

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09034

Priority: March 26, 1999

Maximum Diversion Rate: 1.00 CFS

This is to certify, that HOYT WATER CO LLC
BRAD HOYT
8610 E MARINGO DR
SPOKANE WA 99210

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	1.00 CFS

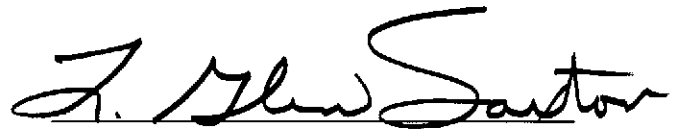
LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 8, Twp 51N, Rge 05W, B.M. KOOTENAI County
GROUND WATER	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 8, Twp 51N, Rge 05W, B.M. KOOTENAI County
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 16, Twp 51N, Rge 05W, B.M. KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 1, 2005**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Place of use is within the service area of Hoyt Water Co. as provided for under Idaho law. The place of use is generally located within Sections 8, 16 and 17, T51N, R5W.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 21st day of November, 2002


KARL J DREHER, Director
for

MICROFILMED

MAR 20 2003

RECEIVED

208 769 1454;

JUL-25-02 2:25PM;

PAGE 1/2

JUL 26 2002

IDWR/North

70070

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Receipt No. NO15161
Received By [Signature]
Date 7/26/02

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

Applicant Brad Hoyt, Hoyt Water Company Phone (509) 921-0239
Address 8610 E. Maringo Drive, Spokane, WA 99210

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-09034, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: Change point of diversion X Add point of diversion
Change place of use Change nature of use Change period of use Other

1. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 51N, Range 5W, B.M., County of Kootenai. Other points of diversion _____

2. Period and nature of use: (Irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.0 for municipal purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	5W	8															D	D	
51N	5W	17	D	D	D	D													
51N	5W	16					D	D											

Total number of acres to be irrigated = 270[±]

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated at the place of use? Subdivisions of Hoyt Ranch 2nd, 3rd, 4th Additions
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Long term lease for life of well

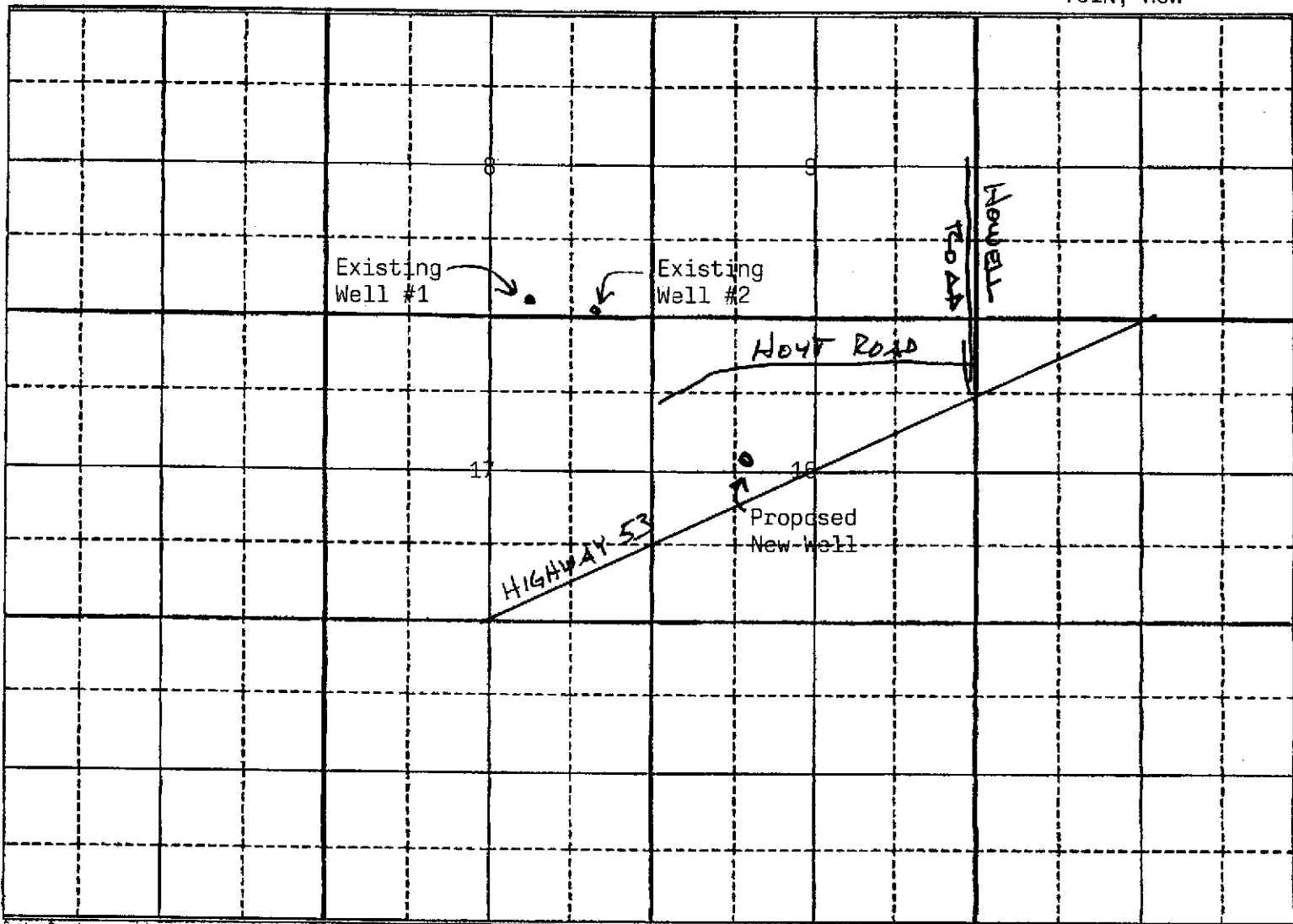
MICROFILMED

MAR 26 2003

RECEIVED

JUL 26 2002

Complete the following map by showing land and point of diversion as proposed by this amendment. IDWR/North
 Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres) T51N, R5W



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 26 day of July, 2002.

Bradley J. Hoyt *mgr*
 Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by B Publication prepared by db Date 8/7/02
 Published in CdA Press Publication dates 8/15 + 22/02 Pub. ch 8/22/02

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19____.

MICROFILMED
 SIGNATURE

JUL 26 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-09034

Priority: March 26, 1999

Maximum Diversion Rate:

1.00 CFS

This is to certify, that **BRAD HOYT**

HOYT WATER COMPANY LLC

8610 E MARINGO DR

SPOKANE WA 99210

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 8, Township 51N, Range 05W

SESE , Sec. 8, Township 51N, Range 05W

KOOTENAI County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **February 1, 2005**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. Place of use is located within the service area of Hoyt Water Company LLC.

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

9th day of March, 2000.

MICROFILMED

APR 11 2000

for *Karl J. Dreher*
Karl J. Dreher, Director

RECEIVED

JAN 31 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Brad Hoyt HOYT WATER COMPANY, LLC Phone (509) 921-0239
Mailing address 8610 E. Maringo Drive, Spokane, WA 99210
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 51N Range 5W Sec. 8, in the SW 1/4, SE 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: SE 1/4, SE 1/4, Sec. 8, T51N, R5W, B.M., Kootenai County
4. Water will be used for the following purposes:
Amount 1.0 0.30 for municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) 0.30 1.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 7.5 hp pump in each well to distribution mains
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
#1 - 300'
 - c. Proposed well diameter is both 8 inches; proposed depth of well is #2 - 520' feet
 - d. Is ground water with a temperature of greater than 85°F being sought? no
 - e. If well is already drilled, when? Feb. 99; Drilling firm United Drilling
Well was drilled for (well owner) Brad Hoyt, applicant; Drilling Permit No. #1 - D0005765
#2 - D0005766
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 50
 - e. Other; describe fully. _____

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APR 11 2001

9. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	5W	8															D	D	
51N	5W	17	D	D	D	D													
51N	5W	16																	

Total number of acres to be irrigated ± 270

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? Applicant

b. Who owns the land to be irrigated or place of use? Applicant, individual homeowners

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

12. Remarks: Wells are located on 5 acre lots that will have long term leases to the applicant for the well sites. The well site lease areas will be a minimum 50' diameter circle around the well.

* PLACE OF USE IS LOCATED WITHIN THE SERVICE AREA OF HOYT WATER COMPANY LLC.

BRAD HOYT IS THE ONLY MANAGING MEMBER OF "HOYT WATER COMPANY LLC".

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

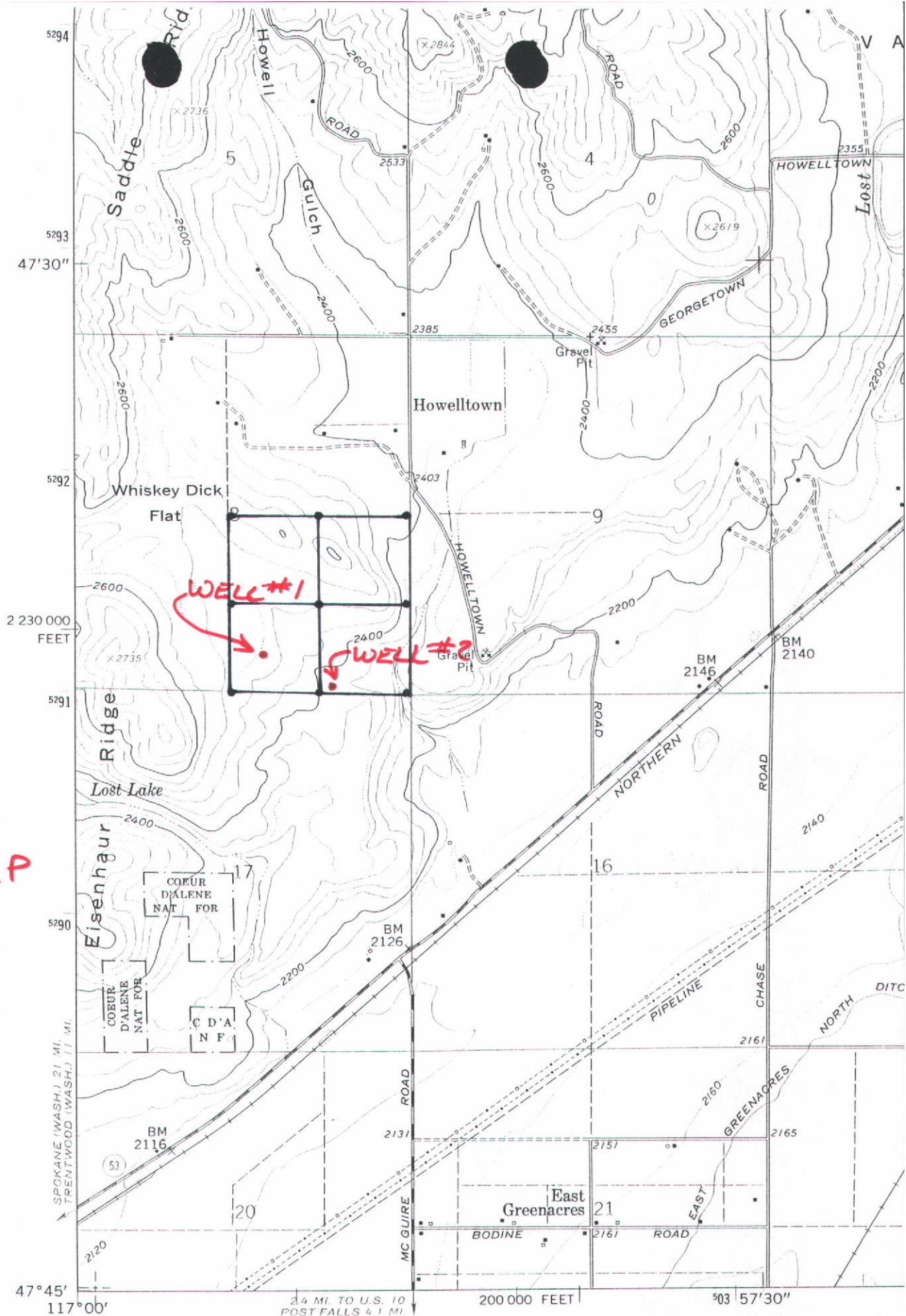
MICROFILMED

895 1 1 2001

Bradley Hoyt
Signature of Applicant (and title, if applicable)

Received by CP Date 3/26/99 Time 905a Preliminary check by BS
Fee \$ 100.00 Receipted by CP # N012700 Date 3/26/99
Publication prepared by CP Date 11/10/99 Published in CPA Press 11/18+25/99
Publication approved CP Date 12/7/99

RATHORUM
QUAD MAP



(LIBERTY LAKE)
2579 II NE

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1958. Field checked 1961

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks.

MICROFILMED
APR 11 2001

0°03'
01 MILS
20 1/2°
364 MILS

1000
1

RECEIVED

DEC - 1 2005

DEPARTMENT OF
State of Idaho

Department of Water Resources

72362

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: A. F. [Signature]

Right Number 95-9034

Applicant HOTT BLUFF WATER ASSOC.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Stream index information (reverse).
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 11/14/05
- ☒ Amendment published correctly. 11/14/05
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions RP6 WMA

By A.F. [Signature] Date 11-29-05

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 95-9034

Reviewed By: dgibson

Date: February 10, 2005

	<u>Yes</u>	<u>No</u>	
Request received timely?	X		Is delay by a government agency?
Appropriate fee	X		Is supporting documentation needed to support the file?
Additional Amount Due:			
Receipt No.:		C076581	Has the permit been involved in litigation?
Name and signature same as permit?	X		Is supporting documentation needed to support the file?
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?
Has adequate work been completed to demonstrate due diligence?	X		

Priority Calculation

Extension request received	01/27/2005	New proof due date	02/01/2010
Date proof due	- 02/01/2005		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 03/26/1999		
New priority date	= 03/26/1999		

Action Taken

Acknowledge request and extend proof deadline to 2/1/2010 based on due diligence.

Update database with address.

AMENDMENT OF PERMIT REVIEW

Review Date 11-21-02

PERMIT NO. 95-9034 NAME Clayt Water Co.

TYPE: CHANGE N/U
CHANGE P/D
ADD P/D
CHANGE P/U
CHANGE P/D & P/U
CHANGE Period of Use
ADD P/D & CHANGE P/U
OTHER
CHANGE P/D & + P/D

AREA OF CONCERN: Not A GWMA Trust/Non-trust

PROOF OF B/U RECEIVED? Yes/No Due <6 months? Yes/No

GROUNDWATER:

Drilling Permit No. - - - -;
Drilled

Swan Falls Flag _____

Conditions of Approval: 01M 046

Remarks/Comments Hu service area of Co., generally located
in Sections 8, 16 & 17, T51N, R5W.

70070
State of Idaho

Data Entered 7/26/02

ok Pub
7/26/02

Department of Water Resources

AMENDMENT ANALYSIS SHEET

RECEIVED
NOV 19 2002

INITIAL REVIEW BY: AB

Right Number

95-09034

Applicant

AOI

Department of Water Resources

Purpose of Amendment:

☐ Change point of diversion.

☒ Add diversion point(s).

☐ Increase amount.

☐ Change place of use.

☐ Other

CHECK:

☒ Description of amended point(s) of diversion.

☒ Amount, nature and period of use. If increased, delay date of priority.

☒ Description of amended places of use. If expanded, delay date of priority.

☒ Ownership of point of diversion and place of use.

☒ Map.

☒ Signature (must be permit holder).

☒ Fee.

☒ Existing water rights from the same source, amended place of use.

☒ Right number(s)

☒ Yes ☐ No Should amendment be advertised?

☒ Yes ☐ No Should date of priority be delayed? If yes, to what date?

To Admin Cda Press
8/15 + 22/02
Prepared
8/17/02

Final protest date 9/3/02

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received.

☒ Amendment published correctly.

☐ Protests processed.

☒ Approve.

☐ Deny.

Conditions

By RAH Date 11/12/2002

STATE OFFICE PROCESSING:

☐ Amendment correct and complete. By _____

Date _____

☐ Approved copy sent to applicant and to Region. By _____

Date _____

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 2/4/00

No. 95-09034 Name: Hoyt/HWC Corp. Officers Brad Hoyt = only manager member of LLC Ad ok ☒ Govt Lots

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

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

LOCATION:

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

USES:

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

BENEFICIAL USE DUE: 210112005

MISC CONDITIONS/REMARKS:

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

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

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

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON - (Per updated map)

OTHER CONDITIONS/REMARKS P/U w/in service area of Hoyt Water Co LLC.

COMMENTS

MICROFILMED

APR 11 2001

Additional documentation
of municipal provides

RECEIVED

JAN 31 2000

**II DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

WRI
WRA
DCA

Department of Water Resources

APPLICATION # 95-09034

INITIAL REVIEW

APPLICANT: HOYTBY: JBDATE: 3/26/99**ITEM REQUIRED INFORMATION**

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

*** 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: 3/26/99

(Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County**LETTERS SENT REQUESTING:**

() Dam Information () Fish Information

() Power Information () Other: N/A**INFORMATION RECEIVED:**

() Dam Information () Fish Information

() Power Information () Other: N/A**GROUNDWATER SECTION**

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	<u>D0005765</u>	Dom. Non-Dom. ☒	Paid \$ <u>75.00</u>	<u>N012606</u>	Y (☒) N ()
_____	<u>D0005766</u>	Dom. Non-Dom. ☒	Paid \$ <u>75.00</u>	<u>N012606</u>	Y (☒) N ()
_____	_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()

Groundwater management area

Critical ground water area

Well Drilling Permit required

Well Drilling Application and Fees received

Well Drilling Application approved?

Remarks: DEQ Upgrade ? for wells ?**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: _____

Publication dates and paper recorded on application | Sr. Agent initial _____

Protests received, Final protest date: 12/6/99

Measuring device required

Measuring port required

Special conditions:

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: JBDate: 1/26/00

95-09034

HOYT, BRAD
HOYT WATER COMPANY LLC
8610 E MARINGO DR
SPOKANE, WA 99210

Source: GROUNDWATER

Diversion Pt:	SWSE	Sec	8 T 51N R 05W in KOOTENAI County.
	SESE	Sec	8 T 51N R 05W in KOOTENAI County.

Use: MUNICIPAL	(	1.000 CFS)
Total Diversion:	(	1.000 CFS)

Date Filed: 3/26/1999

Place of use is located within the service area of Hoyt Water
Company LLC.

MICROFILMED

APR 11 1999