

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of ^{two} issues, the first publication being on the 7th day of July, 1977, and the last on the day of , 19.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this 8th day of July, 1977.

Ora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF CORRECTION

Notice is hereby given that Application for Water Permit No. 92-7038 in the name of Walter L. and-or Jeanette Fatur was advertised incorrectly on June 16 and June 23, 1977. The point of diversion was advertised as being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 36, T46N, R2W, B.M. Whereas, the actual point of diversion is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 36, T46N, R2W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814, on or before July 25, 1977.

C. STEPHEN ALLREAD

Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on July 7 and July 14, 1977.
No. 4909 — July 7 - July 14

MICROFILMED

ok 7-18-77
SDW

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That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of...two...issues, the first publication being on the 16th day of June..., 1977. and the last on the 23rd day of June..., 1977.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this...24th... day of June..., 1977...

Ora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Walter L. and-or Jeanette Fatur, 11909 E. 20th, Spokane, Wash., has on June 2, 1977, submitted Application No. 92-7038 for a permit to appropriate 0.15 cubic feet per second of water from the St. Maries river by means of pump and pipeline within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T46N, R2W, B.M., Benewah County to be used from Jan. 1 to Dec. 31 for Stockwater (0.02 cfs) and from Mar. 15 to Nov. 15 for the irrigation of 6 $\frac{1}{2}$ acres (0.13 cfs) within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T46N, R2W, B.M.

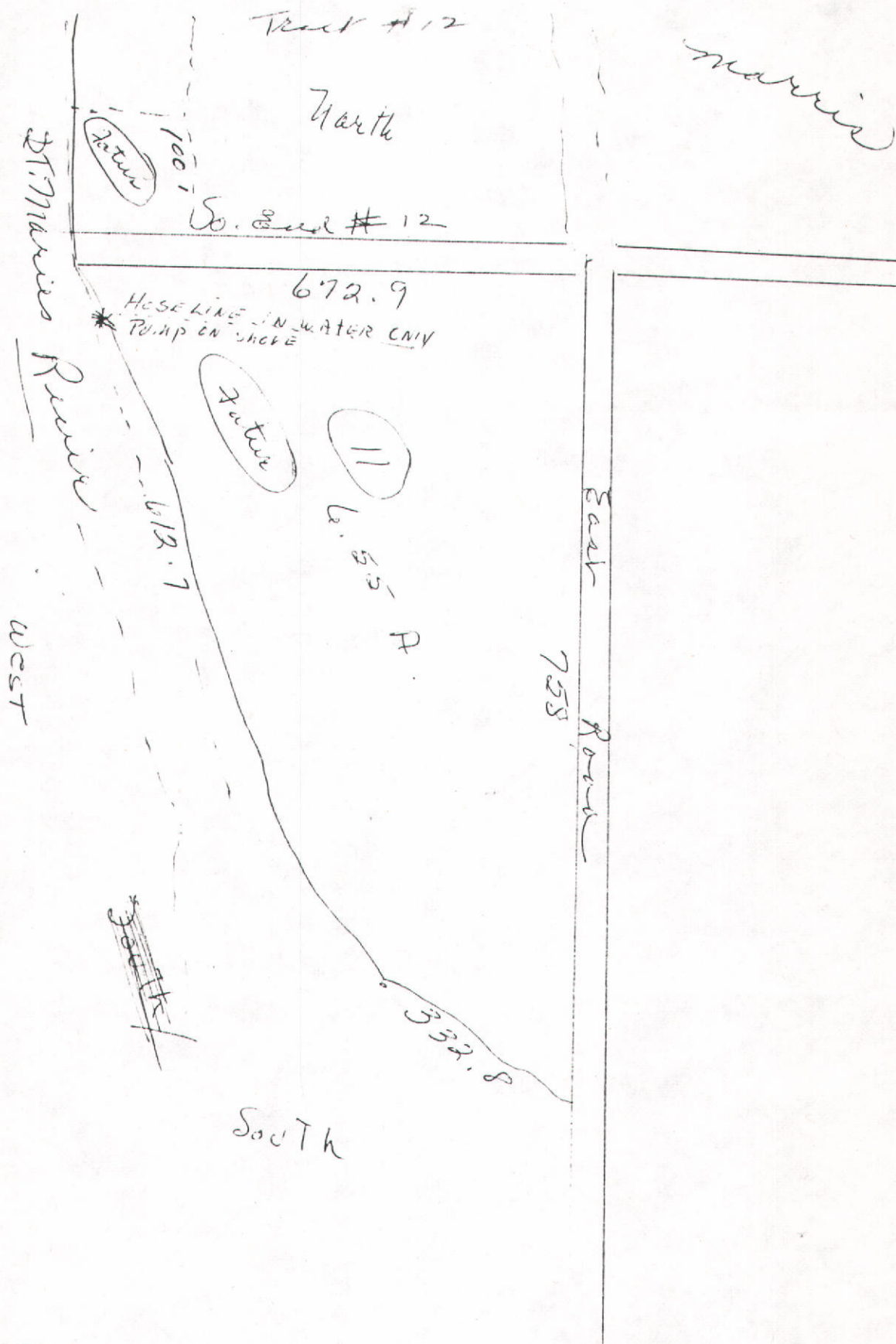
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814, on or before July 5, 1977.

C. STEPHEN ALLRED
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on June 16 and June 23, 1977.
No. 4882 — June 16 - June 23

MICROFILMED

*True copy
6-28-77
B*



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

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

THIS IS TO CERTIFY, that Walter L. &/or Jeanette Fatur
of Spokane, WA, has complied with the terms and conditions of Permit
No. 92-7038 issued pursuant to Application for Permit dated 6/2/1977,
and has submitted proof to the Department of Water Resources on 7/14/1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .05 cfs of water from St. Maries River,
tributary to St. Joe River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>3/15</u> to <u>11/15</u> at <u>.03</u> cfs and <u>3.0</u> acre feet			
<u>Stockwater</u> from <u>1/1</u> to <u>2/1</u> at <u>.02</u> cfs and <u>.2</u> acre feet			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

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

Description and location of place of use:

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

Total number of acres irrigated 1

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18 day of
November, 19 81.

Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

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

ORDER

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

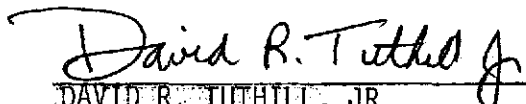
WHEREAS, on August 22, 1977, the Department approved said application and issued Permit No. 92-7038 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1979; and,

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

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

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

Dated this 21 day of August, 1979.


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

MICROFILMED

Identification No. 92-7038

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

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

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

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

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

4. Water will be used for the following purposes:

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

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

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

5. Total quantity to be appropriated:

a. 0.15 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

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

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

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

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

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

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

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

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

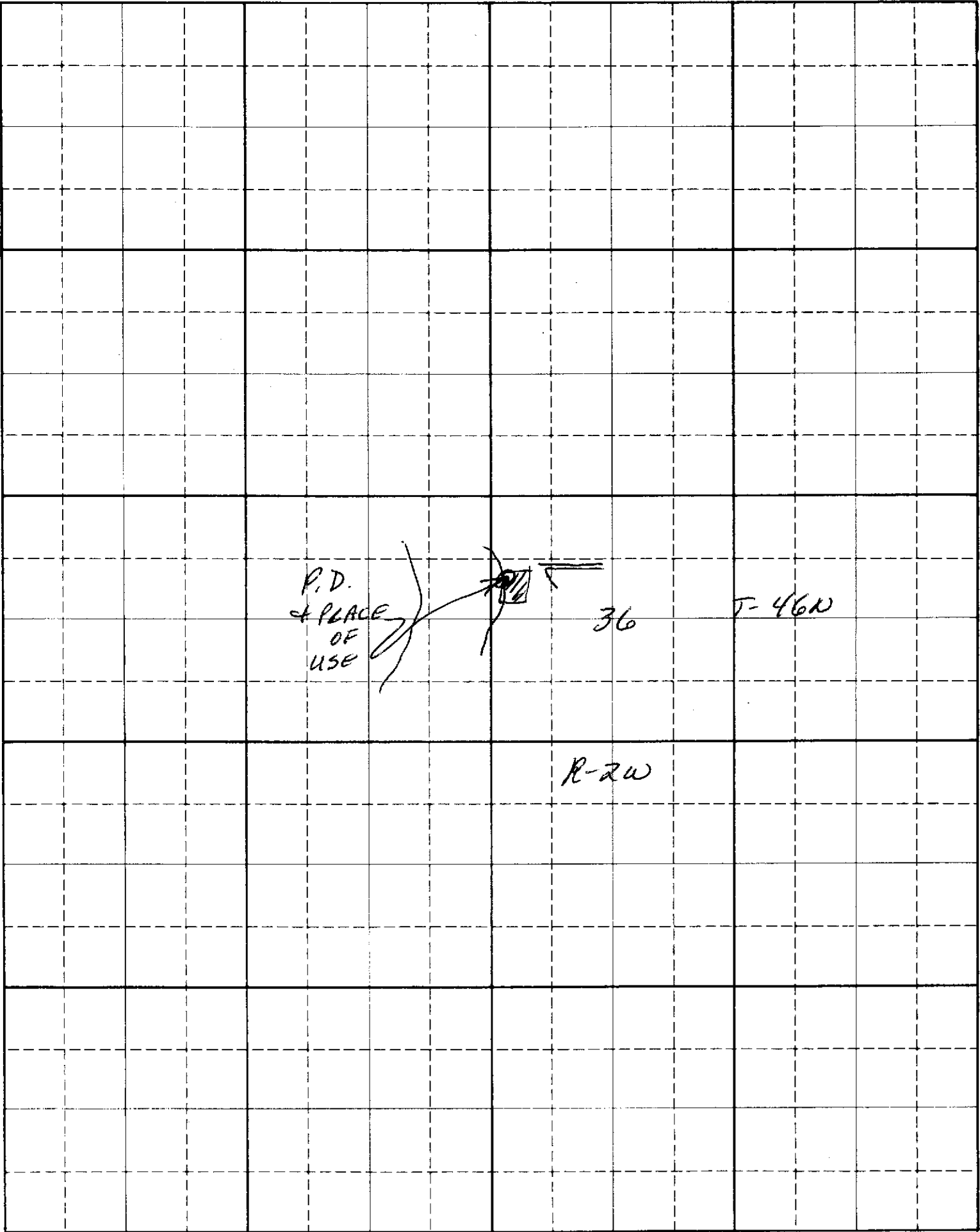
(2) Amount of power to be generated: _____ hp under _____ feet of head.

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

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

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

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



Scale: 2 inches equal 1 mile

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

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

Proposed Priority 6/2/77

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

Preliminary check by Fee \$ 10.00

Received by K/K Date 6/2/77 #5555

Publication prepared by Date 1-3-77

Published in St. Mary's Hospital

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

Publication approved Date 7-18-77

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by:

Hearing held by Date

Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 92-7038, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1979.

c. Other:

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

Witness my hand this 22 day of August 1977.

Deputy Director

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That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this 8th day of July, 1977.

Ora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF CORRECTION

Notice is hereby given that Application for Water Permit No. 22, 7038 in the name of Walter L. and/or Jeanette Fatur was advertised in correctly on June 18 and June 22, 1977. The point of diversion was advertised as being within the SW 1/4 NW 2, Sec 36, T46N, R2W, B.M. Whereas, the actual point of diversion is within the SW 1/4 NW 1/4, Sec 36, T46N, R2W, B.M.

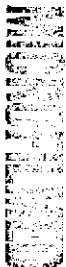
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C. STEPHEN ALLREAD

Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on July 7 and July 14, 1977.
No. 4909 — July 7 - July 14

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JoJane Hammes

Subscribed and sworn to before me this...24th... day of June..., 1977...

Ora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Walter L. and/or Jeannette Pater, Tracts E. 20th, Spokane, Wash., has on June 2, 1977, submitted Application No. 147038 for a permit to appropriate 4 cubic feet per second from the St. Maries River, pump and conveyance to the SW 1/4 NW 1/4 Sec. 22, T46N, R6W, E1E.

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, 8055 Government Way, Coeur d'Alene, Idaho, 83814, on or before July 5, 1977.

C. STEPHEN ALLRED
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on June 16 and June 23, 1977.
No. 4882 -- June 16 - June 23

RECEIVED

*Has been
6-28-77
P*

November 19, 1981

RE: Permit No. 92-7038

Walter L. &/or Jeanette Fatur
11909 E. 20th
Spokane, WA 99206

Dear Mr. and Mrs. Fatur:

Enclosed herewith is a copy of the water right license issued on the above referenced permit. Also enclosed is a blank application for permit form with instructions. If we can be of further assistance, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

RECEIVED
NOV 22 1981



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

November 6, 1981

RE: Permit No. 92-7038

Walter L. &/or Jeanette Fature
11909 E. 20th
Spokane, WA 99206

Dear Mr. and Mrs. Fatur:

A representative of this Department has made an examination of the works covered by your Permit No. 92-7038, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.05 cfsw Source: St. Maries River

The maximum quantity diverted shall not exceed 3.2 acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 46N, Rge. 2W, Benewah County

Beneficial use: Stockwater and Irrigation of 1 acre within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, Twp. 46N, Rge. 2W

Priority date established: June 2, 1977

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

MICROFILMED

JIM JOHNSON
Water Distribution Supervisor

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

JUL 31 1981

Department of Water Resources

92-7038

Permit No.
5-1

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-23-81 Accompanied by 2 Total Q measured _____
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets Permit requirements? _____

Measurement calculations:

8.8(1) 80%
2.33(40)+70 = 0.04 cfs
Elevation Approx

70
80

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1	GE	5KC39RG463	MYERS	#460279	-	-	-

System Description portable pump & pipe line to lawn & garden

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

RECOMMENDED AMOUNTS

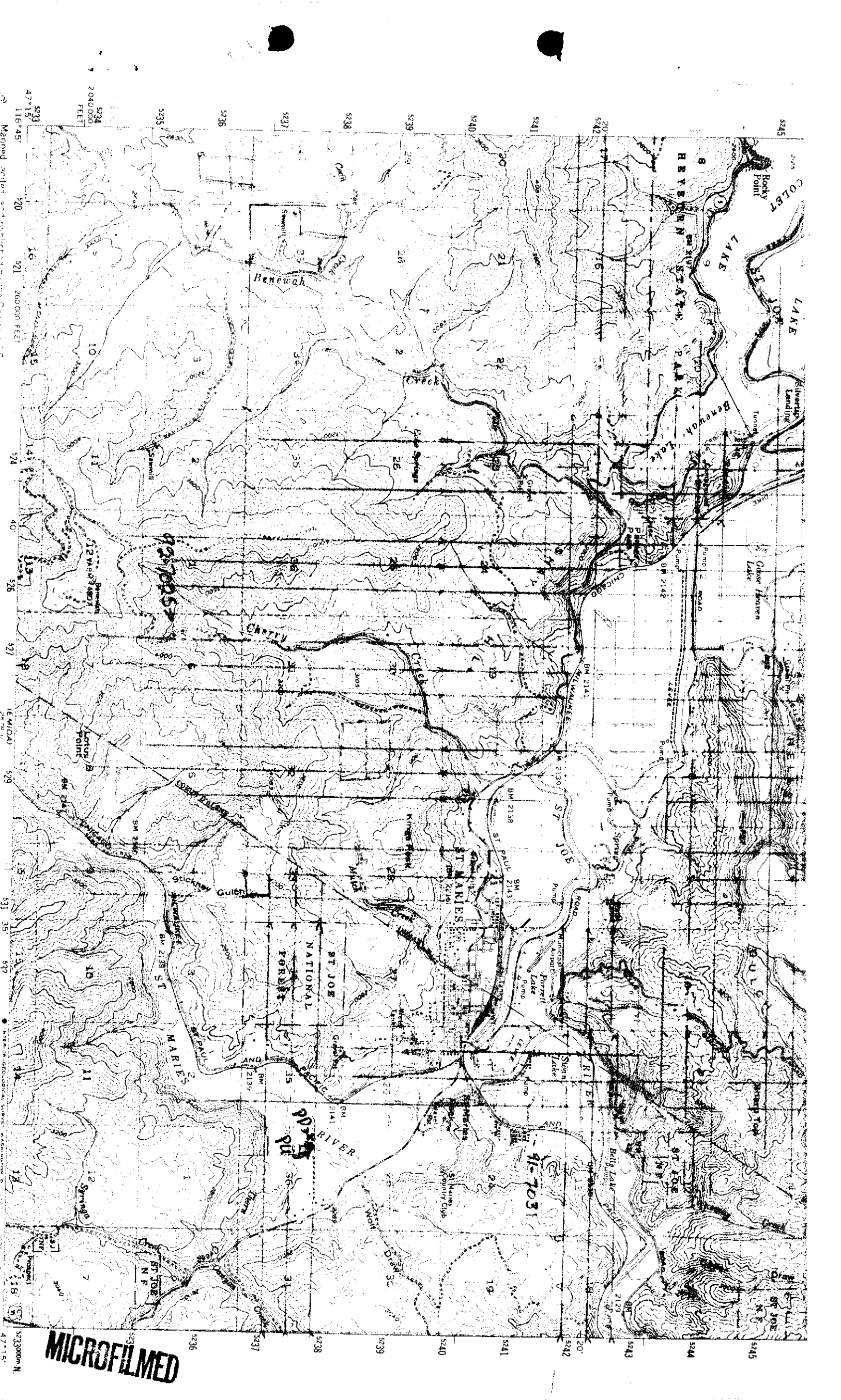
USE

Irrigation requirement = <u>3.0</u>		AFA/Acre	
Q (cfs)	V (afa)	FROM	TO
<u>0.03</u> ✓	<u>3.0</u> ✓	<u>3-15</u>	<u>11-15</u>
<u>0.02</u> ✓	<u>0.2</u> ✓	<u>1-1</u>	<u>12-31</u>
Total	<u>0.05</u>		

Remarks 7-15-81 - Found portable pump - GE 1HP Mod 5KC39RG463E with
Myers pump #460279 - For with 2" pvc to lawn sprinklers & stock tank - Found
Pump house but locked called 509-928-4878 - 7-23-81 - No Ans. letter.

No Overlapping rights
MICROFILMED

MAP (Attach Aerial Photo)



MICROFILMED

A. Kenneth Dunn
~~XXXXXXXXXX~~

July 24, 1981

Mr. Walter Fatur
11909 East 20th
Spokane, Wa. 99206

Re: 92-7038

Dear Mr. Fatur:

I have recently attempted to conduct the required examination of your irrigation system in St. Maries.

I was unable to contact anyone at the site, so could you please provide me with the tenant's name, address and telephone number so that I can set up an appointment to complete the water right licensing process.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

August 14, 1980

Mr. Walter Fatur
11909 E. 20th
Spokane, Washington 99206

RE: 92-7038

Dear Mr. Fatur:

We acknowledge receipt of your statement of completion of water development and 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 do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

T. King

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

MAILED
AUG 15 1980
FBI - COEUR D'ALENE

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 92-7035.

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

Post Office Address: _____

Tel. No. _____

Source of Water: ST MARIES RIVER

Extent of Use:

☐ Domestic		(number of households)
☒ Stockwater	<u>2 HOUSES - 5" REEL</u>	(number and type of stock)
☒ Irrigation	<u>6 1/2</u>	(acres)
☐ Other	_____	_____

Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No
Access Port:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No

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

Date _____

Walter L. Fathur
 Signature of Permit Holder

RECEIVED
JUL 14 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE



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

RECEIVED

JUL 1 1979

June 29, 1979

Department of Water Resources

Walter L. and/or Jeanette Fatur
11909 East 20th
Spokane, WA 99206

Dear Mr. and Mrs. Fatur:

One of the conditions of approval of your water Permit No. 92-7038 was that evidence of the extent of development must be submitted to this office on or before September 1, 1979. (See last page of your approved permit). Enclosed is a post card which may 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 post card 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 within 60 days.

Sincerely,

RITA FLECK
Sr. Secretary

Enc: 1

Because of illness (heart attack), the installation was only partially completed. Plastic pipe has been installed and pump purchased, but completion has been delayed.

Request delay until next spring so that I can personally complete the installation.

If delay cannot be authorized, please advise so that I can hire the work completed. I do not want to have the permit lapse.. Thank you.

W. L. Fatur
W. L. Fatur

APR 1 1979

August 27, 1979

Walter L. and/or Jeanette Fatur
11909 East 20th
Spokane, WA 99206

Dear Mr. and Mrs. Fatur:

Re: Permit No. 92-7038

Enclosed is a copy of the order extending the time within which to submit proof of beneficial use to September 1, 1981.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enclosure

MICROFILMED



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

June 29, 1979

RECEIVED

JUN 30 1979

Walter L. and/or Jeanette Fatur
11909 East 20th
Spokane, WA 99206

Department of Water Resources

OK to
extend
2 yrs
jg

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W. L. Fatur
W. L. Fatur

MICROFILMED



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

June 29, 1979

101114

Walter L. and/or Jeanette Fatur
11909 East 20th
Spokane, WA 99206

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RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

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

8 February 1978

Robert G. Haynes
Department of Water Resources
Northern Region
Route #5, Box 203, Suite 1
Coeur d'Alene, ID 83814

RE: 92-7038
Walter and/or Jeanette Fatur
Temporary Permit No. 1466

RECEIVED
FEB 9 1978
Department of Water Resources
Northern District Office

Dear Bob:

The Department of Lands has issued the above numbered temporary permit for the work proposed in your diversion application. The Department of Lands has no objections to the work proposed.

A copy of our permit is attached for your information.

Very truly yours,

DIVISION OF EARTH RESOURCES

William A. Scribner
WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

Attachment

cc: Bureau of Navigable Waters - CdA
Bureau of Lands

MICROFILMED

EQUAL OPPORTUNITY EMPLOYER



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

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TEMPORARY PERMIT

NO. 1466

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

See Exhibit A Attached.

This permit is subject to the following terms and conditions:

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

MICROFILMED

EQUAL OPPORTUNITY EMPLOYER

Temporary Permit No.

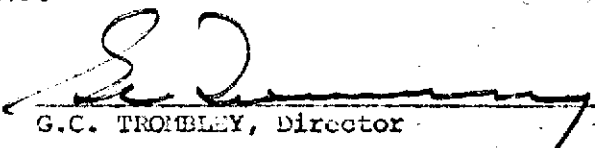
Walter L. and/or Jeanette Fatur

Page 2

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

Dated this 6th day of February, 1978.

WALTER L. and/or JEANETTE FATUR


G.C. TROMBLEY, Director

Walter L. Fatur

Jeanette L. Fatur

6-29-77

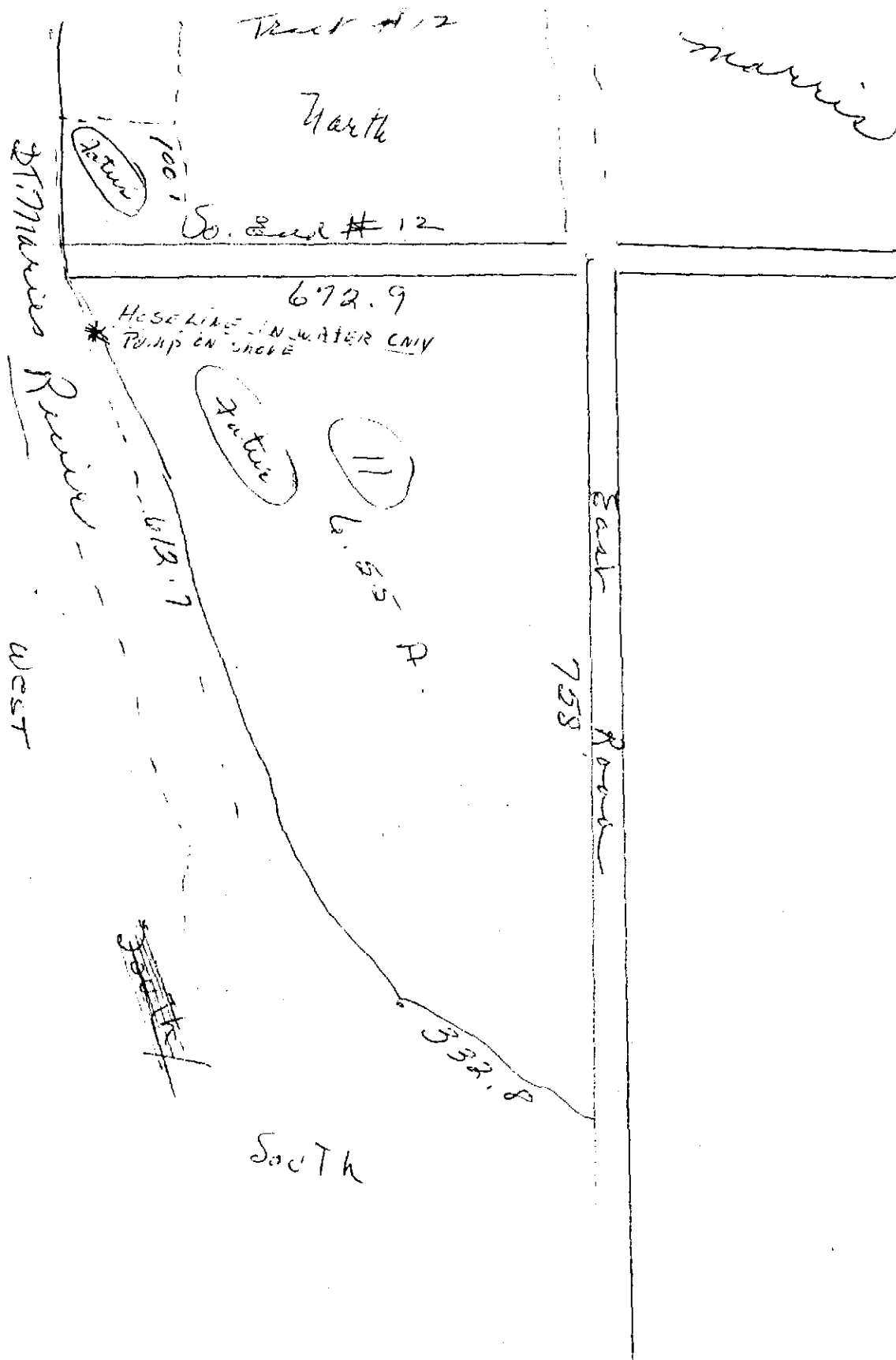
Dated

EXHIBIT A

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

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

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



August 26, 1977

Re: Permit No. 92-7038

Walter L. &/or Jeanette Fatur
11909 E. 20th
Spokane, WA 99206

Dear Mr. &/or Mrs. Fatur:

Enclosed is a copy of your approved Application for Permit No 92-7038 . 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

11/20/77

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Fatur

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

(1) JK 6-2-77

In form to receipt

(2) _____

Send Copies to:

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

(3) _____

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

(4) JK 6-2-77

^{4/12/75}
In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____ RNS

Other rights on the same place of use

(10) _____

Comments: _____

(11) SLA 7-18-77

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

(12) _____

Final date for protests 7-5-77
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

6-2-77 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of
approval

☒ No special conditions for approval

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

RECEIVED



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

June 30, 1977

RE: Correction No. 92-7038

St Maries Gazette Record
PO Box 367
St Maries, Id 83861

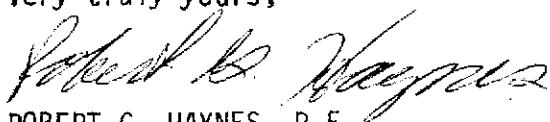
Gentlemen:

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)

no. 4909 - July 7 - July 14, (no billing)



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

June 30, 1977

RE: Correction No. 92-7038

St Maries Gazette Record
PO Box 367
St Maries, Id 83861

Gentlemen:

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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)

RECEIVED

OK SDW
7-18-77

NOTICE OF CORRECTION

Notice is hereby given that Application for Water Permit No. 92-7038 in the name of Walter L &/or Jeanette Fatur was advertised incorrectly on June 16 and June 23, 1977. The point of diversion was advertised as being within the SW1/4, Sec 36, T46N., R2W, B.M. Whereas, the actual point of diversion is within the SW1/4, Sec 36, T46N, R2W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814 on or before July 25, 1977.

C STEPHEN ALLRED
Director

Published in the St Maries Gazette Record, St Maries, Id on July 7 and July 14, 1977.

Publishers error; no second billing

RECEIVED
JUL 14 1977
ST MARIES
IDAHO



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

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ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

6 June 1977

Robert G. Haynes
Department of Water Resources
Northern District
Route #5, Box 203, Suite 1
Coeur d'Alene, ID 83814

RE: Walter L. and/or Jeanette Fatur
92-7038

Dear Bob:

Thank you for the copy of the above numbered water diversion application. The applicant will be required to make application for an easement or permit from the Department of Lands in addition to your Diversion Permit.

The applicant is being so notified.

Very truly yours,

DIVISION OF EARTH RESOURCES

WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

cc: Bureau of Navigable Waters - Rod Parker

RECEIVED
JUN 8 1977
Department of Water Resources
Northern District Office



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

June 9, 1977

RE: Application No. 95-7735 & 92-7038

St Maries Gazette Record
PO Box 367
St Maries, Id 83861

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)

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

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

11909 E 20th, Spokane, Wa

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

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

of water from the St Maries River

by means of pump & pipeline

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

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

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

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

C. STEPHEN ALLRED
Director

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

MICROFILMED

June 3, 1977

Re: Application No. 92-7038

Mr William A Scribner
Idaho Dept of Lands
Statehouse
Boise, Id 83720

Dear Bill,

Enclosed is a copy of the above referenced application which may be of interest to your agency. The applicant wishes to appropriate water from a stream which appears to be navigable.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosures