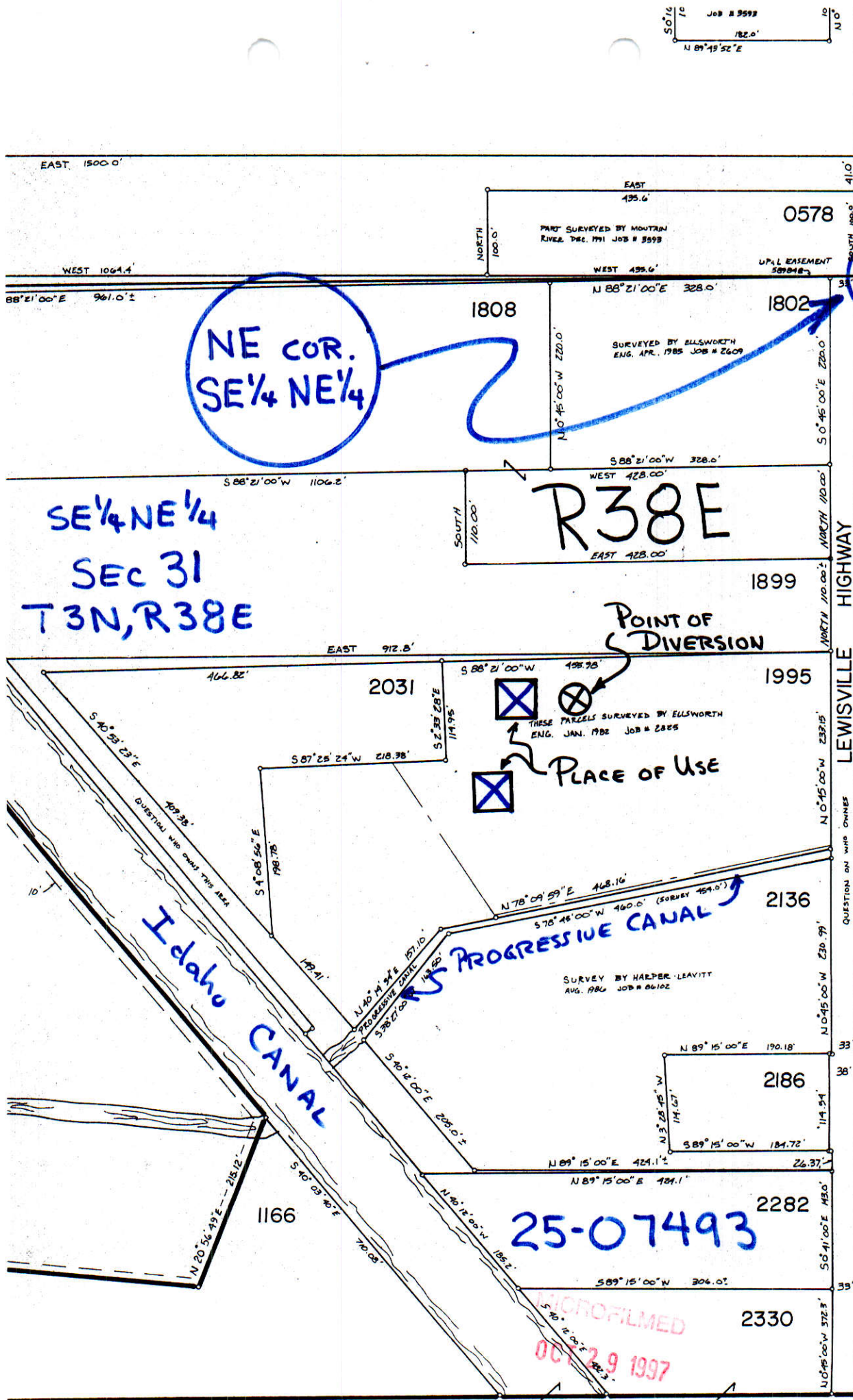
R38E
T3N

POINT OF DIVERSION
AND
PLACE OF USE
Progressive Canal

25-07493

XEROX FILMED
OCT 29 1997

NE 1/4
SEC 3



2656.19' CITY GRID

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07493

Priority: March 8, 1989

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.4 AF

This is to certify, that LAURIE JOHNSON
DON A JOHNSON

5907 N 5 E

IDAHO FALLS ID 83401

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 8, 1989; and has submitted Proof of Beneficial Use on July 2, 1990. An examination indicates that the works have a diversion capacity of 0.060 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>
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 31, Township 03N, Range 38E
BONNEVILLE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 38E 31

SENE

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 which 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Domestic use is for 2 homes.

MICROFILMED

OCT 29 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 25-07493

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 24TH
day of OCTOBER, 1977.


Acting for KARL J. DREHER, Director

GROUP 11111

OCT 29 1977

08/89

RECEIVED

JUL 2 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only

Amt. of Fee \$ 50.00

Date 7/3/90

Receipt No. C617518

Received by J. Johnson 8-3-90

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 25-67493 Telephone No. 522-5371

Name(s) of Permit Holder(s): DON A. JOHNSON, Laurie JOHNSON

Post Office Address: 5907 N. 5th E, IDA FALLS, ID 83401

Source of Water: groundwater

If ground water, well driller's name: Cushman Well Drilling Date drilled: 1976

Extent of Use:
 Domestic 2 (No. of households) Irrigation 1/2 (No. of acres)
 Stockwater - (No. and type of stock) Other -

Total rate and/or volume for which proof is submitted .06 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Aug. 1976

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No ☒ Installed? Yes ☒ No ☒

OR

Flow Measurement Port: Required? Yes ☒ No ☒ Installed? Yes ☒ No ☒

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Laurie JOHNSON H-522-5371 W-523-0822
 Name Telephone No.
5907 N 5th E IDA FALLS ID 83401
 Address

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.

MICROFILMED

AUG 14 1990

6-27-90
 Date

Laurie Johnson
 Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Dow A Johnson or Laurie Johnson Phone 522-5371

Post office address 5907 N, SE Idaho falls Idaho 83401

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 31 Township 3N Range 38E B.M. Boonsville County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) .06 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and 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.

Exists c. Proposed well diameter is NA inches; proposed depth of well is NA feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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).

MICROFILMED

JUN 12 1989

IDENTIFIED

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? *Applicant*

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

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

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 column.

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. Domestic; 2 Households

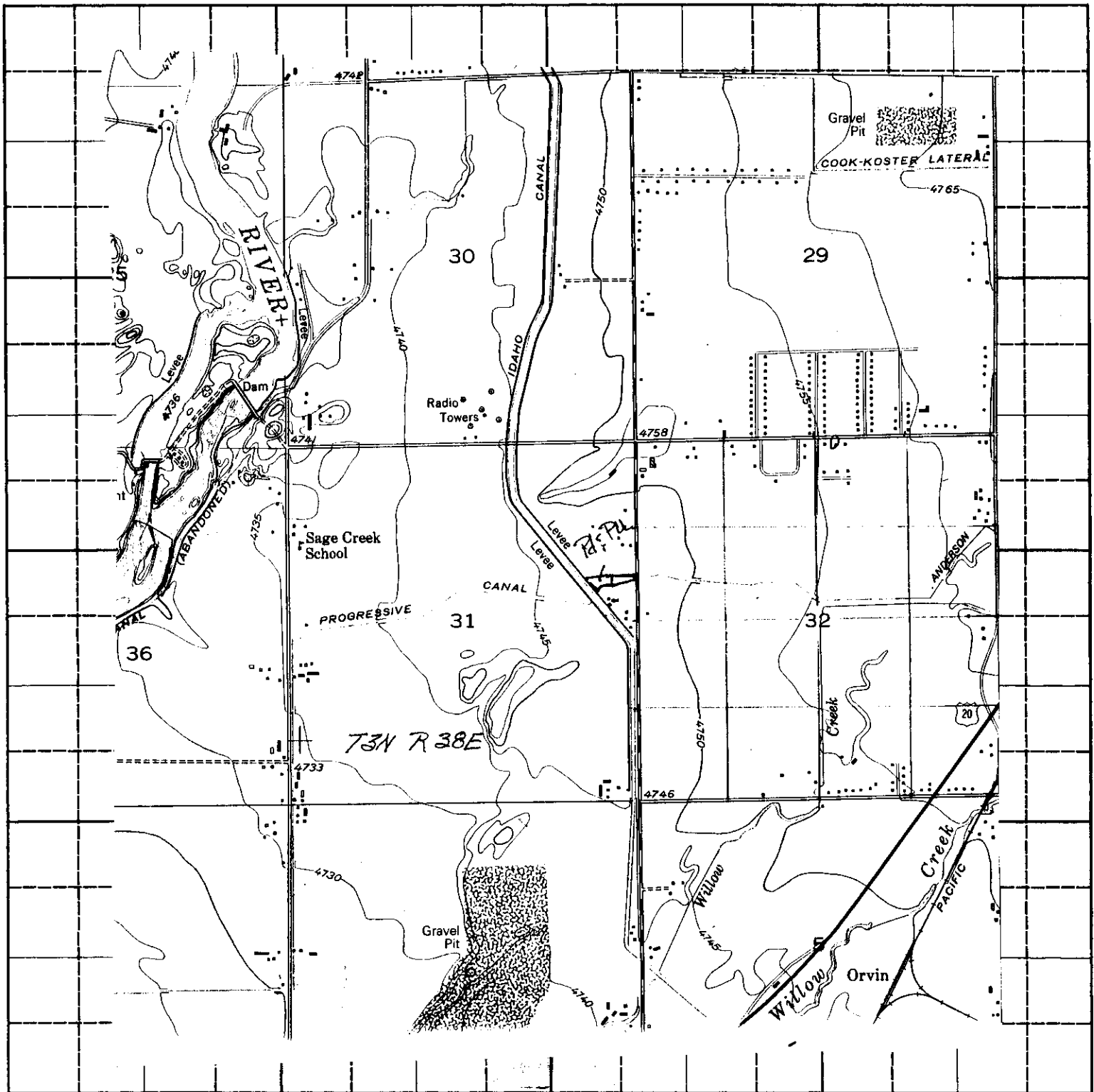
c. Municipal; show name of municipality.

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.



Scale: 2 inches equal 1 mile.

JUN 12 1989

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.

Laure Johnson
(Applicant)

Received by *MD*

Date *3-8-89*

Time

Preliminary check by *KW*

Fee \$ *30.00*

Received by *Jo*

#

E005984

Date

4-20-89

Publication prepared by *AB*

Date

4-11-89

Published in

Ind. Register

Publication approved

MD

Date

5-15-89

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. *25-7493*

APPROVED

, 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

July 1, 19 *90*

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: Permit holder shall comply with the drilling permit requirements

of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not

give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver,

equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license

subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface

water and groundwater rights.

Witness my hand this

6th day of

June, 1989.

J. Alan Taylor

MICHAEL LIMITED

JUN 12 1989

Proof of Publication
The Post-Register

RECEIVED

MAY 12 1989

Department of Water Resources
Eastern District Office

State of Idaho, }
County of Bonneville } ss

I, ... Ted Delezene ..., first being duly sworn, depose and say: That I am the
... Foreman ... of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for ... two ... consecutive weeks, first publication having been made
on the ... 20th ... day of ... April ..., 19.89., last publication
having been made on the ... 27th ... day of ... April ..., 1989., and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this .. 4th .. day of ... May ..., 19.89.

Ted Delezene
Deon R. Napier
Notary Public

My commission expires .. September 30., ..., 19.94.

B10

RECEIVED

JUN 12 1989

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

23-07096

WAYNE H. SERMON TRUST
RT.1, BOX 457
IDAHO FALLS, ID 83401
Source: DRAIN; Tributary: SINKS
Diversion Pt: SWNE Sec 7 T 01N R 44E
Use: IRRIGATION (.380 CFS)
Date Filed: 5/26/1983
In: T01N R44E S07 SWNE
19.0 ACRES TOTAL

23-07097

WAYNE H. SERMON TRUST
RT.1 BOX 457
IDAHO FALLS, ID 83401
Source: DRAIN; Tributary: SINKS
Diversion Pt: NWSW Sec 7 T 01N R 44E
Use: IRRIGATION (1.300 CFS)
Date Filed: 5/26/1983
In: T01N R44E S07 NWSW SWSW
65.0 ACRES TOTAL

25-07299

CITY OF IDAHO FALLS
P.O. BOX 220
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversion Pt: SESE Sec 4 T 01N R 38E
Use: IRRIGATION (2.230 CFS)
Date Filed: 12/23/1982
In: T01N R38E S04 NENE SWNE SENE
NESE NWSE SWSE SESE
253.0 ACRES TOTAL

25-07493

JOHNSON, DON A.
JOHNSON, LAURIE
5907 N. 5. E.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SESENE Sec 31 T 03N R 38E
Use: DOMESTIC (.060 CFS)
Date Filed: 3/08/1989
In: T03N R38E S31 SENE

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A, Idaho
Code and/or the new public interest criteria
of Sec. 42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of Water
Resources, 150 Shoup Ave., Suite 15, Idaho
Falls, Idaho 83402 on or before MAY 8,
1989.

R. Keith Higginson, Director
Published: April 20, 27, 1989



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

October 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LAURIE JOHNSON
DON A JOHNSON
5907 N 5 E
IDAHO FALLS ID 83401

RE: WATER RIGHT NO. 25-07493

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.

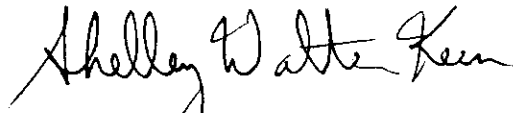
APPEAL OF FINAL ORDER TO DISTRICT COURT

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.

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,



Shelley W. Keen
Water Rights Supervisor

SK:klt

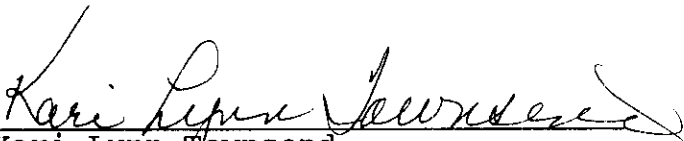
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the **27th** day of **October, 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. 25-07493

LAURIE JOHNSON
DON A JOHNSON
5907 N 5 E
IDAHO FALLS ID 83401


Kari Lynn Townsend
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 25 07493

DATE 10/20/91

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>.06</u> cfs
Fee limit	<u>.20</u> cfs <u>\$5000</u>
Measured	<u>—</u> cfs
Theoretical	<u>.11</u> cfs <u>@ 50' lift and 40 psi</u>
Recommended Total Div Rate <u>.06</u> cfs	

ANNUAL VOLUME/
NATURE OF USES —

<u>✓</u>	Use <u>Dom</u>	cfs <u>.06</u>	Volume Calc <u>2812=2.4</u> af
			af
			af
			af
	SUBTOTAL		af

Flow rate — cfs X — days X 1.98 = — af
Total volume recommended — af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

2 homes

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes — no

SRBA Claim Filed N/A

Adjustment Memo —

1st Amend Letter N/A

2nd Amend Letter N/A

[illegible]

This is a full-page image of a blank sheet of graph paper. The page is covered by a uniform grid of squares. Each square is defined by solid black lines. Within each square, there are dashed horizontal and vertical lines that intersect at the center, creating four smaller quadrants. This pattern repeats across the entire page, providing a structured template for drawing or writing. There are no margins, text, or other markings on the paper.

Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Peerless *	25 *	111	1111111	111A

1.

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

Dr. Morgan:

4/10/2014 11:27:24 AM

E. NARRATIVE/REMARKS/COMMENTS

will provide inc to two pressure tanks for a two child family domestic homes.

NOTE: GOV. LOTS WITHIN W $\frac{1}{2}$ W $\frac{1}{4}$, Sec 31, T3N, R38E

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

F. FLOW CALCULATIONSMeasured Method: LA METER Q = 0.06 cfs Additional Computation Sheets Attached**G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____**2. Volume Calculations for Other Uses:**

$$U_{Dom} = 1.2 \text{ afa} \times 2 = 2.4 \text{ afa}$$

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC (2 units)</u>	<u>1/1</u>	<u>12/31</u>	<u>0.06 cfs</u>	<u>2.4 afa</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.06 cfs</u>	<u>2.4 afa</u>

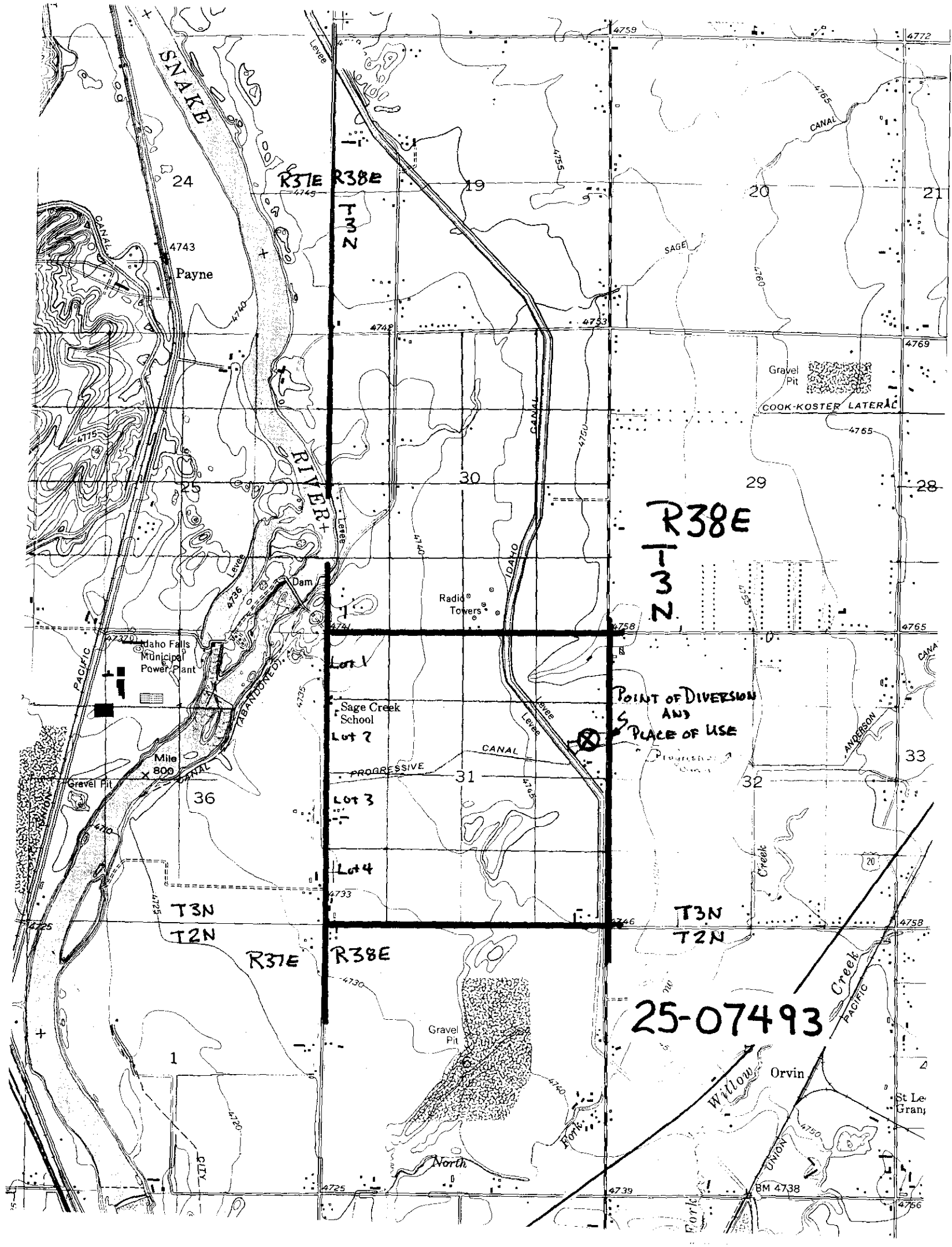
2. Recommended Amendments

___ 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

I. AUTHENTICATIONField Examiner's Name KEITH C. WILSON Date 7-23-1997

Reviewer _____ Date _____

SEAL



SNAKE

24

Payne

R37E R38E

T3N

19

20

21

Gravel Pit

COOK-KOSTER LATERAL

30

29

28

R38E

T3N

Radio Towers

Sage Creek School

Lot 2

POINT OF DIVERSION AND PLACE OF USE

Lot 3

31

32

33

Lot 4

T3N

T2N

R37E

R38E

T3N

T2N

25-07493

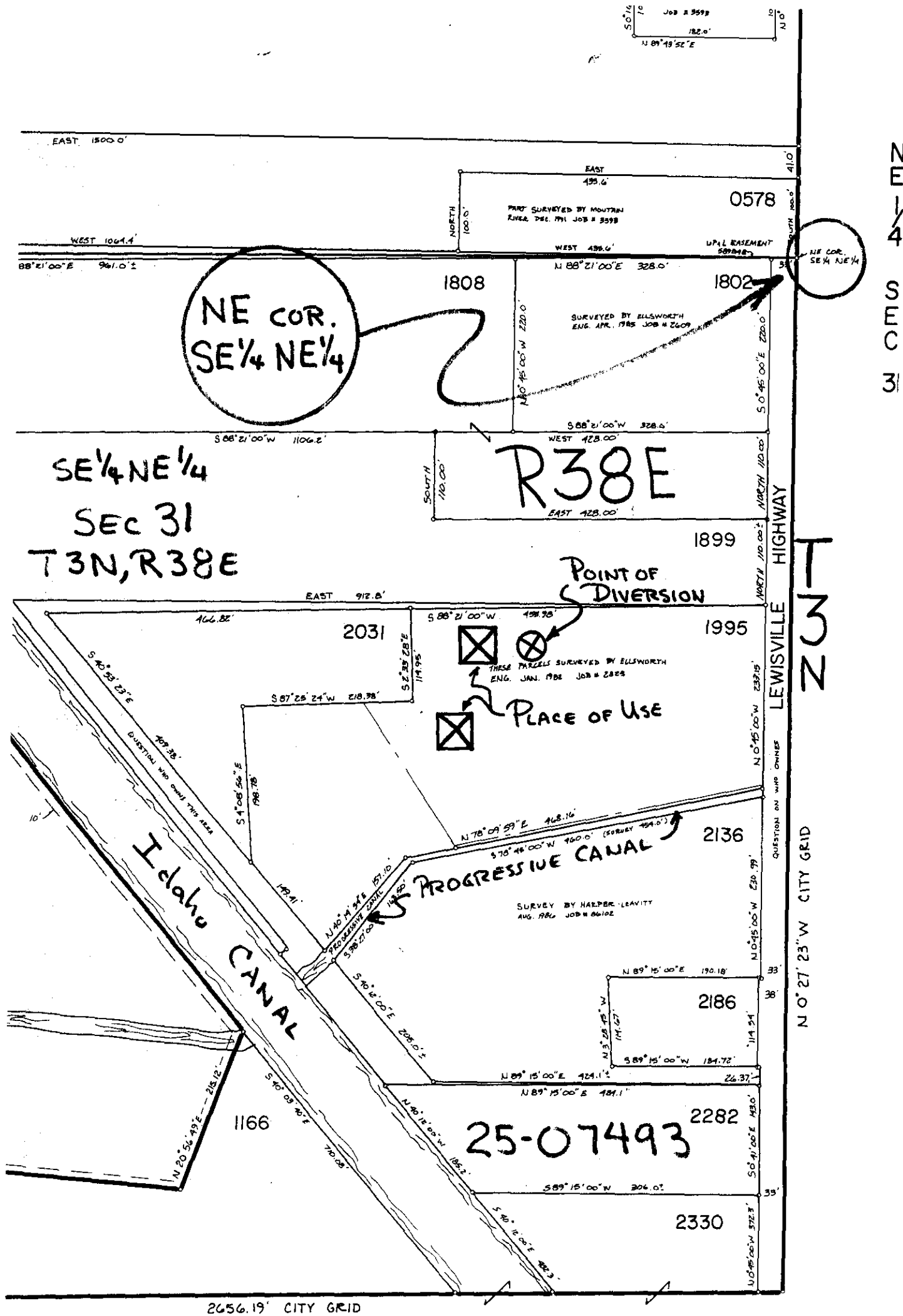
Gravel Pit

North

Orvin

St Le Gran

BM 4738



Rita Fleck
Secretary/Records Manager

Enclosures

AUG 14 1990

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

DON A. JOHNSON
LAURIE JOHNSON
5907 N. 5 E.
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 25-07493

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

MICROFILMED

JUN 17 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 25-7493

Date: 8-3-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely OK
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
☐ 1. well log in file 1976
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		
No. of days late		
Priority date		
NEW PRIORITY DATE		

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138654
April 30, 1990

DON A. JOHNSON
LAURIE JOHNSON
5907 N. 5 E.
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 25-07493

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 July 1, 1990.

(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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

AUG 14 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

DON A. JOHNSON
LAURIE JOHNSON
5907 N. 5 E.
IDAHO FALLS, ID 83401

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 25-07493

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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JUN 12 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

rm No. 202a
87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY KC Wilson DATE 3/23/89 APPLICATION NUMBER 25 7113
Johnson

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
☐ Yes ☒ No Field check required
 Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested 4/18/89

Department of Water Resources

PROCESSING

☒ Yes ☒ No Inform for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

END COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application

☐ Yes ☒ No Protests received

Final date for protest 5-8-89

☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☐ Yes ☒ No Access port required

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05

☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information

Date of priority recommended 3-8-1989

By HWS

Date 5-15-89

STATE OFFICE REVIEW

P05, P23

PK6

46 48 49

☐ See below for additional information

By kw

Date 6/1/89

ADDITIONAL INFORMATION

App. in NON-TRUST area -

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

April 11, 1989

THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

Gentlemen:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 8, 1989.

Respectfully submitted,

Rita Bodell
Office Secretary

Enclosure

RECEIVED

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

1989

25-07493

JOHNSON, DON A.
JOHNSON, LAURIE
5907 N. 5. E.
IDAHO FALLS, ID 83401

Source: GROUNDWATER

Diversion Pt: SESENE Sec 31 T 03N R 38E

Use: DOMESTIC (.060 CFS)

Date Filed: 3/08/1989

In: T03N R38E S31 SENE

FILED

JUN 12 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 8, 1989.

R. Keith Higginson, Director

Published 4/20/1989 & 4/27/1989

RECEIVED

JUN 12 1989

April 12, 1989

Don A. or Laurie Johnson
5907 N. 5 E.
Idaho Falls, ID 83401

RE: Applications for Permit No. 25-7493

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Post-Register. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

NOTED

JUN 12 1989

