

T48N R4W

Government lot check for
95-09054 by RGH 1/30/2001

PD

MICROFILMED
APR 11 2001

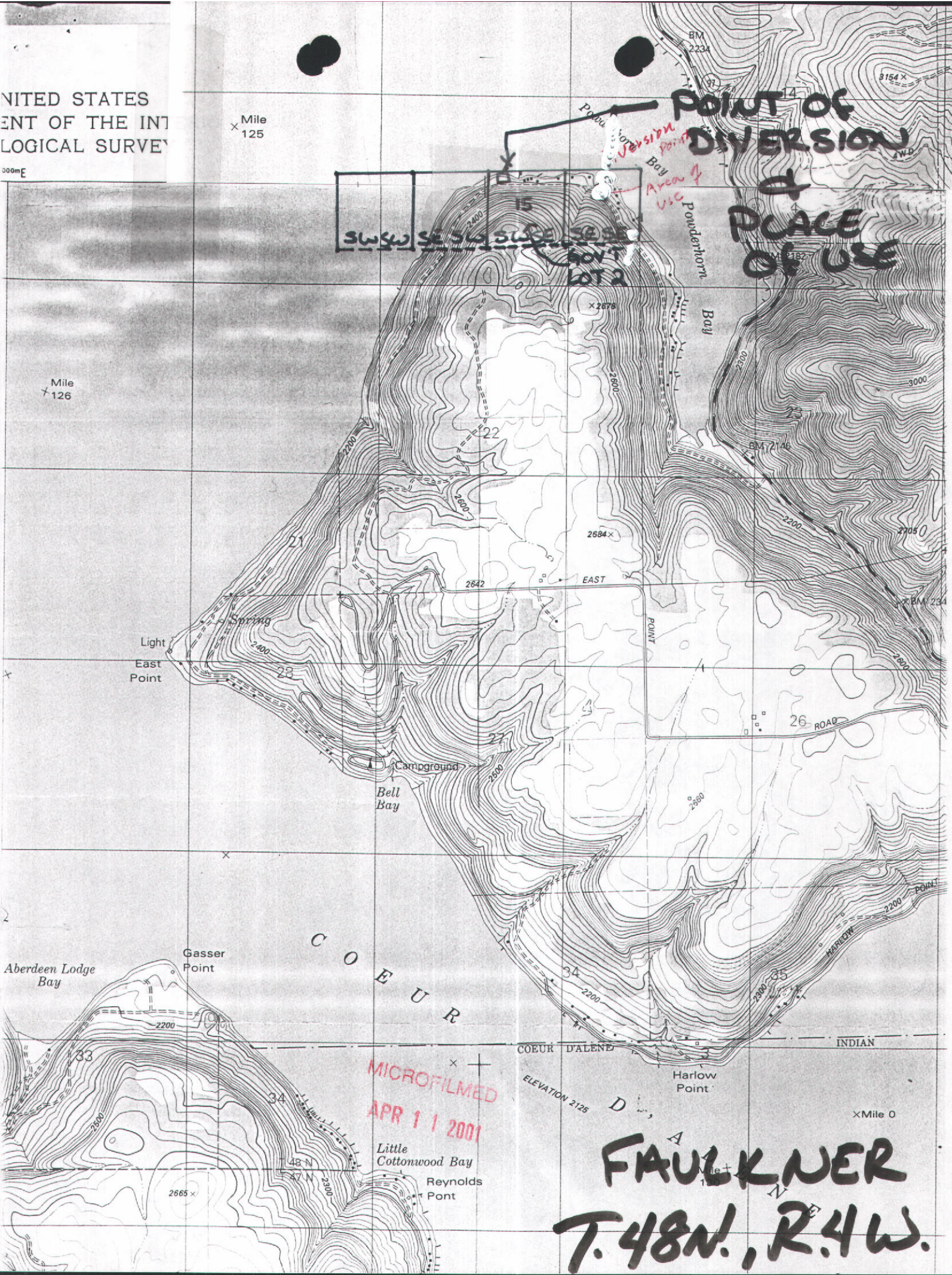


UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
TOPOGRAPHIC SURVEY

1000m

Mile
x 125

Mile
x 126



MICROFILMED
APR 11 2001

FAULKNER
T. 48N., R. 4W.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

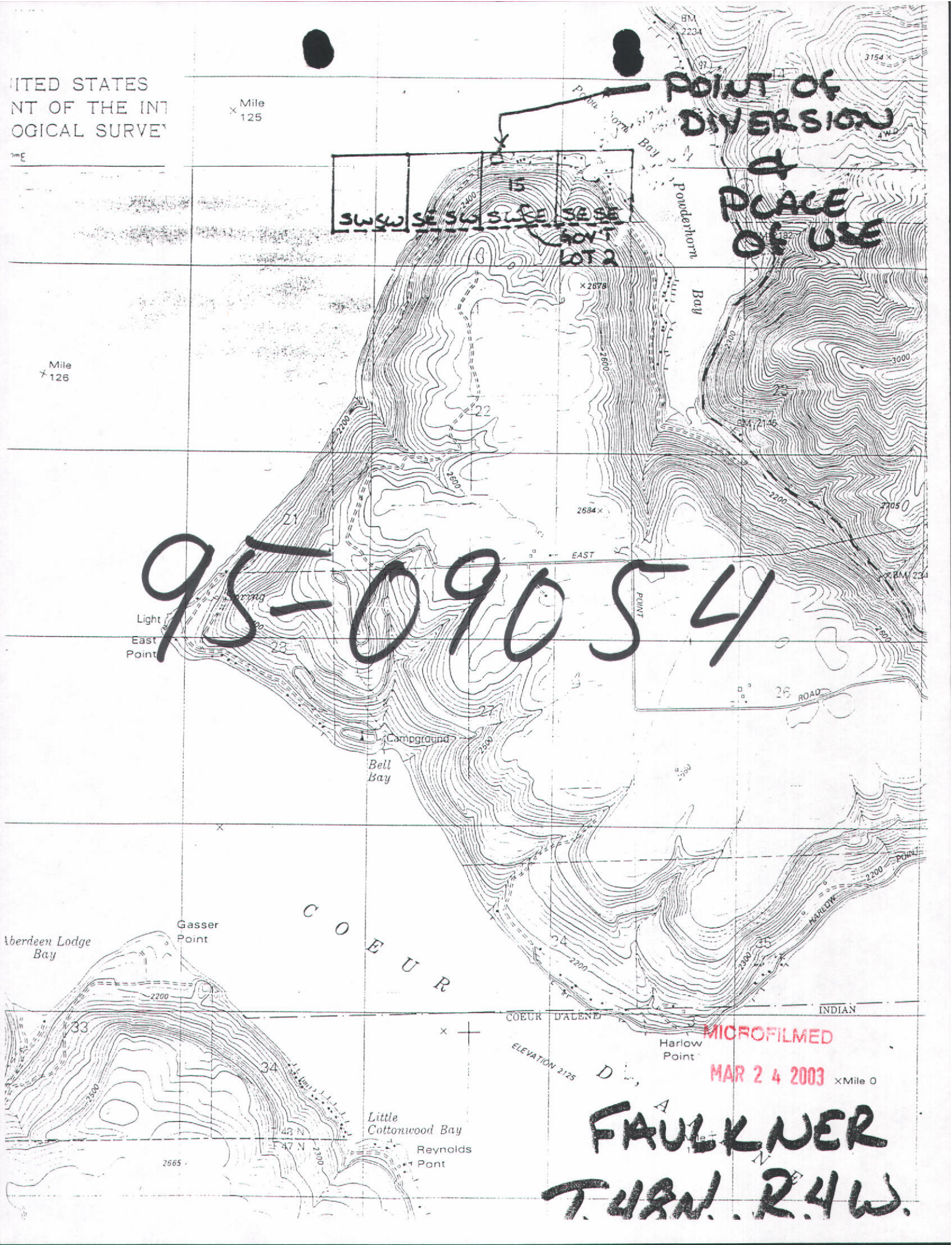
Mile
125

Mile
126

POINT OF
DIVERSION
&
PLACE
OF USE



95-09054



MICROFILMED
MAR 24 2003 X Mile 0

FAULKNER
TURN. R. 4 W.

T48N R4W

Government lot check for
95-09054 by RGH 1/30/2001

PD

MICROFILMED
MAR 24 2003

95-09054



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MICROFILMED
MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09054

Priority: October 30, 2000

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 30, 2000; and has
submitted Proof of Beneficial Use on June 21, 2001. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 15, Twp 48N, Rge 4W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
48N 04W 15															.2		.2
															L2		

Total Acres: 0.2

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 0.6 afa at the field headgate for irrigation of the land described above.
3. Place of use is located within Tax# 8103, Lot 12, Block 2, Newtons Subdivision, 1st Addition.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25TH day of NOVEMBER, 2002.

MICROFILMED

MAR 14 2003


KARL J. DREHER
Director

RECEIVED

JUN 25 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

RECEIVED

JUN 21 2001

IDWR/North

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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 95-09054 Telephone No. (509) 332-0154 (208) 689-3185

2. Name of Permit Holder(s): Thomas C. Faulkner

3. Mailing Address: 440 NW Maryland Ct

City Pullman State WA Zip 99163

4. Source of Water: Lake Coeur d'Alene If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1.2 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No _____

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Thomas C. Faulkner Telephone Number: (509) 332-0154 (208) 689-3185

Address: 649 S. Limerick Loop OR 18800 Powderhorn Bay Rd.

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Th. Faulkner Date: 6/18/01
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 24 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09054

Priority: 10/30/2000

Maximum Diversion Rate: 0.02 CFS

This is to certify, that THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163

has applied for a permit to appropriate water from:

Source: COEUR D'ALENE LAKE Tributary: SPOKANE RIVER

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	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L2 SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, Twp 48N, Rge 04W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

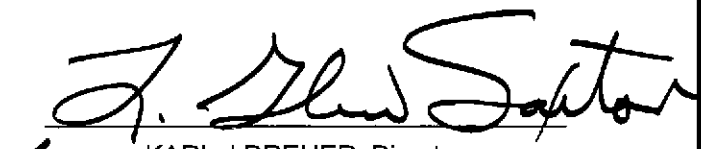
Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
48N 04W 15															.2		.2
															L 2		

Total Acres: 0.2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before April 01, 2002.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 0.6 afa at the field headgate for irrigation of the land described above.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of March, 2001.


for KARL J DREHER, Director

MICROFILMED

APR 11 2001

6873

Ident. No. 95-09054

RECEIVED

MAR 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Thomas C. Faulkner Phone (509) 332-0154
Post Office address 440 NW Maryland Ct. Pullman, WA 99163
2. Source of water supply Lake Coeur d'Alene which is a tributary of SPokane River
3. Location of point of diversion is 1/4 of SW 1/4 of SE 1/4, Govt. Lot 2
Sec. 15 Township 48 N Range 4 West B.M. Kootenai County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.02 for Irrigation purposes from 3/15 to 11/15 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.2 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. See attached encachment permit
2 hp 3 stage S+W pump, 30 gallon pressure tank 40-60 psi pressure; 1 1/4" poly pipe
 - 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 _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

MICROFILMED

MAR 11 2001

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48	4W	15															.25		.25

Total number of acres to be irrigated .25

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

11. a. Who owns the property at the point of diversion? Applicant / IDAHO DEPT. LANDS

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 enable the applicant to make this filing: _____

12. Remarks: ENCROACHMENT PERMIT # L-95-S-4574

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

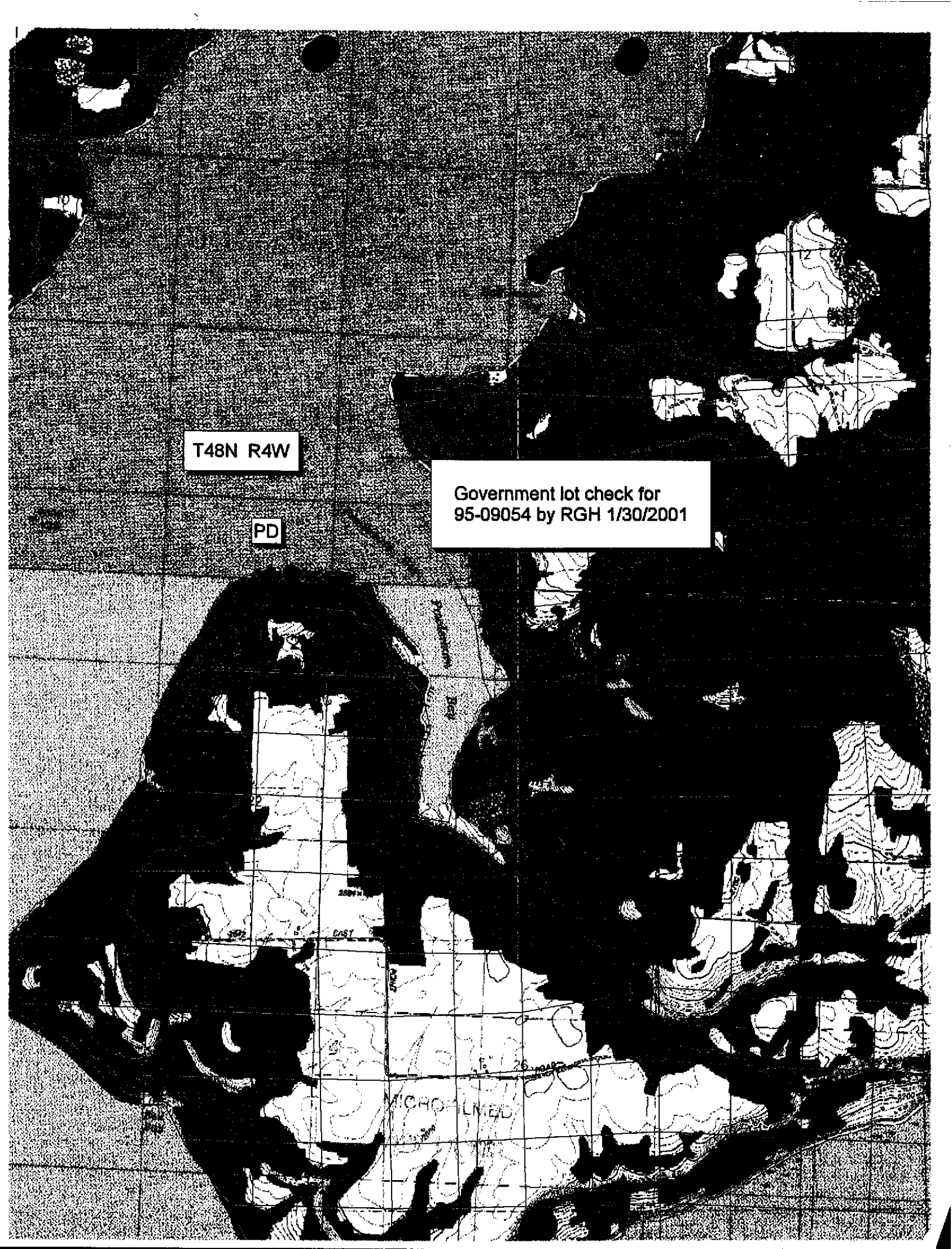
Thelma

(Applicant)

Received by Parties Date 10/5/00 Time 1:05 P Preliminary check by AB
 Fee \$ 50.00 750.00 Receipted by AB # N013984/N014024 Date 10/5/00 10/30/00
 Publication prepared by AB Date 11/8/00 Published in CDA 11/15/00
 Publication approved AB Date 11/28/00

MICROFILMED

APR 11 2001

A topographic map with a grid overlay. A large, irregular black shape covers the right and bottom portions of the map. A white rectangular box is positioned in the upper left quadrant, containing the text 'T48N R4W'. Another white rectangular box is located in the center, containing the text 'Government lot check for 95-09054 by RGH 1/30/2001'. A small white box with the letters 'PD' is situated below the first box. The map features contour lines and various geographical features.

T48N R4W

Government lot check for
95-09054 by RGH 1/30/2001

PD

MICRO-LINED

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Mile
X 125

000m

Mile
X 126

Light
East
Point

Campana
Bell
Bay

Gasser
Point

Aberdeen Lodge
Bay

MICROFILMED
APR 1 2001

Little
Cottonwood Bay
Reynolds
Point

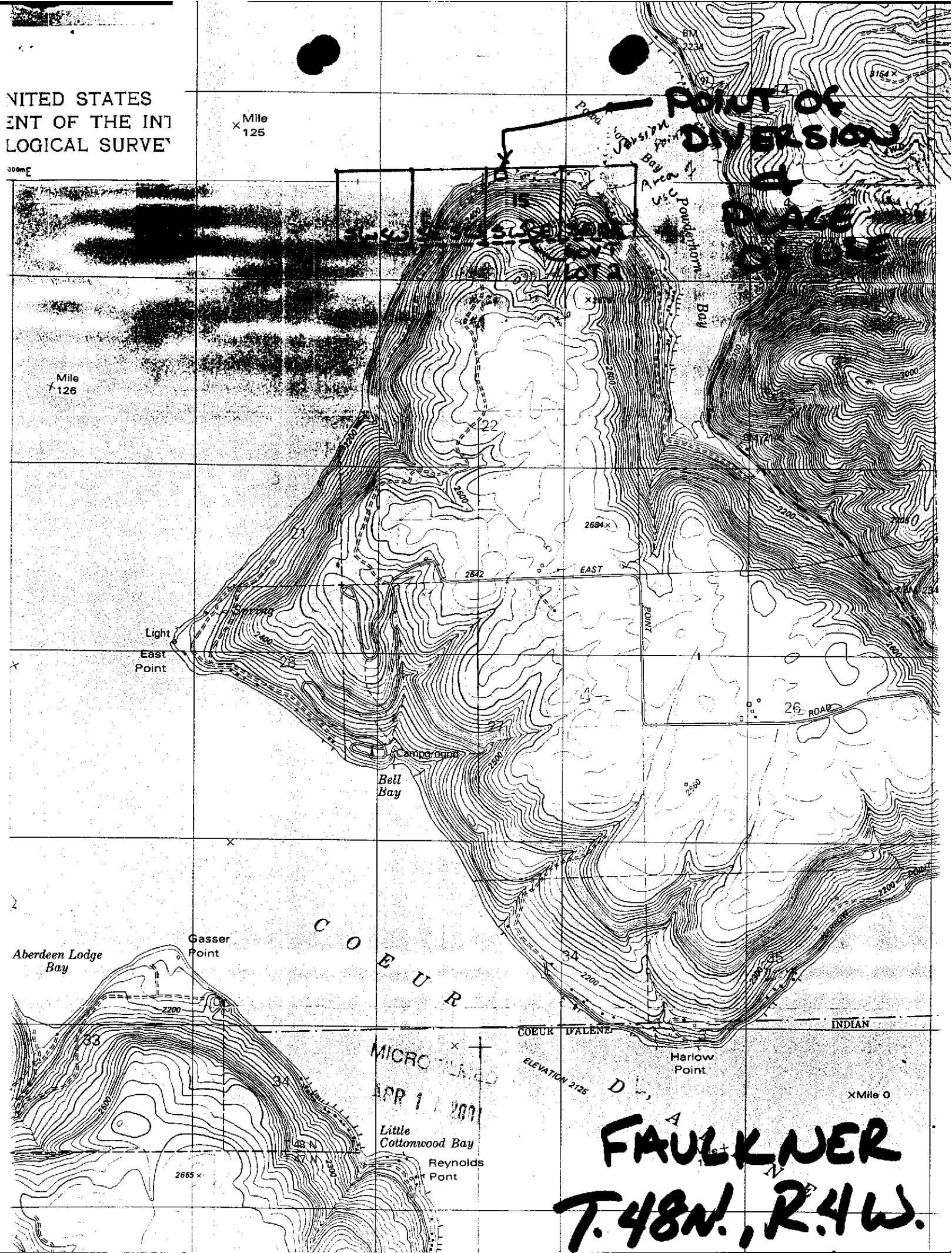
COEUR D'ALENE
ELEVATION 2125

Harlow
Point

X Mile 0

FAULKNER
T. 48N., R. 4W.

POINT OF
DIVERSION
of
ROAD
of use





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 25, 2002

THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163

RE: License No. 95-9054 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 24 2003

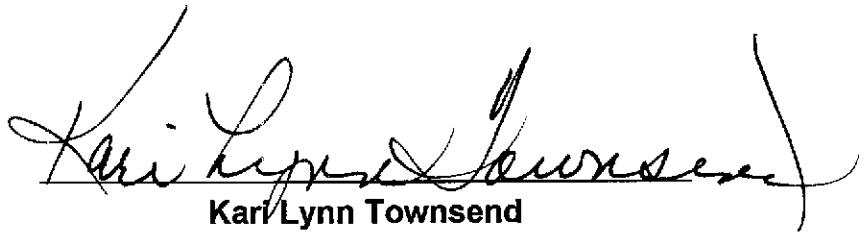
CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9054

THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163



Karl Lynn Townsend
Secretary

MICROFILMED

MAR 24 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

MAY 24 2003

FINAL ORDER

The Director 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 Director 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.

MEMORANDUM

Date: November 22, 2002
To: Water Right File 95-9054
From: S. Keen
Re: License Review

Licensing review and data entry by S. Keen on 11/22/2002.

MICROFILMED
MAR 24 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 30 2002
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09054

1. Owner: Thomas C. Haukner Phone No. (208) 689-3185

Current Address: 440 NW Maryland Ct., Pullman Wa 99163

2. Accompanied by: Thomas Haukner EXAM DATE: 9-20-02

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Coeur D'Alene Lake tributary to Spokane River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

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
	02		SW	SE	15	48N	04W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

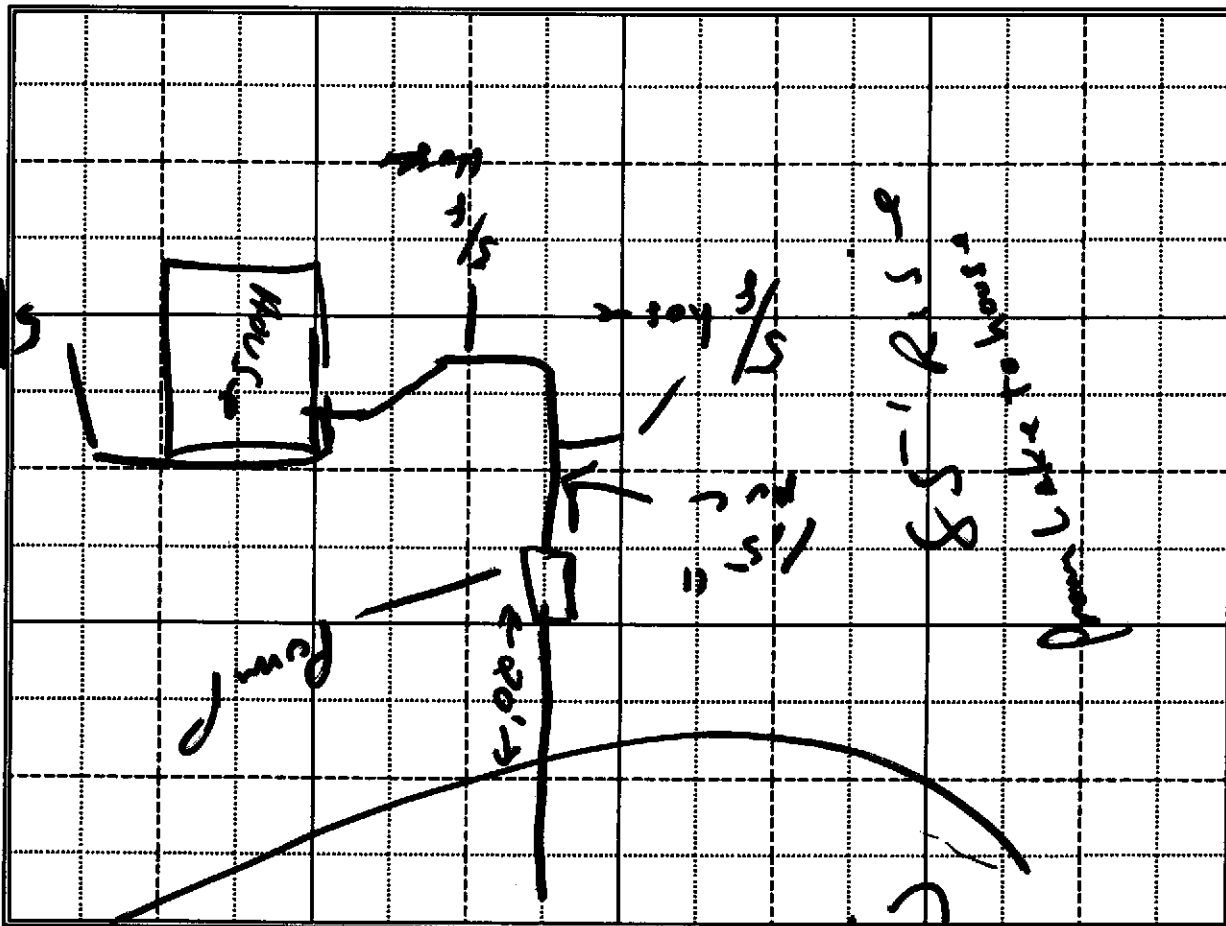
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	04W	15															02		

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MAR 24 2003

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

AK



Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of _____
 Aerial Photo Attached of _____
 Photo of Diversion and System Attached _____
 (required for irrigation of 10+ acres)

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	F+W	2	945120	F+W	1.5"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

Irrigation accomplished with 7 hoses portable
sprinklers.

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

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MAR 24 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

5 gal bucket 5 gal = 30 sec = 10 gpm

$$10 \times 1.35681 = 13.5681$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.2 \times 3 = 0.6$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.02(845)(1.9835) = 9.7$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 0.6$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Abundant

Period of Use

From 03/15 To 11/15

Rate of Diversion

Q (cfs)

1.02

Annual Volume

V (af)

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

I. AUTHENTICATION

Reviewer

Date

Field Examiner's Name

Wagner

Date

9-27-02

SEAL
MICROFILMED

NOV 14 1992

x Mile
125

Mile
* 126

POINT OF
DIVERSION
&
PLACE
OF USE

Powderhorn

95-09054

Uberdeen Lodge
Bay

Gasser
Point

C O E U R

COEUR D'ALENE

INDIAN

Harlow
Point

MICROFILMED

APR 24 2011

xMile C

Little
Cottonwood Bay

Reynolds
Pont

FAULKNER
TURN. R. 4 W.

T48N R4W

Government lot check for
95-09054 by RGH 1/30/2001

PD

MICROFILMED

95-0905-4



PO

PO

PO

MICROFILMED
MAR 24 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 17, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09054

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

MAR 24 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9054

Reviewed By: dgibson

Date: July 17, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N013984, N014476	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		06/21/2001
Date proof due	-	04/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/30/2000
New priority date	=	10/30/2000

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 28, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163

RE: Permit No. 95-9054

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

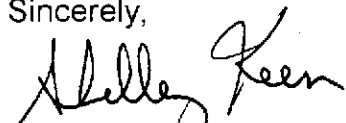
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APR 11 2001

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

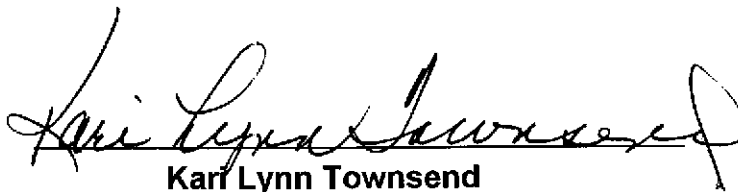
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CERTIFICATE OF MAILING

I hereby certify that on March 28, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 95-9054

THOMAS C FAULKNER
440 NW MARYLAND CT
PULLMAN WA 99163



Karl Lynn Townsend
Secretary

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APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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APR 11 2001

FINAL ORDER

The Director 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 Director 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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Cindy Zimmerman on 3/17/01

No. 95-09054 Name: Faulkner Corp. Officers NA Ad ok ✓ Govt Lots ✓(2)

AREA OF CONCERN: No ~~Yes~~ Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

✓ USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
✓ IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

✓ BENEFICIAL USE DUE: 21 / 01 / 02

✓ MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
✓ Ownership - 004 PD - DOL
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

✓ F&G contacted Yes No Response None
✓ In/Above MSF - WB9

PLANNING REVIEW/RESPONSE NA

✓ In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

✓ ≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WR
WRA
ACA

MAR 12 2001

68773

APPLICATION # 95-09054

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: CAULKNER

BY: AB

DATE: 10/30/00

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
 - (X) Nature of Proposed Use
 - (X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
 - (X) Signature
 - (X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes)(No)

- X Field check: by _____
- X Field report attached
- X Analysis Supp. attached(>5cfs/500af)
- X Water delivered by water master?
- Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 10/30/00

X (Include Moratorium Remark)

X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>1</u>		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()

- X Groundwater management area
- X Critical ground water area
- X Well Drilling Permit required
- X Well Drilling Application and Fees received
- X Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- X Notice of pending void order issued. Final order response date: _____/_____/_____
- X Further information required from applicant
- X Affidavit of publication received
- X Application published correctly. If not, record action taken: _____
- 11/28 Publication dates and paper recorded on application | Sr. Agent initial _____
- X Protests received, Final protest date: 12/4/00
- X Measuring device required
- X Measuring port required
- X Special conditions:
- X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: RMA

Date: 1/30/2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

MAR 12 2001

Department of Water Resources

MEMORANDUM

March 9, 2001

MEMO TO: Shelley Keen

FROM: Al Beardslee

RE: 95-9054 - Faulkner

Shelley,

Please expedite the processing of this application, as applicant is in the process of developing the system at this time.

Thank you very much.

A handwritten signature in dark ink, appearing to be 'Al'.

Al

MICROFILMED

MAR 12 2001

Ball, Dianne

From: CHARLES CORSI [ccorsi@IDFG.STATE.ID.US]
Sent: Thursday, November 09, 2000 4:35 PM
To: dball@idwr.state.id.us
Subject: re: perweek1.txt

Hi Dianne,

No real comments on the Faulkner application, other than it seems like there is a need to assess at some point the cumulative effects of (if any) all of the withdrawals from the lake. We'll send a letter on the Adams application.

Chip

----- Original Text -----

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 11/8/00 2:28 PM:

Greetings, Chip:

There are a couple of water rights near the bottom of this list on which we need comments from you. They are as follows:

95-09054 - Faulkner - source: Lake Coeur d'Alene

96-09059 - Adams - source: Turnipseed Creek.

On both of these, we need your comments on or before December 4, 2000.

Thanks again for your usual prompt attention to this.

Dianne

<http://www.idwr.state.id.us/info/water/rights/perweek1.txt>
<<perweek1.txt.url>>

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APR 11 2001

RECEIVED

NOV 28 2000

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai.

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 issue of said newspaper for 2 consecutive weeks commencing on the 14 day of November 2000, and ending on the 23 day of November 2000 and such publication was made as often during said period as said 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

23 day of

November

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

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-09053

SEREBRENK, PETER T
4550 POST OAK PLACE, STE 140
HOUSTON, TX 77027

Source: GROUNDWATER
Diversion Pt. LOT 3 (NENW)

Use: IRRIGATION

Sec 4 T 49N R 04W in KOOTENAI County.

IRRIGATION FROM STORAGE

(0.130 CFS) (0.10 AF)

DOMESTIC

(0.150 CFS)

DOMESTIC FROM STORAGE

(0.10 AF) (0.10 AF)

DIVERSION TO STORAGE

(0.150 CFS)

Total Diversion:

Date Filed: 11/1/2000

In: KOOTENAI County

T49N R04W S04

Lot 3

(NENW)

36.0 ACRES TOTAL

95-09054

FAULKNER, THOMAS C
440 NW MARYLAND CT
PULLMAN, WA 99163

Source: COEUR D'ALENE LAKE
Diversion Pt. LOT 2 (SESE)

Use: IRRIGATION

Tributary: SPOKANE RIVER
Sec 15 T 48N R 04W in KOOTENAI County.

Total Diversion:

(0.020 CFS)

Date Filed: 10/30/2000

In: KOOTENAI County

T48N R04W

Lot 2

(SESE)

0.2 ACRES TOTAL

96-09058

FARRAGUT VILLAGE PROPERTY ASSN INC
PO BOX 55
ATHOL, ID 838301

Source: GROUNDWATER
Diversion Pt. NWNW

Use: MUNICIPAL

Sec 17 T 53N R 02W in KOOTENAI County.

Total Diversion:

(0.650 CFS)

Date Filed: 11/3/2000

Place of use is within the service area of Farragut Village Property Association. For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before DECEMBER 4, 2000

Legal 76
Nov 16, 23, 2000

KARL J. DREHER, Director

95-09054

FAULKNER, THOMAS C
440 NW MARYLAND CT
PULLMAN, WA 99163

Source: COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

Diversion Pt: LOT 2 (SESE) Sec 15 T 48N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.020 CFS)
Total Diversion:	(	0.020 CFS)

Date Filed: 10/30/2000

In: KOOTENAI County
T48N R04W S15 Lot 2(SESE)

0.2 ACRES TOTAL

MICROFILMED
APR 13 2001

November 8, 2000

Thomas C. Faulkner
440 NW Maryland Ct.
Pullman WA 99163

Re: Water Appropriation Application No. 95-09054

Dear Mr. Faulkner:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file is Receipt Number N014024 for the balance of the fee for your application for a water right.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

11/08/00-11/08/00

APR 11 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 25, 2000

Mr. Thomas Faulkner
440 NW Maryland Ct.
Pullman WA 99163

RE: Application for Permit

Dear Mr. Faulker:

We are returning your Application for Permit, along with Receipt Number N013984, in the amount of \$50.00.

✓ I have enclosed a topographic map. Please mark the map where your point of diversion is located and outline where the water will be used.

✓ On item Number 4., you have listed 0.20 CFS for the diversion rate. This converts to 90 gallons per minute, which is a higher rate than normal for ¼ acre of irrigation. If the rate should be 0.02 CFS, or 9 gallons per minute, please make that change.

✓ The Application for Permit fee has increased from \$50.00 to \$100.00 for diversion rates up to 0.20 CFS since July, 2,000.

✓ We will be happy to process this filing upon receiving it back at this office with the additional \$50.00.

If you have any questions, or if I can be of further assistance, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

Michael

APR 11 2001

RECEIVED
OCT 30 2000
IDWR/NORTH

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

N013984

Date:

Time:

10/ 5/2000

13:14:23

Received

From:

FAULKNER, THOMAS C

Type of Payment

Program A cct

Amount

PARTIAL WR PERMIT APPLICATION FEE

65103

229 21 1155

50.00

Total

\$

50.00

CHECK

6670

Region: NORTHERN

Signature: _____



APPROVED

10/ 5/ 2000

WR0749NP
No. 95-09054

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS C FAULKNER 440 NW MARYLAND CT PULLMAN WA 99163 (509) 332-0154	10/30/2000	IRRIGATION	03/15 11/15	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: COEUR D ALENE LAKE

Tributary to: SPOKANE RIVER

Stage: APPLICATION

Point(s) of Diversion: T48N R04W S15 Lot 02(SESE)

KOOTENAI County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																																																	
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE																															
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM																														
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48N 04W 15 :																																:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	02-.2 :	0.2
																																																												TOTAL ACRES	0.2

Pou County: KOOTENAI

Dates: App. Received: 10/30/2000 Priority Date: 10/30/2000
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/03/2000 User-ID: DBALL Subject: Examiner's notes.
POD owned by applicant/ID Dept.of Lands. Encroach pmt L-95-S-4574
2 hp 3 stage S&W pump, 30 gal pressure tank, 40-60 psi pressure
1-1/4" poly pipe.
Time required 1 year.

Audit: 11/03/00 DBALL