

Affidavit of Publication

STATE OF IDAHO
County of Latah

} ss.

RECEIVED

MAR 25 1977

Department of Water Resources
Northern District Office

Thomas Watson

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

That he is the printer of The DAILY IDAHONIAN, 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: March 17,
24, 1977

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

Thomas Watson
Subscribed and sworn to before

me this 23rd day of March

19 77
Carol Fleener

Notary Public,
residing at Moscow, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert T. Foust, Route 4, Box 295, Moscow, Idaho has on March 4, 1977 submitted Application No. 187-7028 for a permit to appropriate 0.08 cubic feet per second of water from a ground water source by means of well, pump, and pipeline within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 39N, R. 5W, B.M., Latah County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 39N, R. 5W, 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 April 4, 1977.

R. KEITH HIGGINSON
Director

March 17, 24, 1977

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 87-7028 Priority March 4, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that ROBERT T. FOUST
of Moscow, Idaho, has complied with the terms and conditions of Permit
No. 87-7028 issued pursuant to Application for Permit dated March 4, 1977,
and has submitted proof to the Department of Water Resources on April 15, 1977,
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 0.04 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per-year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 39N,
Rge. 5W, B. M. in the County of Latah

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
39N	5W	8					X												

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4 day of
April, 19 78.

Director

Department of Water Resources

APPLICATION FOR AMENDMENT

Permit No. 87-7028

Comes now ROBERT T. FOUST of (address) _____

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Mason Hole, this 18 day of March, 19 78.

P. J. Tamm
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources
hereby approve the above application for amendment for Permit No. 87-7028.

Witness my hand this 4 day of April, 19 78.

C. Stephen Allred
Director

Identification No. 87-7028

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 Robert T. Foust Phone: 882-8491
post office address Rt 4, Bx 295, Moscow, Id. 83843
2. Source of water supply Ground water which is a tributary of —
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 39N
Range 5W B.M. Lofah County; additional points of diversion if any: _____

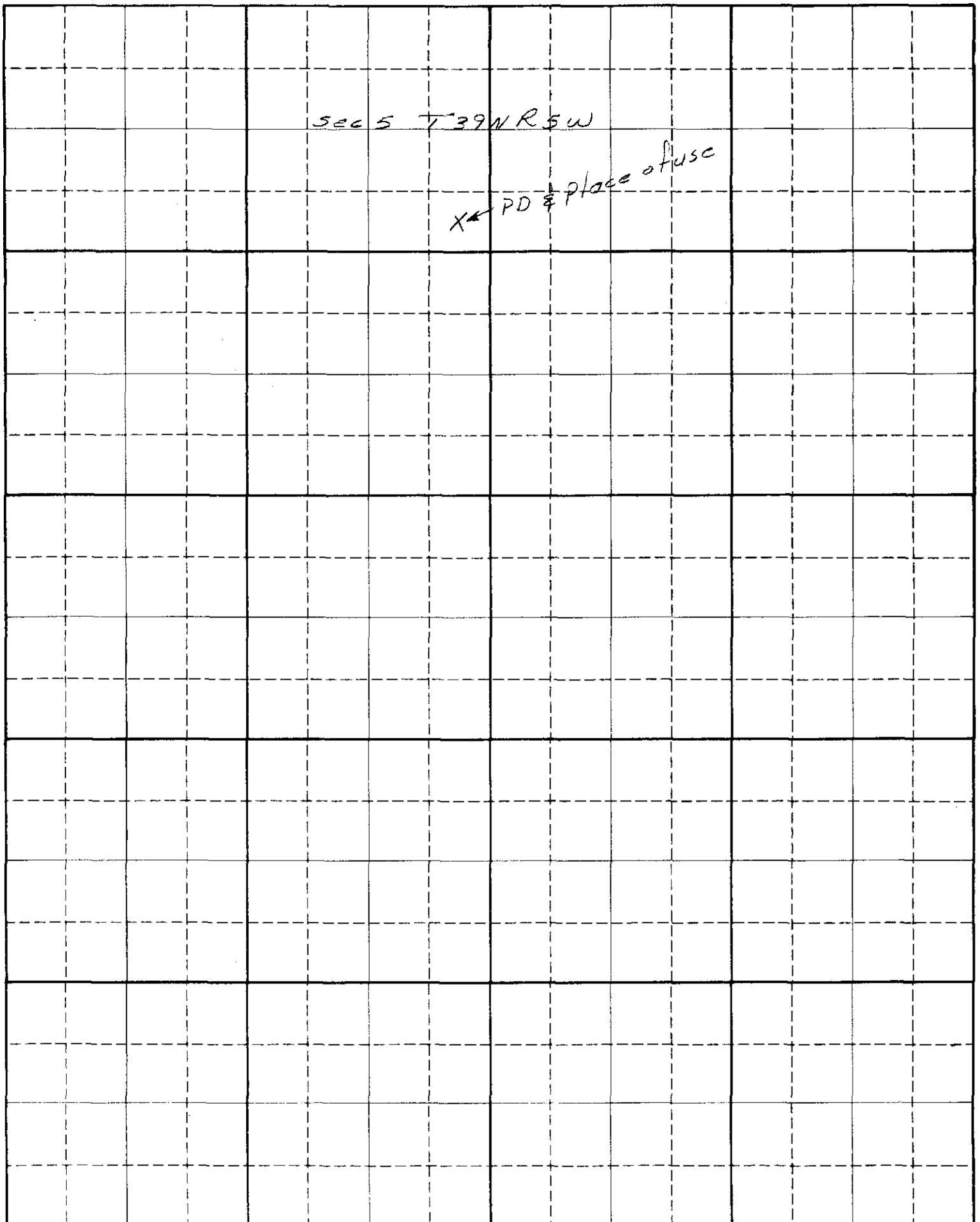
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.08 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, & 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 6 inches; proposed depth of well is 180 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 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: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 39N
Range 5W 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 _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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.

+ *Robert L. Jones*
(Applicant)

Proposed Priority 3/4/77

Received by PL Date 3-4-77 Time 10:20 A.M.
Preliminary check by PL Fee \$10.00

Received by PL Date 3-4-77 # 4930

Publication prepared by CP Date 3-11-77

Published in Daily Idahonian

Publication dates 3-17 & 3-24-77

Publication approved CP Date 3-28-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by PL CP

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. 87-7028, 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 May 1, 1982.

c. Other: _____

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

Witness my hand this 4 day of May, 1977.

Director

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Thomas Watson

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

That he is the printer of The
DAILY IDAHONIAN, 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 there-
to; 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 supple-
ment thereto, upon the following

dates: March 17,
24, 1977

the same being the dates desig-
nated for the publication of said
legal notice.

Thomas Watson
Subscribed and sworn to before

me this 23rd day of March

1977

Carol Fleener

Notary Public,
residing at Moscow, Idaho

RECEIVED

MAR 25 1977

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert T.
Foust, Route 4, Box 295, Moscow, Idaho
has on March 4, 1977 submitted Applica-
tion No. 87-1028 for a permit to appropriate
0.08 cubic feet per second of water from a
ground water source, by means of well,
pump, and pipeline within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 5, T. 39N, R. 5W, B.M., Latah County
to be used from Jan. 1 to Dec. 31 for
domestic purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 5, T. 39N, R. 5W, B.M.

If issued, this permit will be subject to
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 April 4,
1977.

R. KEITH HIGGINSON
Director

March 17, 24, 1977

April 11, 1978

Re: Permit No. 87-7028

Robert T. Foust
Route 4, Box 295
Moscow, ID 83843

Dear Mr. Foust:

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

Also enclosed is a copy of the approved Application for Amendment along with Receipt No. 11202 in the amount of \$10.00.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosures

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 6, 1978

Re: Permit No. 87-7028

Robert T. Foust
Route 4, Box 295
Moscow, ID 83843

Dear Mr. Foust:

A representative of this Department made an examination of the works covered by your Permit No. 87-7028 on July 11, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1.2 acre feet per
year.

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 39N, Rge. 5W, B. M.

Beneficial use: Domestic use for one family within the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 8, Twp. 39N, Rge. 5W, B. M.

Priority date established: March 4, 1977

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:kw
Encl.

MICROFILMED

MAY 1977

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

MAY 1977

1. Name of permit holder Robert T. Foust Department of Water Resources
Northern District Office
Post office address Rt. 4, Box 295, Moscow, ID 83843 Phone 882-8491
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.08 c.f.s. for Domestic (2)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.08 cubic feet per second and annual volume _____ AF/Annum.

- 5. Location of Point(s) of Diversion:**

Township 39N N/S, Range 5W E/W, B.M., Section 5, Subdivision SE $\frac{1}{4}$ SE $\frac{1}{4}$, Latah
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Other Points of Diversions: _____

Description of diverting works: pump & well

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____

Permit No. 87-7028
Examination for b/u

[illegible]

DATE OF EXAM 7-11-77

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.04 c.f.s. V= 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
tpw. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured _____ Method of measurement _____ - None

Total Q recommended 0.04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

P.D. NE NW Sec 8
Place of Use NE NW Sec 8
Other _____
None _____

MEASUREMENT CALCULATION:

One household @ 0.04 cfs & 1.2 AF/Ann

SYSTEM DESCRIPTION:

Well pump & pipe line to place of use

REMARKS:

Second house not built because of sewer problems
may build in future

Examiner's Signature

Tom O'Key
Bob Barnes

Date 8-7-11-77

Checked by

Date 8-3-77

Approved by _____

Date _____

NE NW 8

May 20, 1977

Re: Permit No. 87-7028

Robert T. Foust
Route 4, Box 295
Moscow, Idaho 83843

Dear Mr. Foust:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 87-7028

RECEIVED

APR 15 1977

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources
Northern District Office

1. a) Name of Permit Holder ROBERT T. FOUST
b) Post Office Address RT 4 BOX 295 MOSCOW, ID 83843
2. Permit Number 87-7028
3. Date of Priority that you are prepared to establish 3/4/77
4. a) Source from which water was appropriated GROUNDWATER
b) Location of the point of diversion: SE 1/4 SE 1/4, Section 5
Township 39N, Range 5W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.08 for DOMESTIC purposes from JAN 1 to DEC 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.08 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: ~~MEASURED~~ ESTIMATED
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) PUMP & WELL
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: BURNS & WITT
LEWISTON, ID
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: 2 HOUSEHOLDS (DOMESTIC USE) SESE SEC 5 T-39N R-5W

Exam typed 5/9/77

MICROFILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

4-15-77
(Date)

* Robert J. Young
(Signature)

State of IDAHO)
County of KOOTENAI) ss.

On this 15TH day of April, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Corda M. Patterson
Notary Public residing at
COEUR D'ALENE, IDAHO

My commission expires LIFETIME

May 6, 1977

Re: Permit No. 87-7028

Robert T. Foust
Route #4, Box 295
Moscow, ID 83843

Dear Mr. Foust:

Enclosed is a copy of your approved Application for Permit No. **87-7028** . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 87-7028

Trust

☒ 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) RAH 3-8-77

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

(4) RAH 3-8-77

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) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) CP 3/28

Affidavit of Publication received (date) MARCH 25, 1977

(12) CP 3/11

Final date for protests APRIL 4, 1977

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 3-4-77

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 4-5-77

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 11, 1977

Re: Application No. 87-7028 - Robert T. Foust

Daily Idahonian
Box 399
Moscow, ID 83843

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

Bill: 3-28-77.4

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to be used from Jan. 1 to Dec. 31
for domestic purposes
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 39N, R. 5W, B.M.

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R. KEITH HIGGINSON
Director

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