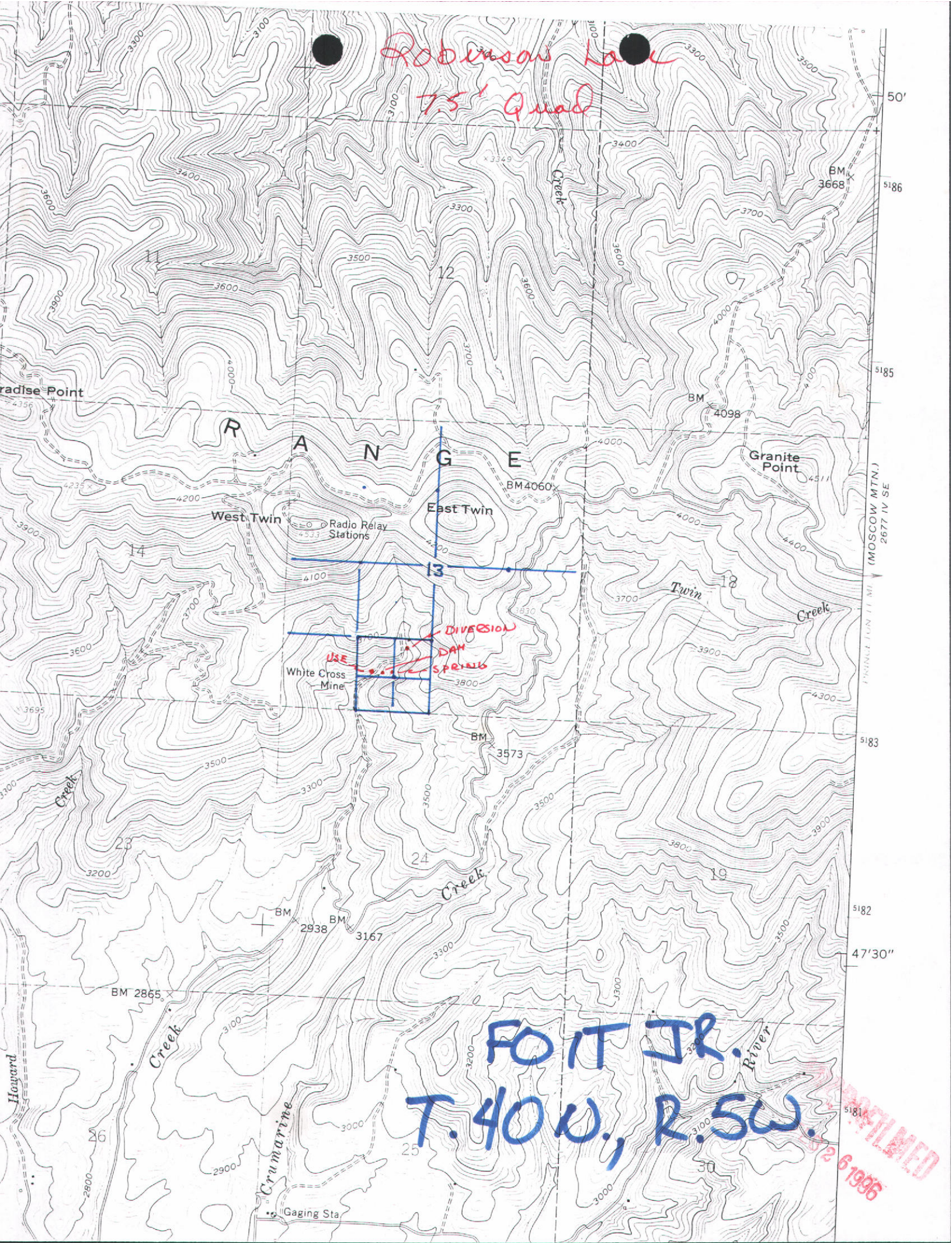


Robinson Lake
7.5' Quad



Radio Relay Stations

East Twin

Granite Point

West Twin

White Cross Mine

Creek

Twin

Creek

BM 2865

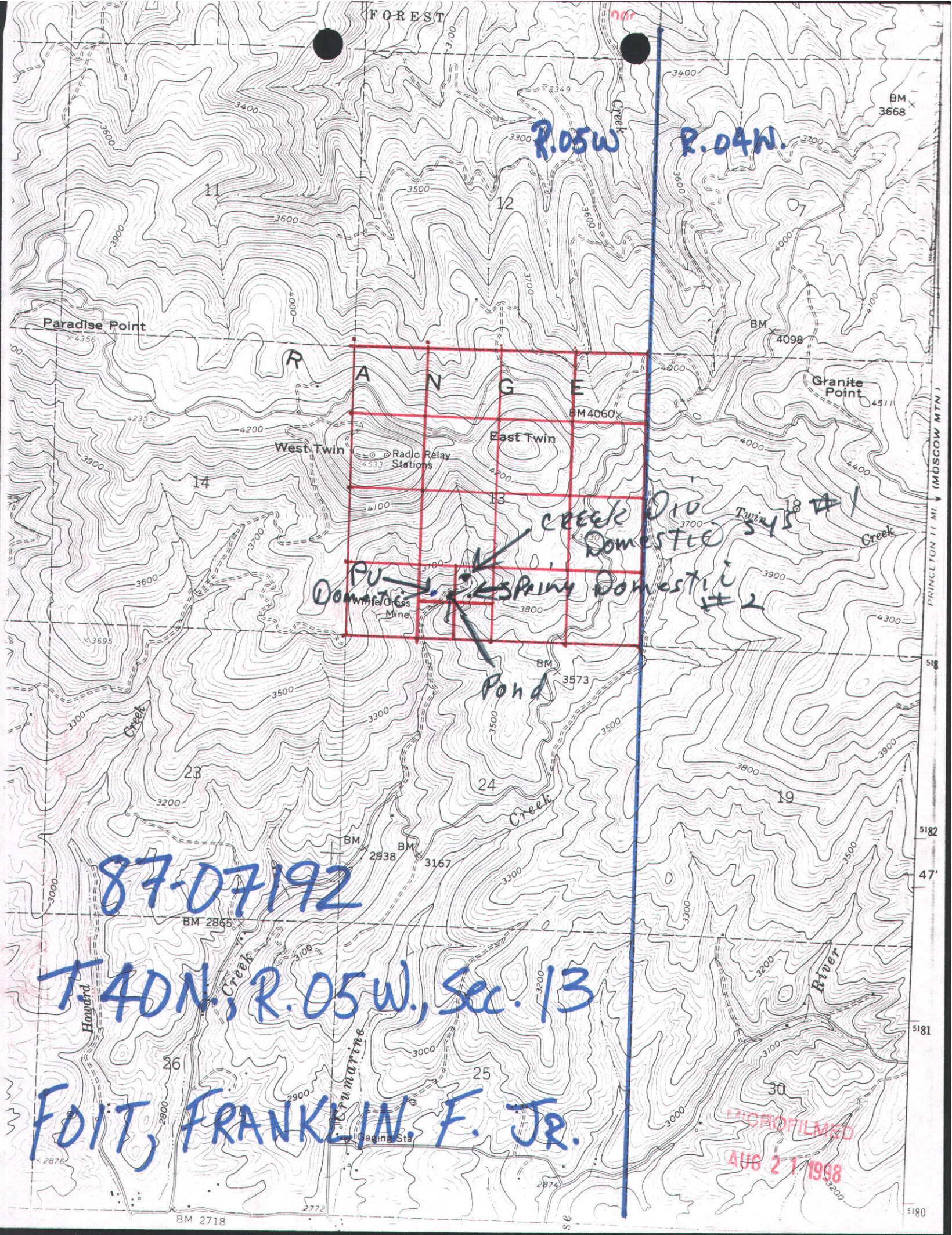
BM 2938

BM 3167

FOIT IR.

T. 40 N., R. 5 W.

RECEIVED
JUN 26 1996



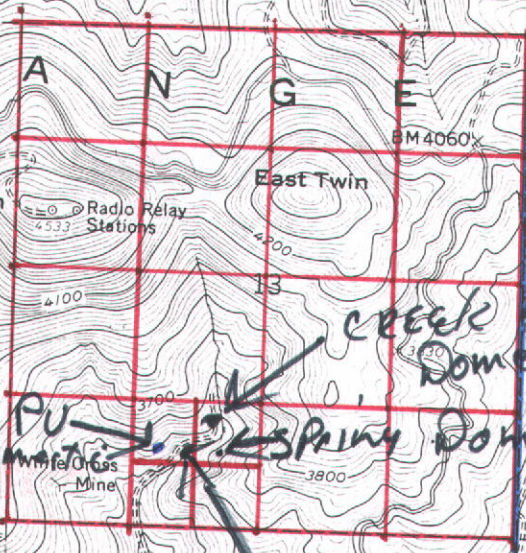
FOREST

BM 3668

R.05W

R.04N.

Paradise Point



West Twin

East Twin

Granite Point

Creek Div Domestic

White Ores Mine

Pond

87-07192

T.40N., R.05W., Sec. 13

FOIT, FRANKLIN F. JR.

MICROFILMED
AUG 21 1998



Spring #2
Domestic



80 gal
STORAGE



Domestic

PERMIT # 87-07192



P.D. II
Domestic



500 gal
Storage



P.D. II
Domestic

728'92
MICROFILMED

AUG 21 1998





State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 87-07192

Priority: December 11, 1995

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

1.3 AF

This is to certify, that FRANKLIN F FOIT JR

SE 900 THOMPSON RD

PULLMAN WA 99163

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 11, 1995; and has submitted Proof of Beneficial Use on October 15, 1996. An examination indicates that the works have a diversion capacity of 0.010 cfs of water from:

SPRING

tributary to GNAT CREEK

GNAT CREEK

tributary to PALOUSE RIVER, SOUTH FORK

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>
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF
	Totals	0.01 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NESESW , Sec. 13, Township 40N, Range 05W
NWSESW , Sec. 13, Township 40N, Range 05W
LATAH County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

40N 05W 13

SESW

PLACE OF USE:

DOMESTIC, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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.

MICROFILMED

AUG 21 1998

State of Idaho
Department of Water Resources

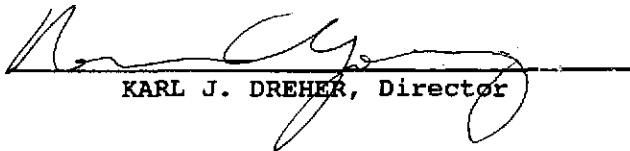
WATER RIGHT LICENSE

WATER RIGHT NO. 87-07192

CONDITIONS OF APPROVAL AND REMARKS

5. Domestic use is for 1 home.
6. Two points of diversion located in the NESESW, S13, T40N, R5S.

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 19th
day of MARCH, 1978.


KARL J. DREHER, Director

MICROFILMED

AUG 21 1988

RECEIVED

MAR 16 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 87-07192

Date of Priority: December 11, 1995 Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 1.3 AF

Comes now FRANKLIN F FOIT JR
SE 900 THOMPSON RD
PULLMAN WA 99163

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 87-07192, and requests that the permit be changed as follows:

Source: SPRING tributary to GNAT CREEK
Source: GNAT CREEK tributary to PALOUSE RIVER, SOUTH FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF
	Totals	0.01 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION: NESWSW, Sec. 13, Township 40N, Range 05W
NWSESW, Sec. 13, Township 40N, Range 05W
LATAH County

PLACE OF USE: WILDLIFE STORAGE
TWN RGE SEC
40N 05W 13 SESW

PLACE OF USE:
DOMESTIC, same as WILDLIFE STORAGE use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at PULLMAN, WA, this 13 day of MARCH, 1998.

MICROFILMED

MAR 21 1998

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 87-07192

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by LS # 041147 Date 3/16/98

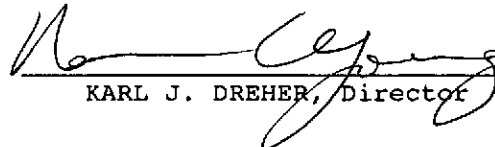
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 87-07192 with the following;

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. Domestic use is for 1 home.
6. Two points of diversion located in the NESESW, S13, T40N, R5S.

Witness my hand this 19TH day of MARCH, 1998.


KARL J. DREHER, Director

MICROFILMED
AUG 21 1998

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. 6036762
 Receipt By: KIT
 Date Received: 10.15.96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 15 1996

PROOF OF BENEFICIAL USE

Department of Water Resources

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 who has been appointed by the department.

1. Permit No. 87-07192 Telephone No. (509) 335-3093
2. Name(s) of Permit Holder(s): FRANKLIN F. FOIT, JR.
3. Mailing Address: SE 900 THOMPSON ROAD PULLMAN, WA 99163
SPRING +
4. Source of Water: GNAT CREEK If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
- a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____
- b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: WILDLIFE STORAGE
6. Total rate of diversion and/or volume for which proof is submitted: 0.01 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 ☒ |
| | Has the measuring device been installed? | Yes _____ | or | No _____ |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No ☒ |
| | Has the measurement port been installed? | Yes _____ | or | No _____ |
8. Fee Enclosed: \$ 50.⁰⁰ (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: FRANKLIN F. FOIT, JR. Telephone Number: (509) 335-3093
Address: SE 900 THOMPSON ROAD, PULLMAN, WA 99163
10. The information given on this form 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.

Signature of permit holder:

(include your title, if on behalf of company or organization)

Date: Oct 7, 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 87-07192

Proposed Priority: December 11, 1995 Maximum Diversion Rate: 0.01 CFS

This is to certify, that **FRANKLIN F FOIT JR**
SE 900 THOMPSON RD
PULLMAN WA 99163

has applied for a permit to appropriate water from:

SPRING tributary of **GNAT CREEK**
GNAT CREEK tributary of **PALOUSE RIVER, SOUTH FORK**

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>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	
	Totals	0.01 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESESW , Sec. 13, Township 40N, Range 05W
NWSESW , Sec. 13, Township 40N, Range 05W
LATAH County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

40N 05W 13 SESW

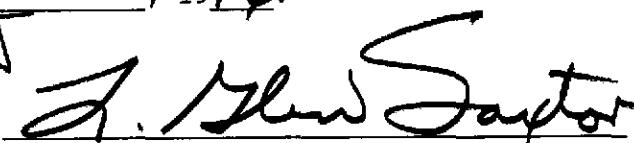
PLACE OF USE: DOMESTIC, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1997**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. Single point of diversion from spring source located on or near line between NESESW and NWSESW, S13, T40N, R05S.

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

26th day of January, 1996.


for Karl J. Dreher, Director

FEB 26 1996

RECEIVED
JAN 18 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 87-07192

Department of Water Resources to appropriate the public waters of the State of Idaho

1. Name of applicant FRANKLIN F. FOIT, Jr. Phone (509) 335-3093
(509) 334-5860
- Post office address SE 900 THOMPSON RD, PULLMAN, WA 99163
2. Source of water supply SPRING GNAT CREEK which is a tributary of GNAT CREEK
SOUTH FORK PALOUSE R.
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 40 N Range 5 W B.M. LATAH County; additional
(SPRING)
points of diversion if any: NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 13 40 N 5 W
4. Water will be used for the following purposes:
- ~~Amount~~ 0.01 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
- ~~Amount~~ 0.1 0.03 for WILDLIFE STORAGE purposes from JUL 1 to NOV 30 (both dates inclusive)
(~~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) 0.01 and/or (b) 0.03
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. DOMESTIC USE WATER WILL BE
FROM CREEK BED
DIVERTED VIA $\frac{3}{4}$ PIPE TO A 500 GALLON CISTERN FROM WHICH IT WILL
BE GRAVITY FED TO THE HOUSE, CISTERN FROM WHICH IT WILL BE GRAVITY FED
TO HOUSE
- b. Height of storage dam 2 feet feet; active reservoir capacity 0.03 acre-feet; total
reservoir capacity 0.03 acre-feet; period of year when water will be diverted to storage:
JAN 1 to DEC 31 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? NO
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
ONE years (minimum 1 year).

* per IDWR standards (volume to nearest 1/10th AF) c.g. 1/28/96.

a. Hydropower; show total feet of head and proposed capacity in KW. *N/A*

c. Municipal; show name of municipality. N/A

e. Other; describe fully, CHECK DAY (26)

to create a small pond (15' x 25' x 2-3 feet deep) holding 0.08

(2) Category
 Description of place of use:

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

ponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres to be irrigated N/A

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

11. a. Who owns the property at the point of diversion? $F.F. = 0.1, 5\%$

b. Who owns the land to be irrigated or place of use? F.F. Folt, Jr.

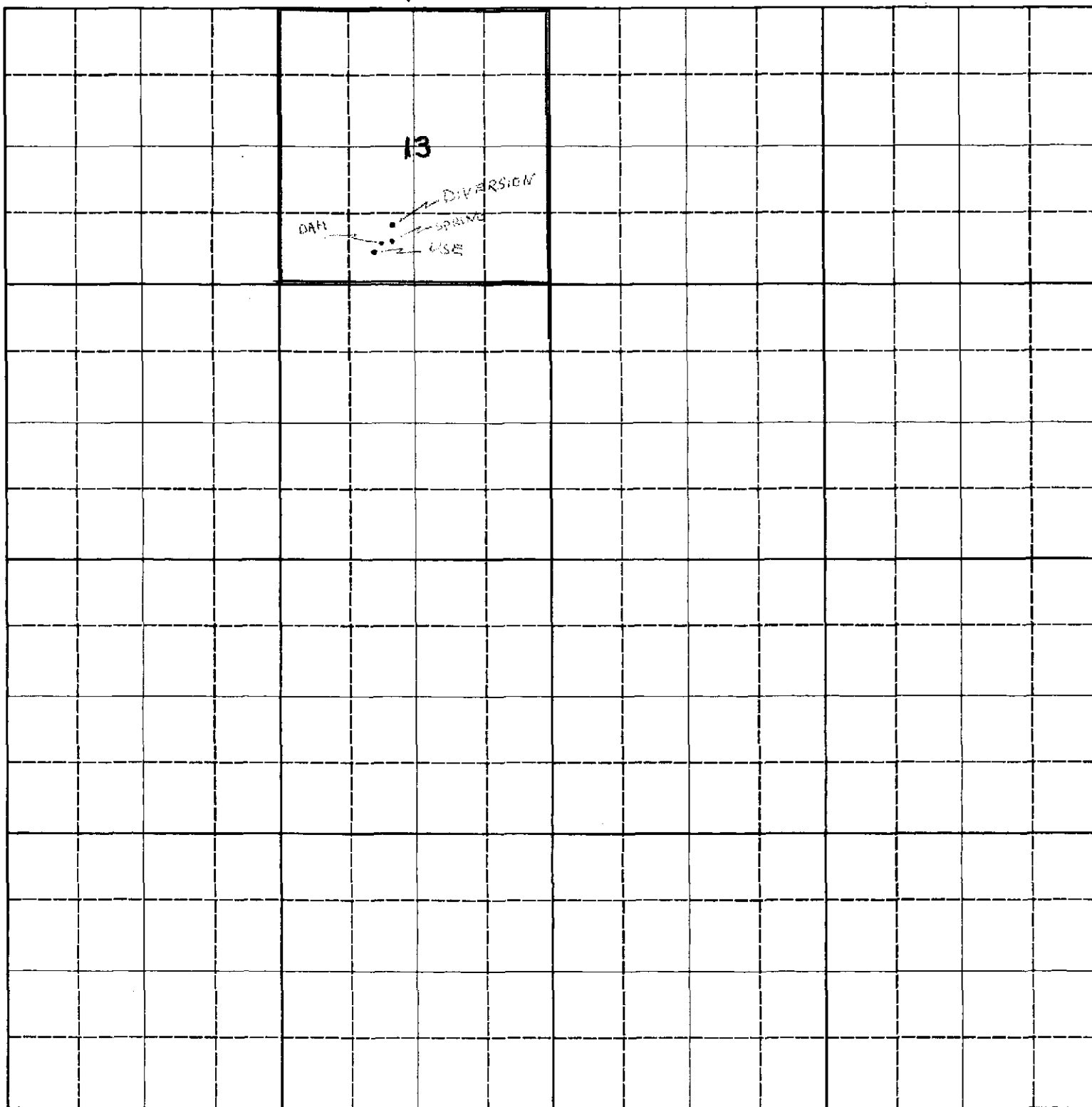
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

applicant to make this filing.

12. Remarks: NONE

001 9 8 034

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. R5W T40N



Scale: 2 inches equal 1 mile.

R5W : R4W

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

FEB 28 1936

[Signature]
(Applicant)

T40N
T39N

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. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

_____, 19____.

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

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

e. Other: _____.

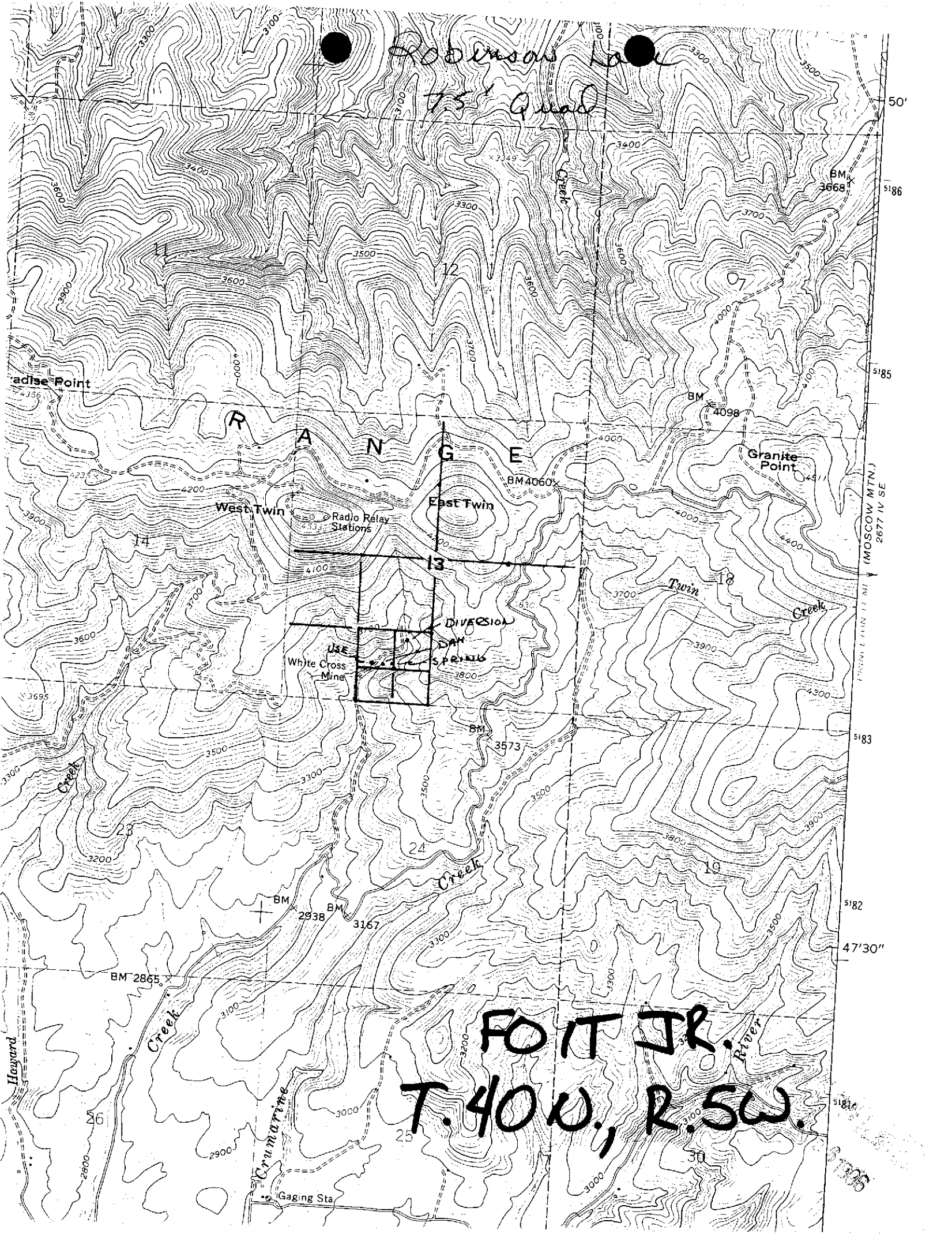
12/13/95

12/13/95

Received by CP Date 12/14/95 Time 2:00p
Fee \$ 50.00
Received by CP Date 12/14/95 # N009716
Publication prepared by CP Date 12/13/95 Published in Idaho Daily News
Publication approved by CP Date 1/5/96

Preliminary check by CP

Robinson Lake
T. 5 Quad



FOIT IR.
T. 40 N., R. 5 W.



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

March 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANKLIN F FOIT JR
SE 900 THOMPSON RD
PULLMAN WA 99163

RE: WATER RIGHT NO. 87-07192

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:

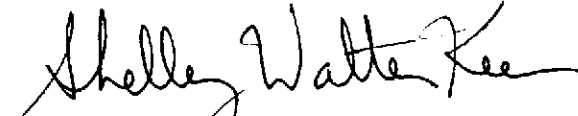
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of March, 1998, 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. 87-07192

FRANKLIN F FOIT JR
SE 900 THOMPSON RD
PULLMAN WA 99163


Kari Lynn Townsend
Secretary

RECEIVED
AUG 21 1998



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

March 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANKLIN F FOIT JR
SE 900 THOMPSON RD
PULLMAN WA 99163

RE: WATER RIGHT NO. 87-07192

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that you developed more points of diversion than were described on your permit. Therefore, before a license can be issued, your permit must be amended to include the additional point(s) of diversion.

The enclosed Application for Amendment form describes the additional point(s) of diversion and other information that will be included on the license when it is issued. In some cases, the reference to multiple points of diversion is contained in the list of conditions of approval and remarks on the last page of the amendment form. Please review the amendment carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

AUG 27 1998

MEMORANDUM

TO: File 87-07192

FROM: Sharla

DATE: March 9, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 87-07192 are as follows:

H. RECOMMENDATIONS

Wildlife Storage	1/1 - 12/31		0.1 afa
Domestic	1/1 - 12/31	0.01 cfs	1.2 afa
	TOTALS	0.01 cfs	1.3 afa

Volume is rounded to the nearest tenth. Thus the wildlife storage volume is 0.1 af.

Examiner: Wayne Baldwin

Exam Date: July 28, 1997

MICROFILMED

AUG 21 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 87-07192

DATE 3/6/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	—	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	—	<u>✓</u> 2 pld ok	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	—	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS

— P/D — P/U
Overlap file pulled & reviewed —

water is not flowing uphill, elevations ok for natural flow as depicted by examines

RATE OF DIV

Permitted Rate .01 cfs
Fee limit .20 cfs \$5000
Measured .01 cfs
Theoretical — cfs *gravity*

Recommended Total Div Rate .01 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use	cfs	Volume Calc
<u>Dom</u>	<u>.01</u>	<u>1.2</u> af
<u>Wild stor</u>	<u>—</u>	<u>.1</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL	<u>.01</u>	<u>1.3</u> af

Flow rate .01 cfs X 365 days X 1.98 = 7.2 af

Total volume recommended 1.2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

2 pld in NESES, 513.
DT home.

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 wild vol/total

1st Amend Letter P45

2nd Amend Letter P38
P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

87-07192

A. GENERAL INFORMATION

Permit No. _____

1. Owner: Franklin J. Jost JR Phone No. _____

Current Address: SE 900 Thompson Rd Pullman Wa 99163

2. Accompanied by: Franklin Jost JR EXAM DATE: 7-28-97

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring + Grout Creek tributary to: Grout Creek, Palouse River S. fork

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
	CREEK	NE	SE	SW	13	40N	05W	LATAH	U.S.G.S. 7.5 min Quad
	Spring	NE	SE	SW	13	40N	05W	LATAH	" "
	Pond		SE	SW	13	40N	05W	LATAH	

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	
40N	05W	13												D					
														W					

AUG 21 1998

2. Measurements:

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

D. FLOW MEASUREMENTS

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

Well or Diversion No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GRAVITY				

4

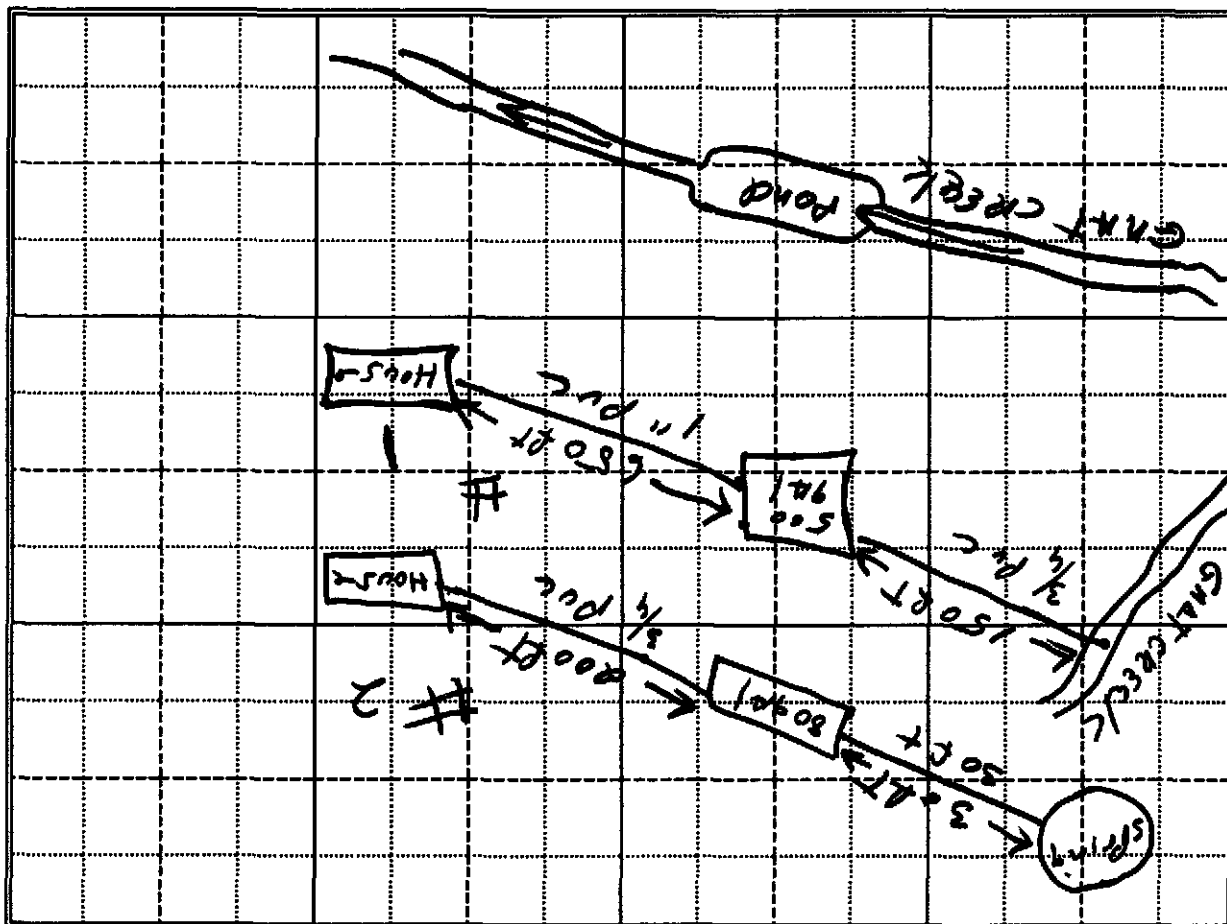
Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached

(required for irrigation of 10+ acres)

Photo of Diversion and System Attached

Scale: $T = NT5$



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

E. NARRATIVE/REMARKS/COMMENTS

Two separate domestic systems exist. Domestic #1 supplies inside house uses + domestic #2 supplies lawn + garden irrigation. Each system delivers 0.1 cfs

A small pond exist for wildlife storage. I measured the pond but forgot to photograph it.

Have conditions of permit approval been met? L yes no

MICROFILMED
AUG 21 1998

Additional Computation Sheets Attached

F. FLOW CALCULATIONS

Measured Method:

$$\begin{aligned} \#1 \text{ gal/bucket} &= 6.7 \text{ gal} \\ \#2 \text{ gal/bucket} &= 3.4 \text{ gal} \\ \#3 \text{ gal/bucket} &= 6.7 \text{ gal} \\ \#4 \text{ gal/bucket} &= 3.4 \text{ gal} \\ \#5 \text{ gal/bucket} &= 6.7 \text{ gal} \\ \#6 \text{ gal/bucket} &= 3.4 \text{ gal} \\ \#7 \text{ gal/bucket} &= 6.7 \text{ gal} \\ \#8 \text{ gal/bucket} &= 3.4 \text{ gal} \\ \#9 \text{ gal/bucket} &= 6.7 \text{ gal} \\ \#10 \text{ gal/bucket} &= 3.4 \text{ gal} \end{aligned}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$\begin{aligned} V_{IR} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \\ V_{OR} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \\ V &= \text{Smaller of } V_{IR} \text{ and } V_{OR} = \end{aligned}$$

2. Volume Calculations for Other Uses:

$$\begin{aligned} V &= \text{Length} \times \text{Width} \times \text{Depth} \\ &= 43560 \times 30 \times 3 = 3913200 \text{ cu ft} \\ &= 3913200 \text{ cu ft} \times 0.133681 = 52080 \text{ cfs} \end{aligned}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Corrections
and the change

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

Field Examiner's Name _____

Date _____

Date _____

Reviewer _____

SEAL

MICROFILMED
AUG 21 1958

FOREST

BM
3668

R.05W

R.04W.

Paradise Point

Granite Point

West Twin

East Twin

Radio Relay
Stations

Domestic
Mines

Pond

BM
3573

87-07192

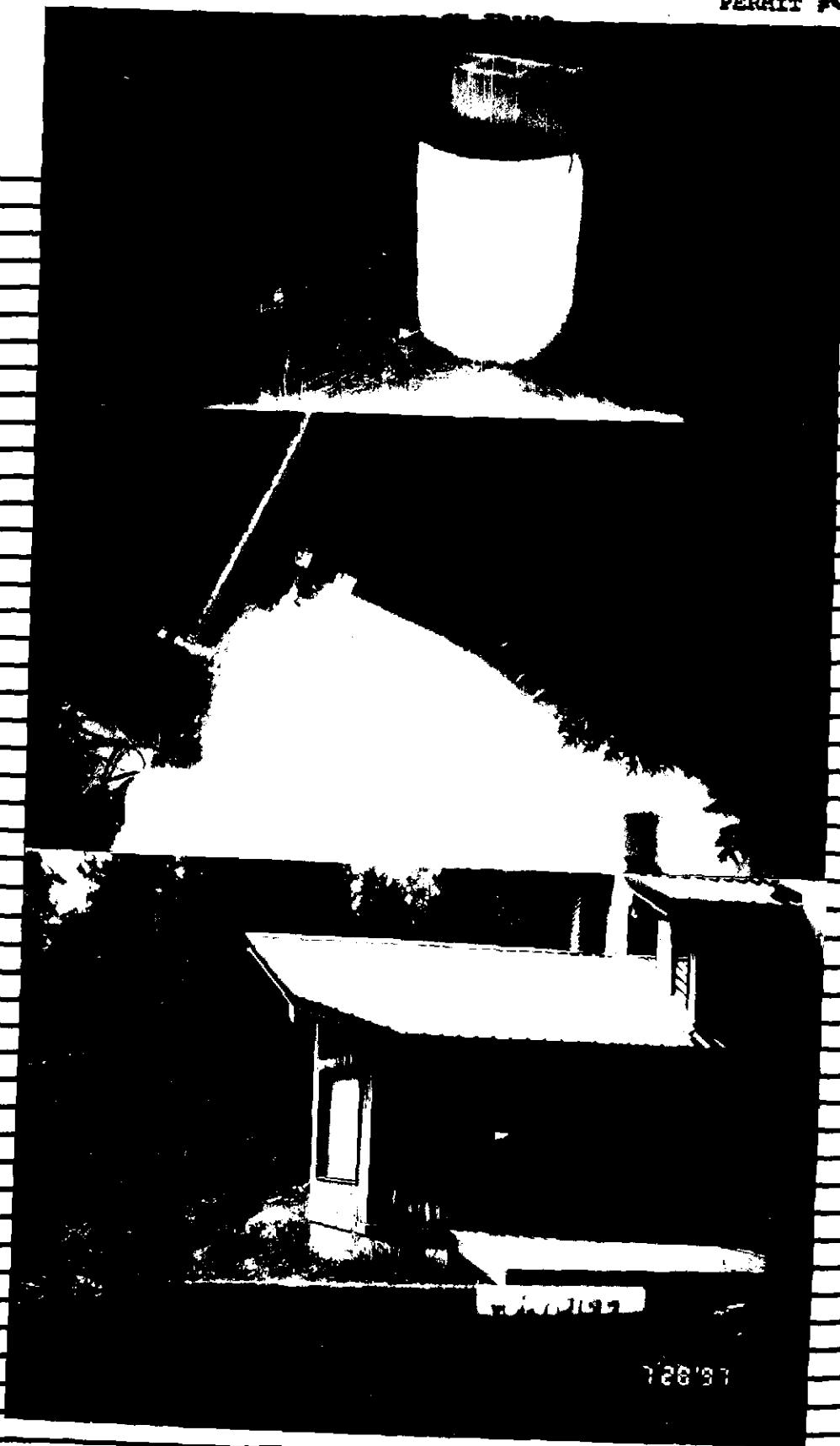
T.40N., R.05W., Sec. 13

FOIT, FRANKLIN, F. JR.

BM 2718

PERMIT #

87-0719



Spring 10
Domestic

80941
STORAGE

Domestic

728'97

AUG 21 1987

PERMIT #

87-07192



PD II
Domestic

500 gal
STO

Pacific
Domestic

128'93

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 87-07192 Reviewed by Jy Date 11-8-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

dom. wild storage

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address _____ Proof Made 10-15-96

November 12, 1996

FRANKLIN F FOIT JR
SE 900 THOMPSON RD
PULLMAN WA 99163

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 87-07192

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED
MAR 11 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 29, 1996

FRANKLIN F FOIT JR
SE 900 THOMPSON RD
PULLMAN WA 99163

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 87-07192

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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 IDWR 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 at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED
FEB 26 1996

RECEIVED
MAR 11 1997

Photos enclosed

F. Jett - Permit # 87-07192



Wild life storage

< 0.1 AF

Fort
87-07192

000.364120135 0122-1 N 132



Water diversion for
domestic use

1 home

NO. 29A1591127 0122 N N N N 2

Foitt
87-07192

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 87-1192 Name: Foot Date: 1/23/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: N9716 Priority: 12/4/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? Surface Water Exempt - No/Yes Pullman/Moscow GW Agreement Area
PROTESTED: - Mor GWMA Trust/Non-trust
020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
~~Water District (dam)~~ - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - ~~028(may report)~~-01J(meas dev)-P08
=- 0.2 cfs - ~~028(may report)~~-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - ~~028(may report)~~
In WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:
Domestic (surface) - 021(Boise R † L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

① W23/Spring in near NE/NWSE SW, S13, T40N, R05W.
② WDI/1
1-1997

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

RECEIVED
JAN 18 1996

APPLICATION # 87-7192

***** INITIAL REVIEW *****

APPLICANT: FOIT, JR.

BY: B

DATE: 12/11/95

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 12/11/95

☒ (Include Moratorium Remark)

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

MP/Chus/ok

ADVERTISE IN: LATAH 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 *****

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- ☒ Notice of pending void order issued. Final order response date: ____/____/____
- ☒ Further information required from applicant
- ☒ Affidavit of publication received
- ☒ Application published correctly, If not, record action taken: Domestic use
- ☒ Publication dates and paper recorded on application
- ☒ Protests received. Final protest date: 1/8/96
- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions: _____
- ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: B. P. A.

Date: 1/10/96

Affidavit of Publication

STATE OF IDAHO

County of Latah

ss.

Lorraine Hudson
Legal Clerk

being first duly sworn, on oath, deposes and says:

That she is the printer of Moscow-Pullman Daily News, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following dates:

Dec. 21, 28
1995

the same being the dates designated for the publication of said notice.

Lorraine Hudson

On this *29* day of *Dec*
in the year of *1995*, before me, a Notary

Public, personally appeared _____

Lorraine Hudson

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sharon Marie Hale
Notary Public for Idaho

Residing at Moscow, Idaho

My commission expires: 5/11/98

NOTICE OF APPLICATION FOR WATER RIGHT

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

87-07192

FOIT JR, FRANKLIN F
SE 900 THOMPSON ROAD
PULLMAN, WA 99163

Source: SPRING, Tributary:
GNAT CREEK

Source: GNAT CREEK,
Tributary: SOUTH FORK
PALOUSE RIVER

Diversion Pt: NESESW Sec 13 T.
40N R 05W in LATAH County.

NWSESW Sec 13 T 40N R 05W
in LATAH County.

Use: WILDLIFE STORAGE (0.03 AF)

DOMESTIC (0.010 CFS) (0.03AF) NO

Total Diversion (0.010 CFS) (0.03 AF)

Date Filed: 12/11/1995

RECEIVED

JAN 04 1996

NOTIFICATION
IDWR

In: LATAH County

T40N R05W S 13 SESW

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. Protest 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 JANUARY 8, 1996.

KARL J. DREHER, Director
December 21. 28. 1995

FEB 26 1996

*Resubmitted
Paper
But says OK*

87-07192

FOIT JR, FRANKLIN F
SE 900 THOMPSON ROAD
PULLMAN, WA 99163

Source: SPRING
Source: GNAT CREEK

Tributary: GNAT CREEK
Tributary: SOUTH FORK PALOUSE RIVER

Diversion Pt: NESESW Sec 13 T 40N R 05W in LATAH County.
 NWSESW Sec 13 T 40N R 05W in LATAH County.

Use: WILDLIFE STORAGE	(	0.03 AF)
DOMESTIC	(	0.010 CFS)
Total Diversion:	(	0.010 CFS)
	(	0.03 AF)

Date Filed: 12/11/1995

In: LATAH County
T40N R05W S13 SESW

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-11-1995 BY 1043

December 13, 1995

Franklin F Foit Jr
SE 900 Thompson Road
Pullman WA 99163

Re: Water Appropriation Application No. 87-07192

Dear Mr. Foit:

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. Enclosed is Receipt Number N009716. 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.

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 your source is groundwater, a separate well drilling permit is required for all wells constructed after July 1, 1987.

IF, FROM THAT WELL, YOU WILL BE DIVERTING WATER FOR MORE THAN ONE HOME AND AT A RATE OF MORE THAN 0.04 CFS AND MORE THAN 2500 GALLONS PER DAY, YOU WILL NEED TO OBTAIN A PERMIT FOR OTHER THAN DOMESTIC USAGE. THE TOTAL FEE FOR SUCH A PERMIT IS \$200.00. IF YOU HAVE ALREADY OBTAINED A DOMESTIC PERMIT, YOU WILL NEED TO UPGRADE YOUR PERMIT AND THE FEE FOR UPGRADING IS \$165.00.

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

Sincerely,

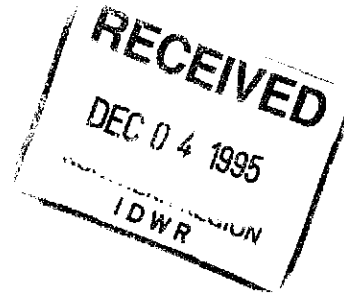
ALLEN BEARDSLEE
Senior Water Resources Agent

FEB 26 1996

AB:db

November 29, 1995

Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814



Dear Sir:

Please find enclosed my application for a permit to divert water from Gnat Creek and a spring lying above Gnat Creek (See map in application) for domestic purposes (single residence). This would be accomplished by (1) placing a 3/4" pipe in the stream bed and diverting some of the water by gravity (no pumping) to a 500 gallon cistern from which it would be gravity fed to the house 600' feet away (2) diverting spring water (east slope above Gnat Creek) to a small cistern (200-300 gallons) and then by gravity to the house, a distance of 200'. The total amount of domestic purpose appropriation requested is 0.0005 cfs or approximately 325 gallons/day.

I am also applying for a permit to install a small check dam where the road crosses Gnat Creek. Note that the position of the road on the USGS map is wrong. It is actually on the east side of the creek and then crosses to the west side just east of the point of "use" on the maps). The 2 foot high dam would be an integral part of the culvert and would be used to create a small (approximately 15' x 25' x 2-3' deep, approximately 0.02 acre feet of storage) pond for wildlife. Excess water would spill over the dam, pass through the culvert and continue down stream.

If you have need for further information I can be reached at (509) 335-3093 during the day (this phone has voice mail) or (509) 334-5860 evenings.

Sincerely,


Franklin F. Folt, Jr.
SE 900 Thompson Road
Pullman, WA 99163

DEC 6 1995