

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Gordon L. Faust, 2075 W. 5750 So., Roy, Utah, has on December 5, 1973, submitted Application No. 95-7406 for a permit to appropriate 0.04 cubic feet per second of water from Spokane River by means of pump, motor, and pipeline within Gov't. Lot 3, Sec. 11, T. 50N, R. 5W, B. M., to be used from Jan. 1 to Dec. 31 for domestic purposes within Gov't. Lot 3, Sec. 11, T. 50N, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before December 31, 1973.

R. KETH HIGGINSON
Director

Published in the Post Falls Tribune, Post Falls, Idaho, on Dec. 13 and Dec. 20, 1973.

12-13 2tc

OK.
12-18-73
CP

9074 96

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7406 Priority December 27, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that GORDON L. FAUST
of Roy, Utah, has complied with the terms and conditions of Permit
No. 95-7406 issued pursuant to Application for Permit dated December 5, 1973,
and has submitted proof to the Department of Water Resources on January 23, 1979,
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 Spokane River,
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
<u>Domestic</u>	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 Gov't. Lot 3, Sec. 11,
Twp. 50N, Rge. 5W, B.M. in the County of Kootenai

Description and location of place of use:

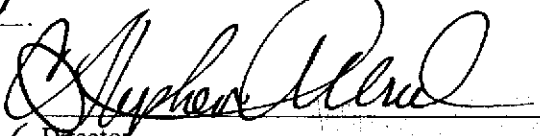
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
50N	5W	11																	

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 30 day of

May, 1979

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7406
IN THE NAME OF GORDON L. FAUST

REINSTATEMENT ORDER

WHEREAS, on December 5, 1973, Gordon L. Faust filed with the Department of Water Resources an application for permit to appropriate 0.04 cubic feet per second of water from the Spokane River within Government Lot 3, Section 11, Twp. 50N, Rge. 5W, B.M., Kootenai County, to be used for a domestic purpose; and,

WHEREAS, on January 9, 1974, the Department approved said application and issued Permit No. 95-7406 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 1, 1979; and,

WHEREAS, on October 31, 1978, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on January 17, 1979, the Department notified the permit holder that Permit No. 95-7406 has lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on January 23, 1979;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7406 be REINSTATED and the priority advanced to December 27, 1973.

Dated this 12th day of February, 1979.

J. Glen Saxton
CHIEF, OPERATIONS BUREAU

Identification No. 95-7406

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Gordon L. Faust
post office address 2075 W. 5750 So. Roy, Utah 80367
2. Source of water supply Spokane River which is a tributary of _____
3. a. Location of point of diversion is Gov't. Lot 3 ~~xxx~~ of Section 11 Township 50N
Range 5W B.M. Kootenai 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 0.04 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. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, motor, and pipeline.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 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: Gov't. Lot 3 ~~xxx~~ of Section 11 Township 50N
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 one.
(5) If water is to be used for other purposes describe: Water will irrigate lawn.

95 7406

Total number of acres to be irrigated.

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

9. a. Who owns the property at the point of diversion _____ Applicant

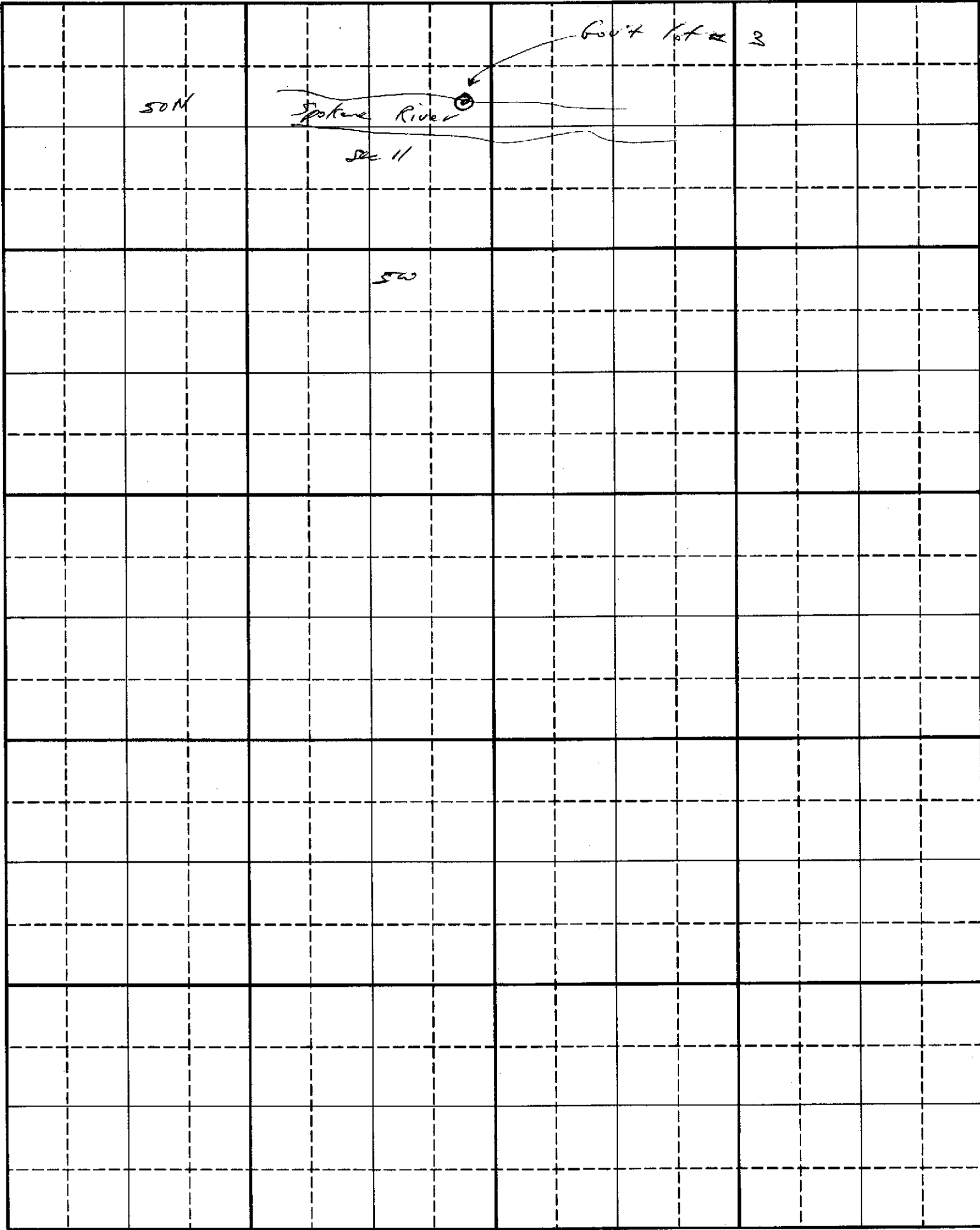
b. Who owns the land to be irrigated or place of use

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

applicant to make this filing-

10. Remarks

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



Scale: 2 inches equal 1 mile

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

Gordon L. Faust
(Applicant)

95 7406

Proposed Priority
12-5-1973

95 7406

Received by 76 Date 12/5/73 Time 11:30 am

Preliminary check by 76 Fee \$ 10.00

Received by 76 Date 12/5/73 # 10285

Publication prepared by CP Date 12-7-73

Published in Post Falls Tribune

Publication dates 12-13 & 12-20-73

Publication approved CP Date 1-2-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Mr. BDK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7406, 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 January 1, 1979.

c. Other: _____

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

Witness my hand this 9 day of January, 1974.

Director

AFFIDAVIT OF PUBLICATION

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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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before December 31, 1973.

R. KEITH HIGGINSON
Director

Published in the Post Falls Tribune, Post Falls, Idaho, on Dec. 13 and Dec. 20, 1973.

12-13 2tc

County of Kootenai }
STATE OF IDAHO } ss.

DOUGLAS R. ROSIN

~~XXXXXXXXXXXX~~ being first duly sworn, deposes and says that she is the publisher of THE POST FALLS TRIBUNE, a newspaper published weekly at Post Falls, Kootenai County, Idaho, and of general circulation therein.

That the NOTICE OF APPLICATION FOR WATER PERMIT
No. 95-7406

..... a true
printed copy of which is attached to the margin hereof, has been and
was correctly printed and published in the regular and entire issue of
every number of said newspaper and not in any supplement thereof
or thereto for two consecutive issues, commenc-

ing with the issue dated December 13, 1973

and ending with the issue dated December 20, 1973

Douglas R. Rosin

Subscribed and sworn to before me, this 24th

day of December, 1973

C. Agnes Dickman

Notary Public for the State of Idaho
Residing at Post Falls, Idaho

Publication Fee \$ 12.21
(33)

85 7406

May 30, 1979

Re: Permit No. 95-7406

Gordon L. Faust
2075 West 5750 South
Roy, Utah 80367

Dear Mr. Faust:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT**TOTAL ACREAGE**

[illegible]

DATE OF EXAM 3-2-79

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 3-15 to 11-15
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

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

Exchange? yes _____ no ✓

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

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

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

Total Q measured _____ Method of measurement _____

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

Total V recommended 1.2 AF/ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other Period of use 3-15 to 11-15 (for use of trees & lawn)
None ✓

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

Portable Sears pump & water with pipe line.

REMARKS:

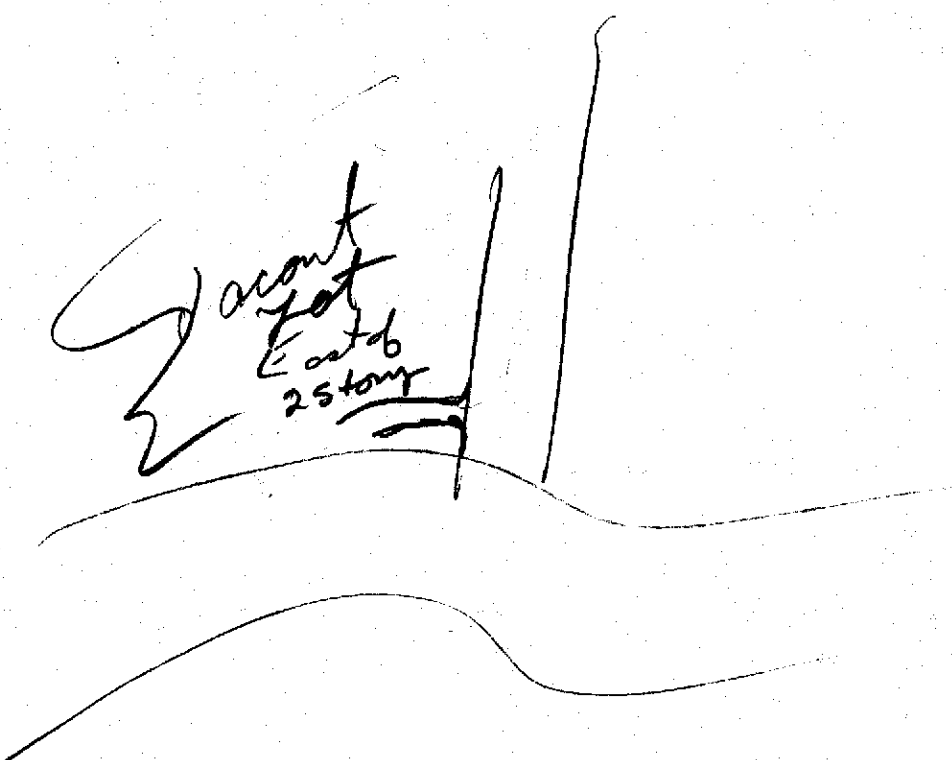
Vacant lot contacted Norm Peterson

Examiner's Signature J. O. Key Date 3-5-79

Checked by Bob Haynes Date 3-5-79

Approved by _____ Date _____

Account
for
East
25th





State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 13, 1979

Gordon L. Faust
2075 W. 5750 S.
Roy, UT 80367

Dear Mr. Faust:

Re: Permit No. 95-7406

Enclosed is a copy of the Order reinstating your permit and advancing the priority date to December 27, 1973.

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,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED
JAN 23 1979
Department of Water Resources
Northern District Office

1. a) Name of permit holder GORDON L. FAUST
- b) Post office address 2075 W. 5750 SO ROY, UTAH 80367
2. Permit number 95-7406
3. Date of priority that you are prepared to establish 12-5-1973
4. a) Source from which water was appropriated ~~GROUNDWATER~~ SPOKANE RIVER
- b) Location of the point of diversion: LOT 3 1/4 1/4, Section 11
Township 50N, Range 5W Boise Meridian. Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for DOMESTIC purposes from JAN 1 to DEC 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated _____ 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:
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 of 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):
WELL + PUMP

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

2-7-79

MICHAEL J. HARRIS

28-51-8

Notary Public
Residing at
West Hills, Pa.

On this 29 day of Dec, 1978, personally appeared before me the

\$\$.

12/29/78

Charles J. Foy

Total number of acres irrigated

[illegible]

~~DOMESTIC USE ONE HOUSEHOLD GOVH03, SEC 11, T-50N, R-5W~~

(c) Give well driller's name and address and the date the well was completed:

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

100-100000



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

January 17, 1979

Gordon L. Faust
2075 W. 2750 S.
Roy, UT 80367

Dear Mr. Faust:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 95-7406 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated October 31, 1978.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl.



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

100075

CERTIFIED MAIL

October 31, 1978

Re: Permit No. 95-7406

Gordon L. Faust
2075 W. 2750 S.
Roy, UT 80367

Dear Mr. Faust:

One of the conditions of approval of your water Permit No. 95-7406 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

Encl: Proof affidavit

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>12/5/73</u>	Application No. <u>95-7406</u>
(2)			☒ 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
(3)	<u>FE</u>	<u>12/5/73</u>	In form to receipt Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>FE</u>	<u>12/5/73</u>	In form for advertising
(6)			Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no _____
(8)			Groundwater levels: ____ Decline (comment) _____ ____ Stable (comment) _____ ____ Increasing (comment) _____
(9)			Comments: _____ _____
(10)	<u>cf</u>	<u>1/2/74</u>	Affidavit of Publication received (date) <u>JANUARY 2, 1974</u>
(11)	<u>cf</u>	<u>12/7</u>	Final date for protests <u>DECEMBER 31, 1973</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____ _____
(13)	<u>FE</u>	<u>1/2/74</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>FE</u>	<u>1/2/74</u>	Action recommended: ☒ Approve Priority <u>12/5/73</u> ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>Butte</u>	By <u>[Signature]</u>	Date <u>1/2/74</u>

95 7406

RECEIVED
JAN 7
Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 15, 1974

Re: Permit No. 95-7406

Gordon L. Faust
2075 W. 5750 S.
Roy, Utah 80367

Dear Mr. Faust:

Enclosed is a copy of your approved Application for Permit No. 95-7406. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

95 7406

December 7, 1973

Re: Application No. 95-7406 - Gordon L. Faust
Claim No. 95-4194 - Ernest P. &/or Donald E. Beck
" " 95-4199 - Earl E. &/or Ida Sanders

Post Falls Tribune
Box 68
Post Falls, ID 83854

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. ~~In order to receive payment, the following certification must appear on the bill:~~

~~"I hereby certify that the foregoing account is just and correct; that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."~~

~~(signature of claimant)~~

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 1-2-74 by d

FE:CP

Enc: Legal Notices (3)

95 7406

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by means of pump, motor, and pipeline
within ~~the~~ Gov't. Lot 3, Sec. 11, T.50N, R.5W, B.M.

to be used from Jan. 1 to Dec. 31
for domestic purposes

within ~~the~~ Gov't. Lot 3, Sec. 11, T.50N, R.5W, B.M.

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R. KEITH HIGGINSON

Director

Published in the Post Falls Tribune, Post Falls, Idaho
on Dec. 13 and Dec. 20, 1973

95 7406

**NOTICE OF APPLICATION
FOR WATER PERMIT**

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R. KENTH HIGGINSON
Director
Published in the Post Falls Tribune, Post Falls, Idaho, on Dec. 13 and Dec. 20, 1973.
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OK
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