

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09316

Priority: December 20, 2006

Maximum Diversion Rate: 0.65 CFS

This is to certify, that VP INCORPORATED
HCR 61 BOX 169
BONNERS FERRY ID 83805

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	0.65 CFS

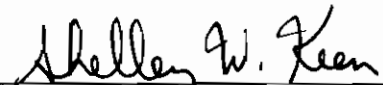
LOCATION OF POINTS OF DIVERSION:

GROUND WATER L2 (SW¼ NW¼) Sec. 31, Twp 58N, Rge 01E, B.M. BONNER County
GROUND WATER L2 (SW¼ NW¼) Sec. 31, Twp 58N, Rge 01E, B.M. BONNER County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2009**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. The right holder shall not provide water diverted under this right for the irrigation of land having appurtenant surface water rights as a primary source of irrigation water except when the surface water rights are not available for use. This condition applies to all land with appurtenant surface water rights, including land converted from irrigated agricultural use to other land uses but still requiring water to irrigate lawns and landscaping.
6. Place of use is within the area served by the public water supply system of VP Incorporated. The place of use is generally located within Sections 3 and 6, Township 57N, Range 1E; Section 2, Township 57N, Range 1W; Section 31, Township 58N, Range 1E and Section 36, Township 58N, Range 1W.
7. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
8. 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 the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 13th day of June, 2007.



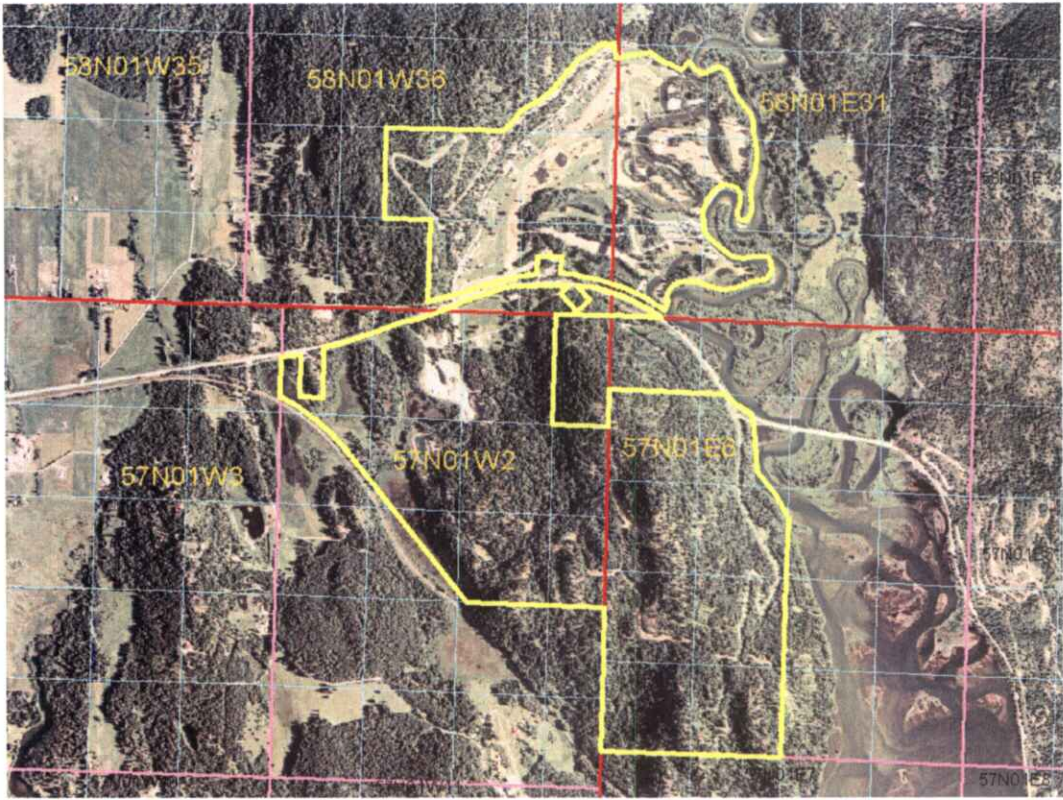
DAVID R. WUTHILL, JR., Director

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09316

Digital Boundary for V.P., Incorporated

June 13, 2007



-  Digital boundary - VP Inc.
-  Township/Range
-  Sections
-  QQ



73326

Ident. No. 96-9316

RECEIVED

APR 03 2007

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

DEC 20 2006

IDWR/North

Phone (208) 263-0581

Name of Applicant V.P. Incorporated
Mailing address HCR 61, Box 169, Business Ferry, Idaho 83805

2. Source of water supply Groundwater which is a tributary of n/a
3. Location of point of diversion is Township 58N Range 01E Sec. 31, in the SW 1/4, NW 1/4, Govt. Lot 7, B.M., Bonner County;
additional points of diversion if any: X 2 per T.C. with Scott

4. Water will be used for the following purposes:

Amount 0.65 cfs 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) 0.65 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 8" groundwater wells with 6" submersible pumps.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet

c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? _____; Drilling firm _____;

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 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. Hidden Lakes Subdivision and The Idaho Club

d. Domestic; show number of households. Up to 600 residential units

e. Other; describe fully. Clubhouse, recreation facilities for the Idaho Club.

3. 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	
58N	01W	36			M	M					M				M	M	M	M	
58N	01E	31							M	M	M	M	M	M					
57N	01W	02	M	M	M	M	M	M		M					~~M~~	~~M~~			
57N	01E	06			M		M	M	M	M	M	M	M	M					
57N	01E	03	M																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 96-9060, 96-862511. a. Who owns the property at the point of diversion? V.P. Inc.b. Who owns the land to be irrigated or place of use? V.P. Inc., Pond Oreille Basin Development, Private Ownersc. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Subdivision of land served by a public water system.

12. Remarks: _____

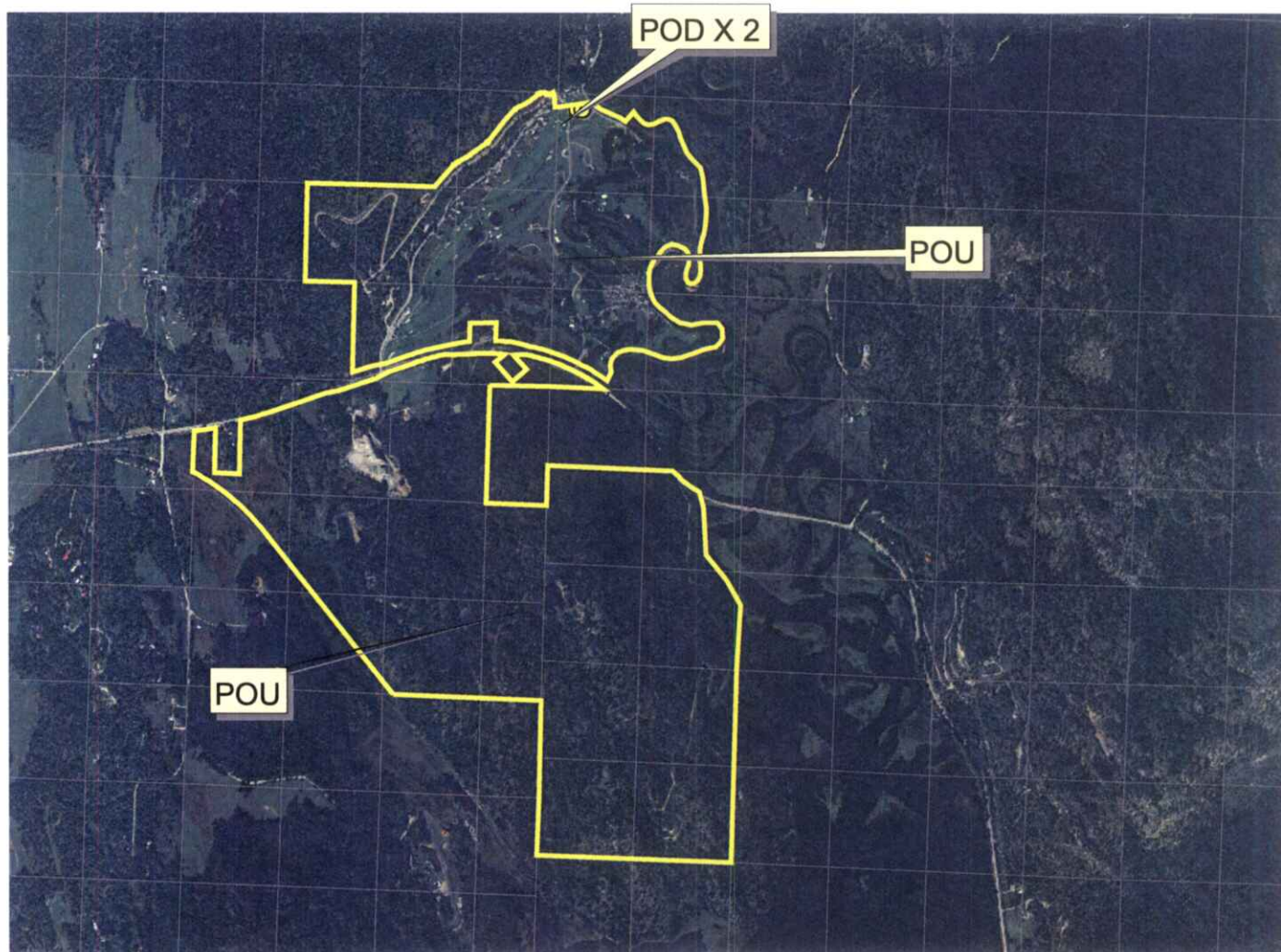
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

V.P. Inc.
Richard Villedelli, President
 Signature of Applicant (and title, if applicable)

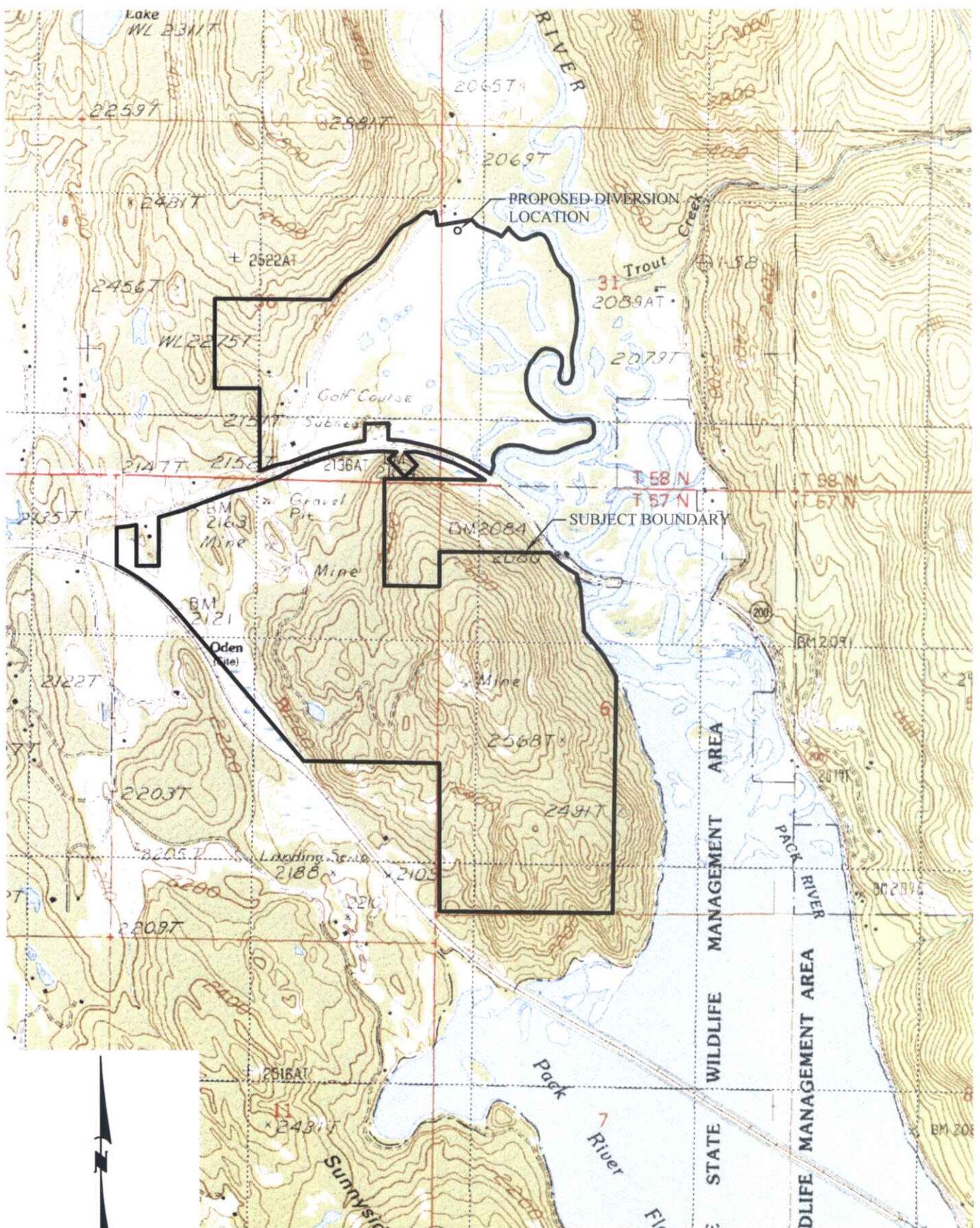
Received by [Signature] Date 12/20/06 Time 1:46p Preliminary check by [Signature]
 Fee \$ 250.00 Receipted by [Signature] # N 018085 Date 12/20/06 3/14/07
 Publication prepared by [Signature] Date 2/9/07 Published in Bonner Co Daily Bee 2/9/07
 Publication approved [Signature] Date 3/9/07

96-9316



-  Vp_inc_boundary.shp
-  GCDB58N01W GCDB
-  GCDB58N01E GCDB
-  GCDB57N01W GCDB
-  GCDB57N01E GCDB
-  Foster.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp





PLACE OF USE BOUNDARY
IDAHO CLUB
V.P. INCORPORATED
BONNER COUNTY, ID

TOOTHMAN-ORTON ENGINEERING CO.
ENGINEERS • SURVEYORS • PLANNERS
WEST 280 PRAIRIE AVENUE • COEUR d'ALENE, IDAHO 83815
PHONE: 208-762-3644 • FAX: 208-762-3708
E-FILE: J:\05128\USGS.DWG DATE: 1/16/07 JOB: 05128

State of Idaho

Department of State

CERTIFICATE OF INCORPORATION OF

VP, INCORPORATED
File number C 106766

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of the above named corporation, duly signed pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated: June 23, 1994



Pete T. Cenarrusa
SECRETARY OF STATE

By *[Signature]*

RECEIVED
SEC. OF STATE

JUN 23 AM 11 16

ARTICLES OF INCORPORATION

OF

VP, INCORPORATED

IDAHO SECRETARY OF STATE
19940623 0900 90913 2
CX #: 6178 QJBT# 341
CORP
120.00= 120.00

: C

The undersigned, acting as Incorporator of a Corporation under the Idaho Business Corporation Act, adopts the following Articles of Incorporation for such Corporation.

ARTICLE INAME

The name of the Corporation is VP, Incorporated.

ARTICLE IIPURPOSE

The purpose or purposes for which the Corporation is organized are to transact all lawful business for which corporations may be organized under the Business Corporation Act of the State of Idaho.

ARTICLE IIIDURATION

The period of duration of the Corporation is perpetual.

ARTICLE IVSHARES

The total authorized stock of the Corporation is 10,000 shares of common stock, having a par value of \$1.00 per share.

ARTICLE VNON-CUMULATIVE VOTING

The shareholders shall not have the right of cumulative voting

ARTICLES OF INCORPORATION - 1

shareholders, shall be vested in the Board of Directors. The Bylaws may contain any provisions for the regulations and management of the affairs of the corporation not inconsistent with law or these Articles of Incorporation as the same may be amended from time to time.

ARTICLE X

INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS

The corporation shall have the right to enter into such agreements and arrangements with its directors, officers, employees and agents to provide for their indemnification while acting for and on behalf of the Corporation, pursuant to Idaho Code §30-1-5.

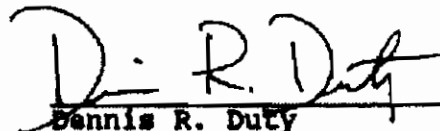
ARTICLE XI

INCORPORATOR

The name and business address of the Incorporator is as follows:

<u>Name</u>	<u>Address</u>
Dennis R. Duty	218 Cedar Street Sandpoint, Idaho 83864

IN WITNESS WHEREOF, the undersigned Incorporator of the above-named Corporation, has hereunto signed these Articles of Incorporation on this 21ST day of June, 1994.


Dennis R. Duty

as provided by Idaho Code §30-1-33(d).

ARTICLE VI

PREEMPTIVE RIGHTS

The shareholders of the Corporation shall have no preemptive right, by virtue of Idaho Code §30-1-26, to buy, purchase or acquire stock issued or to be issued by the Corporation.

ARTICLE VII

REGISTERED OFFICE

The address of the initial registered office is 218 Cedar Street, Sandpoint, Idaho 83864. The initial registered agent at that address is Roberta A. Bostock.

ARTICLE VIII

DIRECTORS

The initial Board of Directors shall consist of two directors, and the names and addresses of the persons who shall serve as directors until the first annual meeting of shareholders or until their successors can be elected and qualified are:

<u>Name</u>	<u>Address</u>
Barbara J. Huguenin	218 Cedar Street Sandpoint, Idaho 83864
Richard A. Villelli	HCR 61, Box 169 Bonners Ferry, Idaho 83805

ARTICLE IX

BYLAWS

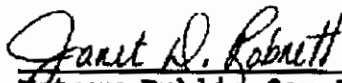
The initial Bylaws of the Corporation shall be adopted by the Board of Directors. The power to alter, amend or repeal the Bylaws or adopt new Bylaws, subject to repeal or change by action of the

ARTICLES OF INCORPORATION - 2

STATE OF IDAHO)
 : ss.
County of Kootenai)

On this 21st day of June, 1994, before me, Janet D. Robnett, the undersigned Notary Public, personally appeared Dennis R. Duty, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

(SEAL)



Notary Public for Idaho
Residing at Coeur d'Alene
Commission Expires: 4/26/97

V8110400007P100

ARTICLES OF INCORPORATION - 4

**STARTING
LEFT
SIDE OF
FILE**

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

June 15, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

VP INCORPORATED
HCR 61 BOX 169
BONNERS FERRY ID 83805

RE: Permit No. 96-9316

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

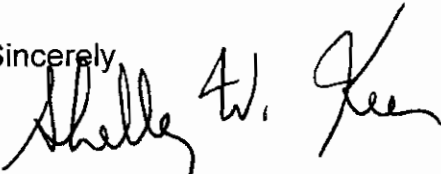
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen, Manager
Water Right Permits Section

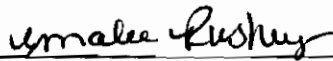
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person listed below:

RE: WATER RIGHT NO. 96-9316

**VP INCORPORATED
HCR 61 BOX 169
BONNERS FERRY ID 83805**

A handwritten signature in cursive script, reading "Emalee Rushing", is written over a horizontal line.

**Emalee Rushing
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

M E M O R A N D U M

Date: June 13, 2007
To: Water Right File 96-9316
From: eretelle
Re: permit review

No WD or moratorium

No protests

No overlap - 96-8622 surface water irrigation is for a golf course adjacent to the subdivision.

Recommend approval as suggested by IDWR Northern

LEGAL NOTICE

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

96-9314

JAMES O GILBERTSON

NELLIE J GILBERTSON

217 CEDAR ST. NO. 230

SANDPOINT ID 83864

Point(s) of Diversion SESE S11 T59N R02W BONNER County

Source PACK RIVER - Tributary To PEND OREILLE RIVER

Use: - IRRIGATION 04/01 To 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 01/11/2007

Place Of Use: IRRIGATION

T59N R02W S11 SWSE SESE

Number of Acres 7.4

96-9316

VP INCORPORATED

HCR 61 BOX 169

BONNERS FERRY ID 83805

Point(s) of Diversion(2) L2 (SWNW) S31 T58N R01E BONNER Co.

Source GROUND WATER

Use: - MUNICIPAL 01/01 To 12/31 0.65 CFS

Total Diversion: 0.65 CFS

Date Filed: 12/20/2006

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 03/19/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director

Legal SNP# 8471

March 1, 8, 2007

RECEIVED

MAR 09 2007

IDWR/North

SCANNED

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 09 2007
IDWR/North

STATE OF IDAHO)

) ss.

County of Bonner)

Shenlyn Jones, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

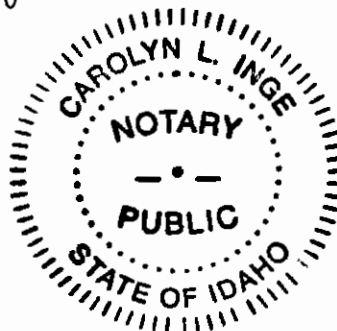
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 1 day of Mar, 2007, and ending on the 8 day of Mar, 2007.

Sheriff Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 8 day of March, 2007.

Carolyn L. Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8/12



*See reverse
for legal*

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

96-9314

JAMES O GILBERTSON
NELLIE J GILBERTSON
217 CEDAR ST. NO. 230
SANDPOINT ID 83864

Point(s) of Diversion SESE S11 T59N R02W BONNER County

Source PACK RIVER - Tributary To PEND OREILLE RIVER

Use: - IRRIGATION 04/01 To 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 01/11/2007

Place Of Use: IRRIGATION

T59N R02W S11 SWSE SESE

Number of Acres 7.4

96-9316

VP INCORPORATED

HCR 61 BOX 169

BONNERS FERRY ID 83805

Point(s) of Diversion(2) L2 (SWNW) S31 T58N R01E BONNER County

Source GROUND WATER

Use: - MUNICIPAL 01/01 To 12/31 0.65 CFS

Total Diversion: 0.65 CFS

Date Filed: 12/20/2006

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 03/19/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director Published Mar.1 & 8, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Interim Director

February 22, 2007

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9314 and 96-9316

Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, March 1 and 8, 2007, (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 03/19/2007. Your cooperation is appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, February 22, 2007 9:14 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Cc: Franklin, Keith
Subject: Legal notice for publication March 1 & 8, 2007

Good morning, Sheri,

Thanks for your call notifying me that our legal did not publish 2/15 & 22 as requested. I'm sorry you have been ill, but thankful you are back now.

Attached is our NEW cover letter requesting publication on March 1 & 8, 2007. The NEW legal notice is also attached.

Again, please fax a proof to me at 208-762-2819, and if you have ANY questions, call me at 208-762-2800.

Thanks for **ALL** your wonderful help. I truly mean it when I say you are super to work with, and I appreciate all your good work, and your pleasant manner. You are a jewel.

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815
Phone (208)762-2800 FAX (208)762-2819*



CoverLetter
2-22-07 BCDB e-ma.



LegalNotice
2-22-07 BCDB e-ma.



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 22, 2007

VP INCORPORATED
HCR 61 BOX 169
BONNERS FERRY ID 83805

RE: Application for Permit No 96-9316

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

Due to an error on the newspaper's part, the legal notice scheduled for February 15 and 22, 2007 did not get into the paper. Therefore we have prepared another legal notice of the application and it is now scheduled for publication in the Bonner County Daily Bee on March 1 and 8, 2007. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

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

96-9314

JAMES O GILBERTSON

NELLIE J GILBERTSON

217 CEDAR ST. NO. 230

SANDPOINT ID 83864

Point(s) of Diversion SESE S11 T59N R02W BONNER County

Source PACK RIVER - Tributary To PEND OREILLE RIVER

Use: - IRRIGATION 04/01 To 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 01/11/2007

Place Of Use: IRRIGATION

T59N R02W S11 SWSE SESE

Number of Acres 7.4

96-9316

VP INCORPORATED

HCR 61 BOX 169

BONNERS FERRY ID 83805

Point(s) of Diversion(2) L2 (SWNW) S31 T58N R01E BONNER County

Source GROUND WATER

Use: - MUNICIPAL 01/01 To 12/31 0.65 CFS

Total Diversion: 0.65 CFS

Date Filed: 12/20/2006

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 03/05/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Interim Director Published Feb. 15 & 22, 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Interim Director

February 09, 2007

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9314 and 96-9316

Please FAX proof copy before this goes to press, to 762-2819
Thanks, Dianne

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 03/05/2007. Your cooperation is appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 09, 2007 9:18 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication 2/15 and 2/22/2007

Good morning, Sheri,

Attached, once again, you will find our cover letter requesting publication of a legal notice, this one for publication on February 15 and 22, 2007. The legal notice is also attached.

As usual, please FAX a Proof prior to publication - to 208-762-2819

If you have **any** questions, please call me at 208-762-2800

Thanks ever so much. You are soooo good!! - it is ALWAYS a pleasure to work with you.

Have a very happy day.

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815
Phone (208)762-2800 FAX (208)762-2819*



CoverLetter
2-09-07 BCDB e-ma.



LegalNotice
2-09-07 BCDB e-ma.



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

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NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 09, 2007

VP INCORPORATED
HCR 61 BOX 169
BONNERS FERRY ID 83805

RE: Application for Permit No 96-9316

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Bonner County Daily Bee on February 15 and 22, 2007. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N018085

Franklin, Keith

From: Keen, Shelley
Sent: Monday, January 22, 2007 1:17 PM
To: Franklin, Keith
Subject: FW: Minicipal boundary CAD

Keith,

See below for a link to the large-POU file you asked us to convert from CAD format.

Shelley

-----Original Message-----

From: Ciscell, Michael
Sent: Monday, January 22, 2007 2:15 PM
To: Keen, Shelley
Subject: RE: Minicipal boundary CAD

Well, that took quite a bit longer than I thought. The shapefile is in \\dwr750\pccommon vp_inc_boundary

-----Original Message-----

From: Keen, Shelley
Sent: Monday, January 22, 2007 8:26 AM
To: Ciscell, Michael
Subject: Minicipal boundary CAD

<< File: VP Inc Boundary.dwg >>

**TOOTHMAN-ORTON ENGINEERING
COMPANY**

Consulting Engineers and Planners

W. 280 Prairie Ave.
Coeur D'Alene, ID 83815
PHONE: (208) 762-3644
FAX: (208) 762-3708

TO:
Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

IDENTIFICATION NUMBER

Date January 17, 2007	Job No. 05128
ATTENTION Keith Franklin	
RE: V. P. Incorporated – Water Right Application	
RECEIVED JAN 17 2007 IDWR/North	

WE ARE SENDING ☒ Attached ☐ Under separate cover _____ the following

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☒ Specifications
☐ Copy of letter ☐ Change ☒ Application _____

COPIES	DATE	NO.	DESCRIPTION
1	1/16/07		Application for Permit to Appropriate Public Waters w/ Revised P.O.U. Description
1	1/16/07		Revised Site Map
1	1/17/07		CD – AutoCAD Boudary

THESE ARE TRANSMITTED as checked below

☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review comment ☐ _____
☐ FOR BIDS DUE _____ 20 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Keith:

Attached is the project boundary on CD as requested in your letter dated January 2, 2007. I have also revised the site map and Place of Use description in the application to reflect some minor changes in the boundary. Please feel free to contact me if you have any questions or need further information. Thank you.

COPY TO File _____

SIGNED: Scott McNee, P.E.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 2, 2007

V.P. Incorporated
HCR 61, Box 169
Bonners Ferry, Idaho 83805

Re: Application For Permit to appropriate the Public Waters of the State of Idaho.

Gentlemen:

The Idaho Department of Water Resources is in receipt of your application. Before processing begins, would you please supply the department with a copy of a CD disk that accurately describes the boundary of your project that can be transposed to the department's application process? Also, since you are applying for a municipal permit, you will need to submit your Public Water Supply Number (PWS#), as issued by the Department of Environmental Quality.

If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Cc. Scott McNee, P.E., Toothman-Orton Engineering Co.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 96-9060

WATER RIGHT NUMBER: 96-9060

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VILLELLI ENTERPRISES ET AL HCR 61 BOX 169 BONNERS FERRY, ID 83805 (208)267-5595

Priority Date: 10/31/2000

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.350 CFS	
	<u>Total Diversion:</u>	0.350 CFS	

Location of Point(s) of Diversion

GROUND WATER	L2 (SW1/4NW1/4)	Sec. 31, Twp 58N, Rge 01E, B.M.
BONNER County		

Place of UseConditions of Approval:

1. Place of use is within the service area of Golden Tee Estates/Villelli Enterprises, Inc.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
4. 01M 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. 26A 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.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 96-9060

Permit Proof Due Date: 5/1/2008
Permit Proof Made Date:
Permit Approved Date: 5/15/2001
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 96-8625

WATER RIGHT NUMBER: 96-8625

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SUN MOUNTAIN INC
Current Owner	, ZZ V P INC 218 CEDAR ST SANDPOINT, ID 83864 (208)263-3184

Priority Date: 12/23/1990

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.200 CFS	
IRRIGATION	5/01 to 9/30	0.300 CFS	
<u>Total Diversion:</u>		0.500 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4NW1/4	Sec. 31, Twp 58N, Rge 01E, B.M.
BONNER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N	01E	31						3.0											3.0
58N	01W	36	4.0			4.0									4.0	4.0	4.0	4.0	24.0

Total Acres: 27

DOMESTIC same as IRRIGATIONConditions of Approval:

- 03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Domestic use is for 90 homes.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 96-8625

4. 26A 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.

Remarks:Comments:

1. VAULT 2/8/1996 Lapse Notice Sent

Comment: Lapse Notice Sent

2. VAULT 4/2/1996 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Permit Proof Due Date: 2/1/1996

Permit Proof Made Date: 4/1/1996

Permit Approved Date: 2/20/1991

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Field Exam Date: 9/24/1997

Date Sent to State Office: 1/23/1998

Date Received at State Office: 1/27/1998

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

**TOOTHMAN-ORTON ENGINEERING
COMPANY**

Consulting Engineers and Planners

W. 280 Prairie Ave.
Coeur D'Alene, ID 83815
PHONE: (208) 762-3644
FAX: (208) 762-3708

TO:
Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

ATTENTION: Mr. Keith Franklin

Date
December 18, 2006

Job No.
05128

ATTENTION
Keith Franklin

RE:
V. P. Incorporated – Water Right Application

RECEIVED
DEC 20 2006
IDWR/North

WE ARE SENDING ☒ Attached ☐ Under separate cover _____ the following

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☒ Specifications

☐ Copy of letter ☐ Change ☒ Application

COPIES	DATE	NO.	DESCRIPTION
1	12/18/06		Application for Permit to Appropriate Public Waters
1	11/1/06		Site Map
1	6/23/94		V. P. Incorporated Registration w/ Secretary of State
1	12/18/06		Application Fee (Check No. 003212, \$250.00)

THESE ARE TRANSMITTED as checked below

☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval

☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution

☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints

☐ For review comment ☐ _____

☐ FOR BIDS DUE _____ 20 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Keith:

Please see the attached application and map for a Water Right Permit for V.P. Inc. to serve the Idaho Club. PWS #1090195 has been assigned to this water system. Please feel free to contact me if you have any questions or need further information. Thank you.

COPY TO File

SIGNED: Scott McNee, P.E.

