

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 92-7038 Priority 6/2/1977 Amount .05 cfs

THIS IS TO CERTIFY, that Walter L. &/or Jeanette Fatur
of Spokane, WA, has complied with the terms and conditions of Permit
No. 92-7038 issued pursuant to Application for Permit dated 6/2/1977,
and has submitted proof to the Department of Water Resources on 7/14/1980,
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 .05 cfs of water from St. Maries River,
tributary to St. Joe River, 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
<u>Irrigation</u> from <u>3/15</u> to <u>11/15</u> at <u>.03</u> cfs and <u>3.0</u> acre feet			
<u>Stockwater</u> from <u>1/1</u> to <u>2/1</u> at <u>.02</u> cfs and <u>.2</u> acre feet			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than .05 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.2 acre feet per year, said waters to be diverted within the SWNW Sec 36
T46N R2W in the County of Benewah

Description and location of place of use:

Twp.	Range	Sec.	Section												Totals
			NEW	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	2W	36													1

Total number of acres irrigated 1

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 18 day of
November, 19 81.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 92-7038
IN THE NAME OF WALTER L. &/OR JEANETTE FATUR

ORDER

WHEREAS, on June 2, 1977, Walter L. &/or Jeanette Fatur applied to the Department of Water Resources for a permit to appropriate 0.15 cubic feet per second of water from the St. Joe River, from a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 46N, Rge. 2W, B.M., Benewah County, to be used for irrigation and stockwater purposes; and,

WHEREAS, on August 22, 1977, the Department approved said application and issued Permit No. 92-7038 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1979; and,

WHEREAS, on August 6, 1979, the permit holders submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and have given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 92-7038 be extended to September 1, 1981.

Dated this 21 day of August, 1979.


DAVID R. TUTHILL, JR.
Acting Chief, Operations Bureau

MICROFILMED

Identification No. 92-7038

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant WALTER L. AND/OR JEANNETTE FATH Phone: 5
post office address 11909 E. 20TH, SPOKANE WA 99806

2. Source of water supply ST MARIES RIVER which is a tributary of ST JOE RIVER

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 46N
Range 2W B.M. BENEWAH County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.13 for IRRIGATION purpose from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for STOCKWATER purpose from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated:

a. 0.15 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PUMP WITH PIPELINE
TO PLACE OF USE

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

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

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 46N
Range 2W B.M.

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

(3) List number of each kind of livestock to be watered 2 HORSES, 5 HEAD OF BEEF

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

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

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
46N	2W	36							6 1/2										6 1/2

Total number of acres to be irrigated 6 1/2

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

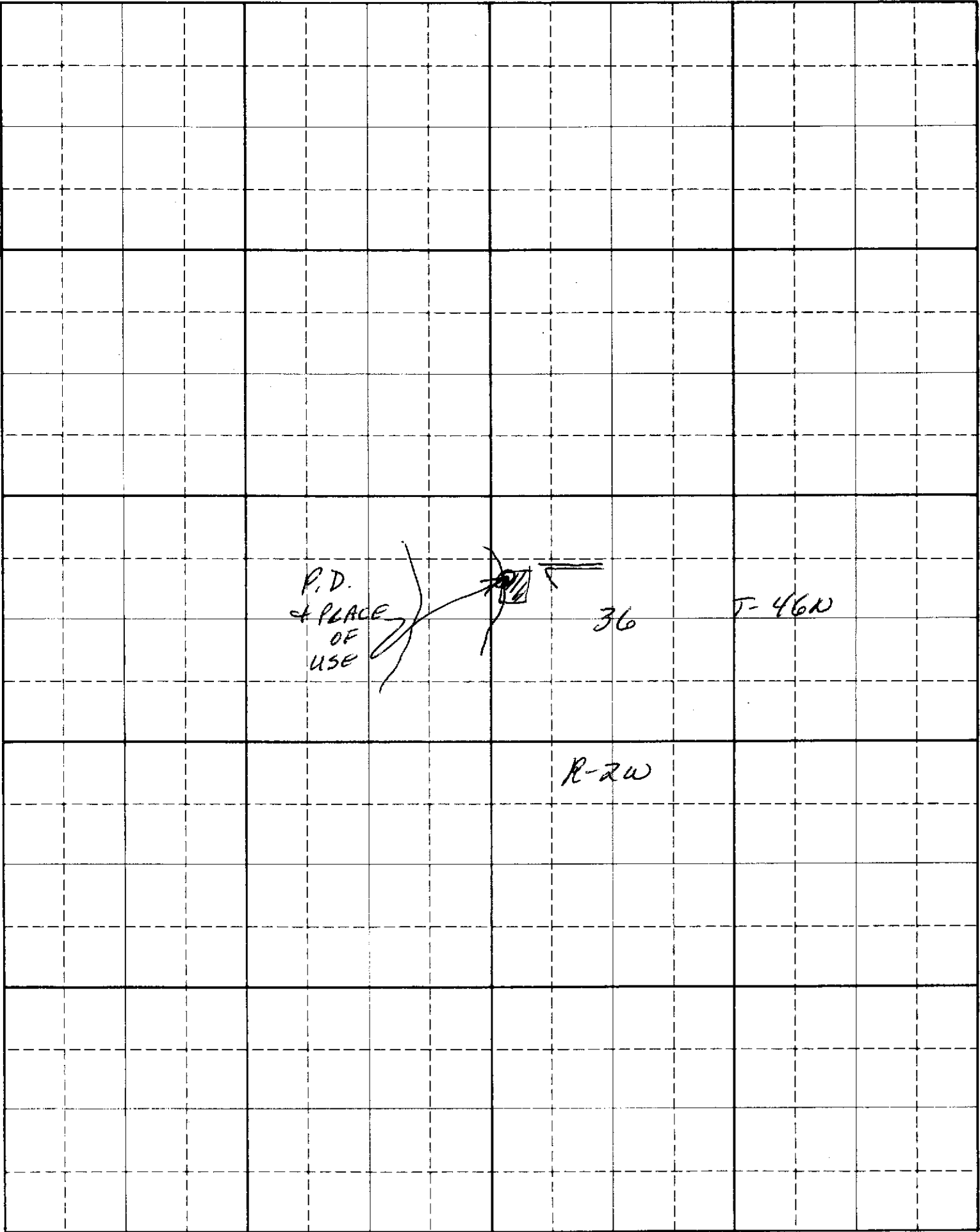
9. a. Who owns the property at the point of diversion APPLICANT

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

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

Mrs. (W. L.) Jeannette
(Applicant) Jatur

Proposed Priority 6/ 2/77

Received by KK Date 6/2/77 Time 1:00 P

Preliminary check by JK Fee \$ 10.00

Receipted by KK Date 6/2/77 # 5555

Publication prepared by D Date 6-3-77

Published in St. Marys Bay the Record

Publication dates 6-11-77 - 7-7-77 - Correction 7-7-77 7-14-77

Publication approved WLB Date 7-18-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RST 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. 92-7038, and said application is hereby APPROVED.

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

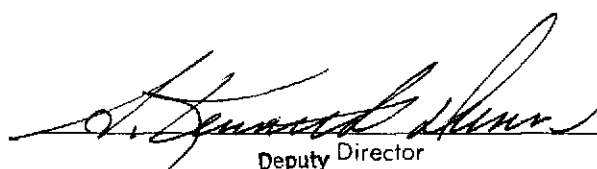
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 79.

c. Other: _____

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

Witness my hand this 22 day of August, 19 77.


Deputy Director

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUL 31 1981

Department of Water Resources

92-7038

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 7-23-81 Accompanied by 2 Total Q measured

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

Methods of measurement _____ Meets Permit requirements? _____

Measurement calculations:

75) Lawn & garden type sprinkler

70
50

$$\frac{8.8(1)80\%}{2.33(40)+70} = 0.0445$$

Elevation Approx

[illegible]

System Description portable pump & pipe line to lawn & garden

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

RECOMMENDED AMOUNTS

USE

Irrigation requirement = 3.0

AFA/Acre

Q (cfs)

V (afa)

FROM

TO

0.03 ✓

3. $\Delta \checkmark$

3-75

11-15

0.02 ✓

0.2 ✓

1-1

72-3

Total

0.05

Remarks 7-15-81 - Found portable pump - GE IHP Mod 5KC39R6463E with
Myers pump #460279 - Fee with 2" pvc to lawn sprinklers & stock tank - Found
Pump house but locked called 509-928-4878 - 7-23-81 - No Ans. letter -

No Overlapping rights

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SWNW 36, 46N, 24W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	2W	36							1X										1

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

☒ None

☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

7-28-81

7/28/81

10/23/81

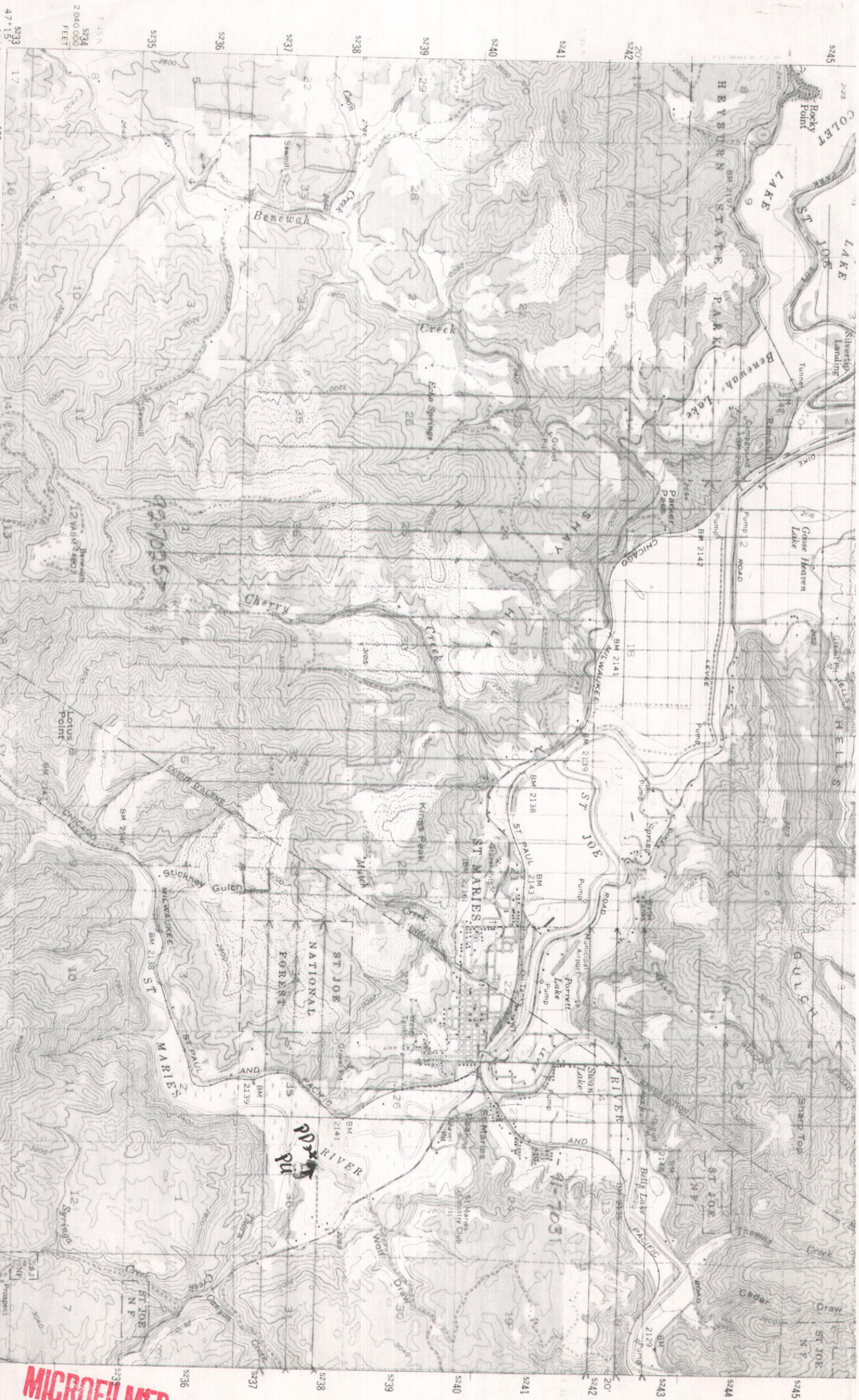
5233 47°15' 116°45' 520 521 260 000 FEET 524 40' 526 527 529 531 35' 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545

Mapped, edited and published by the Geological Survey

INTERIOR-GEOLOGICAL SURVEY WASHINGTON D.C. 1956

5233000m N. 47°15'

MICROFILMED



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. 92-7035.

Name(s) of Permit Holder: WALTER L. FATHUR

Post Office Address: _____

Tel. No. _____

Source of Water: ST MARIES RIVER

Extent of Use: ☐ Domestic _____ (number of households)
 ☒ Stockwater 2 HOUSES - 5" REEL (number and type of stock)
 ☒ Irrigation 6 1/2 (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.

Date _____

Walter L. Fathur
Signature of Permit Holder

Temporary Permit No.

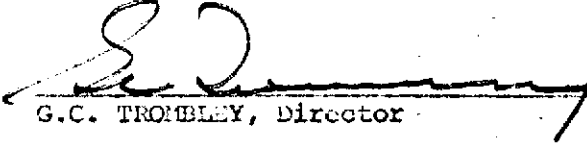
Walter L. and/or Jeanette Fatur

Page 2

7. This permit may be assigned by the permittee during the term of the permit by giving written notice of the name and mailing address of the assignee to the Director, Department of Lands.

Dated this 6th day of February, 1978.

WALTER L. and/or JEANETTE FATUR


G.C. TROMBLEY, Director

Walter L. Fatur

Jeanette L. Fatur

6-29-77

Dated



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

TEMPORARY PERMIT

NO. 1466

Permission is hereby granted to WALTER L. and/or JEANETTE FATUR of 11909 East 20th, Spokane, WA, 99206, to install and maintain an intake line and pump on and across the following described land:

See Exhibit A Attached.

This permit is subject to the following terms and conditions:

1. This authorization is effective upon signature by the Director and payment of the required fee by the permittee.
2. This permit shall expire on December 31, 1982, but may be extended for an additional five (5) year period upon request of the permittee, subject to such terms and conditions as imposed by the Director, Department of Lands.
3. This permit is granted in consideration of the receipt of Ten Dollars (\$10.00).
4. Any excavation performed under this permit shall be back-filled and smoothed to the profile and cross section of the pre-existing riverbed.
5. The permittee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this permit.
6. This permit may be cancelled after written notice to the permittee of non-compliance with the terms herein and failure of the permittee to correct noted non-compliance.

MICROFILMED

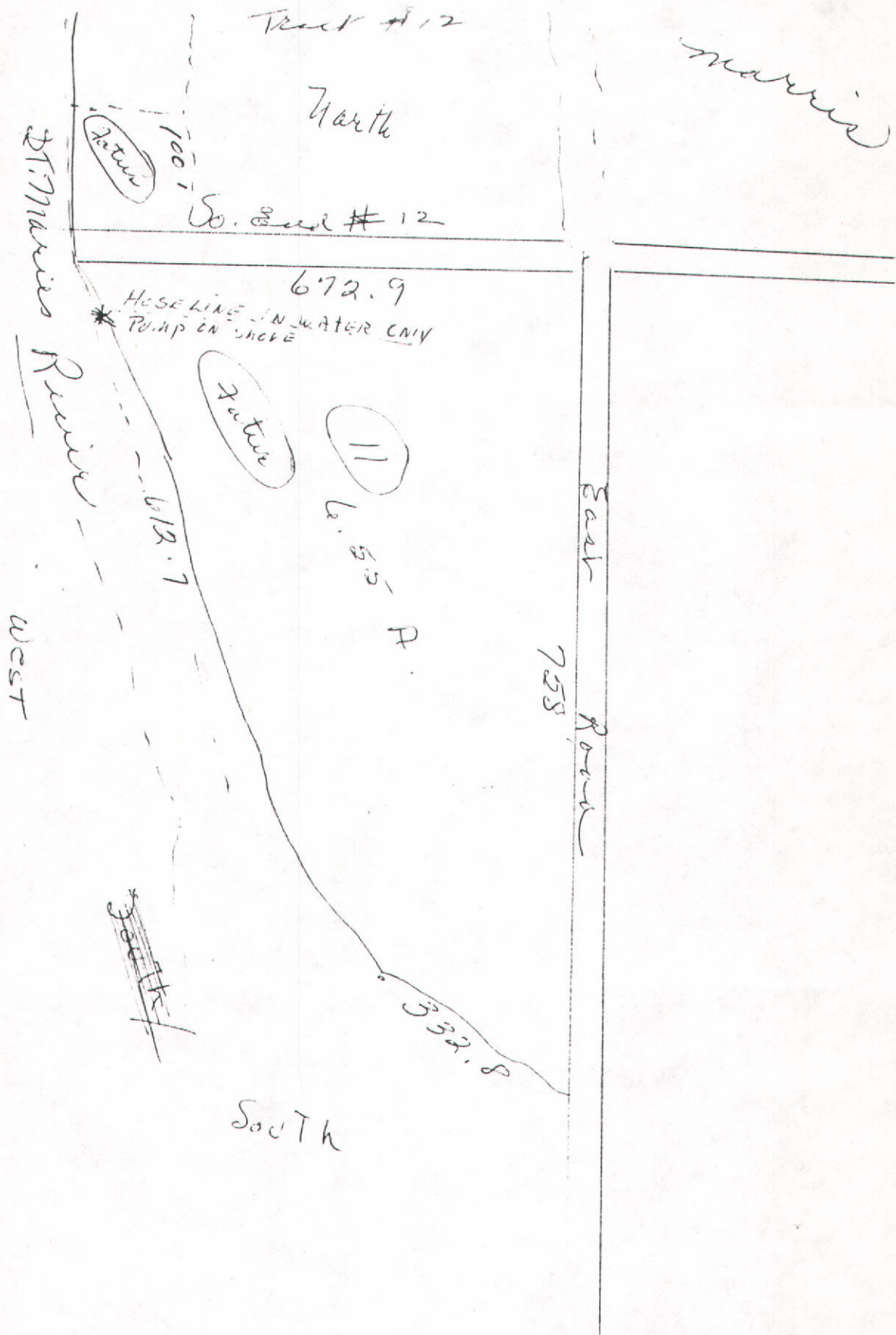
EQUAL OPPORTUNITY EMPLOYER

EXHIBIT A

The bed of the St. Maries River adjacent to the following described land:

Tract Eleven (11) of St. Maries Garden Tracts, a platted subdivision of Benewah County; and a part of Lot Two (2), Section Thirty-Six (36), Township Forty-six (46) North, Range Two (2) West, B.M., known as County Tax No. 337, described as follows:

Beginning at the Southwest Corner of Tract 12 of St. Maries Garden Tracts; thence North a distance of 100 feet; thence West and parallel to the South line of Tract 12, to a point on the East bank of the St. Maries River; thence southwesterly along said shoreline to a point on the South line of Tract 12, projected West; thence East to the southwest corner of Tract 12, the place of beginning, including the vacated roadway 20 feet wide lying between Tax # 337 and Tract 11, St. Maries Garden Tracts. The land described herein shall include the South half of the 20 foot street or road vacated and lying adjacent to and North of Tract 11 and South of Tract 12, and the West 10 feet of the vacated road or street lying adjacent to and East of Tract 11, as vacated, and recorded in Book 10 of Miscellaneous on page 115, Benewah County records, including riparian rights to the shoreline herein described.



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Fatur

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

(1) JK 6-2-77

In form to receipt

(2) _____

Send Copies to:

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

(3) _____

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

(4) JK 6-2-77

4/12/25
In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____ RNS

Other rights on the same place of use

(10) _____

Comments: _____

(11) SLA 7-18-77

Affidavit of Publication received(date) 7-18-77

(12) _____

Final date for protests 7-5-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

6-2-77 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern By Bob Haynes Date 7-26-77

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Walter L &/or Jeanette Fatur

11909 E 20th, Spokane, Wa

has on June 2, 1977 submitted Application No. 92-7038

for a permit to appropriate 0.15 cubic feet per second ~~acre feet per annum~~

of water from the St Maries River

by means of pump & pipeline

within the SW 1/4 Sec 36, T46N, R2W, B.M., Benewah County

to be used from Jan 1 to Dec 31 for Stockwater) (0.02 cfs) and from Mar 15 to
~~xxxx~~ Nov 15 for the irrigation of 6 1/2 acres (0.13 cfs)

within the SW 1/4 Sec 36, T46N, R2W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 5, 1977.

C. STEPHEN ALLRED
Director

Published in the St Maries Gazette Record, St Maries, Id
on June 16 and June 23, 1977

MICROFILMED