

EXHIBIT  
A

R.I.E.

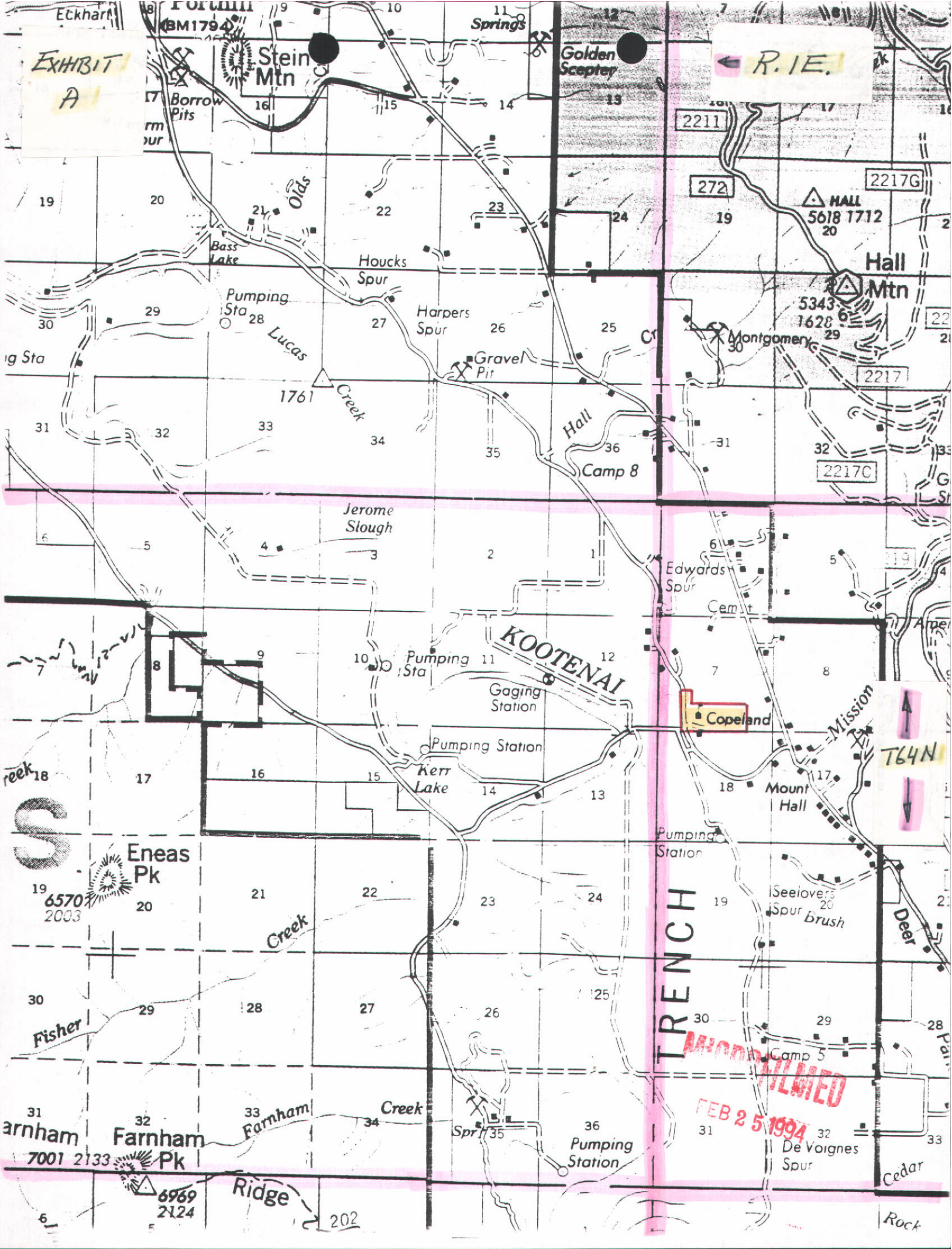


**EXHIBIT  
B**

221  
6.1.4  
75.66  
AZI  
Ripstein, M.

270  
Iversen  
Ripstein, M.

1812  
Ripstein, M.

1811  
Ripstein, M.

1810  
Ripstein, M.

1813  
Curless, D.

2012  
Meyer, L.  
6.1.7  
38.02

2010  
Dillon, P.

2011  
Dillon, P.

2410  
Brooks, H.

1611  
Dillon, P.

1610  
Dillon, P.

3150  
Guthrie, J.

5412  
39.12  
4050  
Parker, H.

4210  
Chisholm, J.

1411  
Wicks, C.

1810  
Dillon, P.

7

4811  
Hammann, J.

5100  
Hammann, J.

5560  
Curless, P.

6.1.3  
39.12

5460  
Smith, V.S.N.

6.1.4  
39.51

6411  
2410  
Flynn, S.

6650  
Smith, J.

**MICROFILMED**

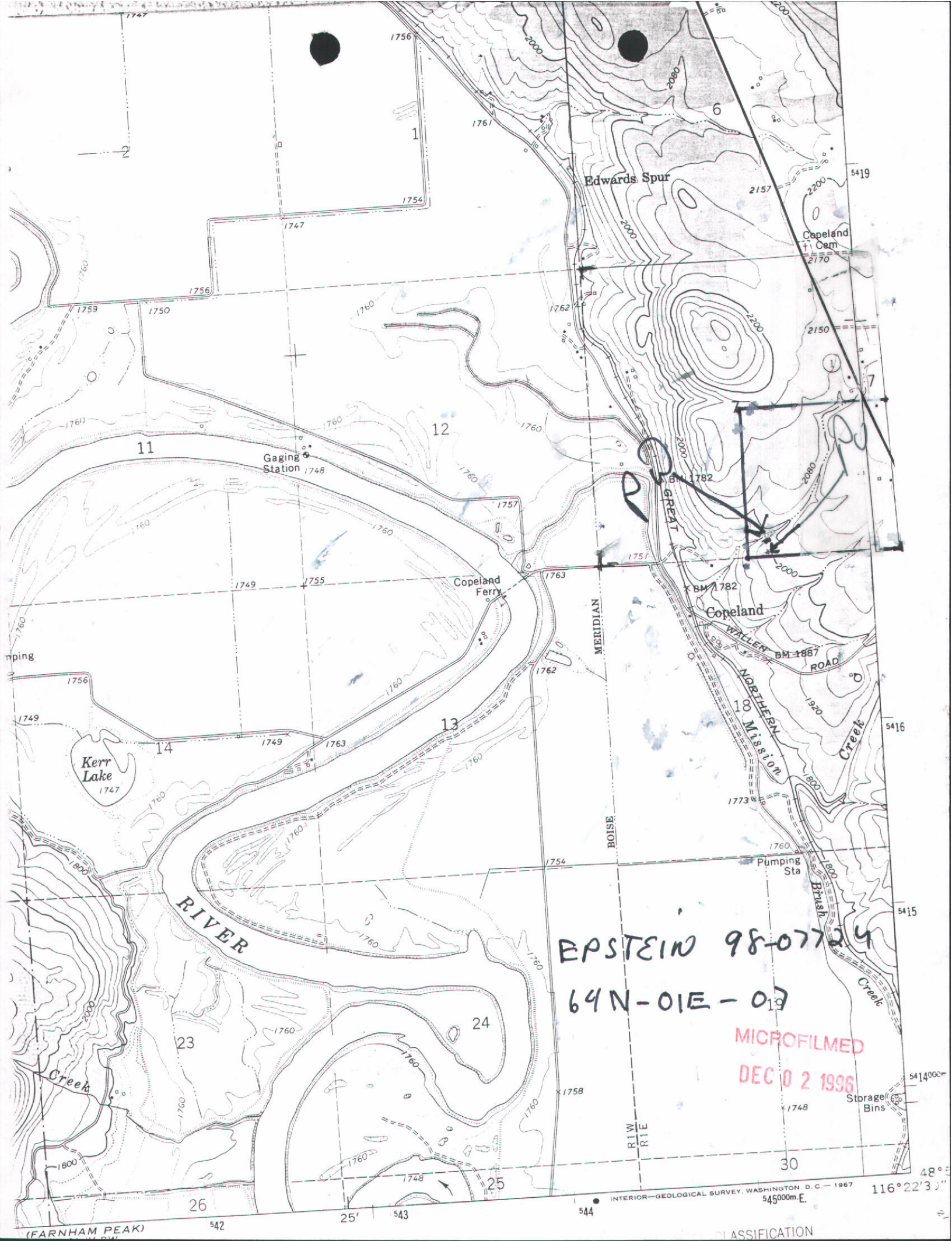
**FEB 25 1994**

5411  
Dillon, P.

5560  
Wicks, C.

6600  
Robert, D.S.M.

5560  
Dillon, P.



PERMIT # \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT SUPPLEMENT



Spring Development  
x  
Storage  
3000 gal



PV  
domestic

EPSTEIN

98-07724

MICROFILMED

DEC 02 1996

State of Idaho  
Department of Water Resources

AMENDED

# WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 98-07724

Priority: October 29, 1993

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JACOB M EPSTEIN

PO BOX 1671

BONNERS FERRY ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 29, 1993; and has submitted Proof of Beneficial Use on November 17, 1995. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 1.2 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SWSWSE , Sec. 7, Township 64N, Range 01E  
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 01E 7

SWSE

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24<sup>TH</sup> day of OCTOBER, 1996.

MICROFILMED

SEP 13 1998

Acting for KARL J. DREHER, Director

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 98-07724

Priority: October 29, 1993

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JACOB M EPSTEIN

PO BOX 1671

BONNERS FERRY ID 83805

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 29, 1993; and has submitted Proof of Beneficial Use on November 17, 1995. An examination indicates that the works have a diversion capacity of 0.010 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.01 CFS                 | 1.2 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SWSWE , Sec. 7, Township 64N, Range 01E  
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 01E 7

SWSE

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30<sup>TH</sup> day of SEPTEMBER, 1996

MICROFILMED

DEC 02 1996

  
Acting for KARL J. DREHER Director

RECEIVED

NOV 17 1995

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 98-07724 Telephone No. 208-267-2489

2. Name(s) of Permit Holder(s): JACOB M. EPSTEIN

3. Mailing Address: PO BOX 1671 BONNERS FERRY, ID 83805

4. Source of Water: SPRING If **GROUNDWATER** (well), Date Drilled: mo. \_\_\_\_\_ / yr. \_\_\_\_\_

a. Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

b. **OPTIONAL:**  
Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): \_\_\_\_\_

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): \_\_\_\_\_

Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR \_\_\_\_\_ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

**Measuring Device:** Is a measuring device required? Yes \_\_\_\_\_ or No ✓

Has the measuring device been installed? Yes \_\_\_\_\_ or No \_\_\_\_\_

**Flow Measurement Port:** Is a flow measurement port required? Yes \_\_\_\_\_ or No ✓

Has the measurement port been installed? Yes \_\_\_\_\_ or No \_\_\_\_\_

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: JACOB M. EPSTEIN Telephone Number: 208-267-2489

Address: PO BOX 1671 BONNERS FERRY, ID 83805

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Jacob M. Epstein **RECEIVED** 11-10-95  
(include your title, if on behalf of company or organization)

JAN 31 1996

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 98-07724

Proposed Priority: October 29, 1993 Maximum Diversion Rate: 0.04 CFS

This is to certify, that JACOB M EPSTEIN  
91 W JANSS RD  
THOUSAND OAKS CA 91360  
has applied for a permit to appropriate water from:

SPRING tributary of SINKS

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> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|          |                |          |
|----------|----------------|----------|
| DOMESTIC | 01/01 to 12/31 | 0.04 CFS |
|----------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION: SWSWE , Sec. 7, Township 64N, Range 01E  
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

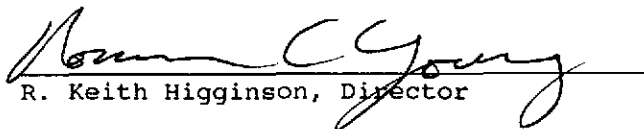
64N 01E 7 SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1996.
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. Domestic use is for 1 home.

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

28<sup>TH</sup> day of DECEMBER, 1993.

  
R. Keith Higginson, Director

**MICROFILMED**

FEB 25 1994

**RECEIVED**  
DEC 17 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 98-7724

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant JACOB M. EPSTEIN Phone 805-499-8192

Post office address 91 W. JANSSE RD THOUSAND OAKS, CA 91360

2. Source of water supply SPRING which is a tributary of N/A

3. Location of point of diversion is SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_

Sec. 7 Township 64 N Range 1 E B.M. BOUNDARY County; additional

points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from PERMANENT DOMESTIC USE to 12/31 (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)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. APPROPRIATE DOMESTIC  
SPRING HOUSE, PUMP AND PIPES.

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ 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) \_\_\_\_\_

7. Time required for the completion of the works and application of the water to be proposed beneficial use is  
2 years (minimum 1 year).

NO  
FEB 25 1994



The map displays a section of Idaho with the Kootenai River flowing from the north and the Trench River flowing from the south. Towns such as Stein Mtn, Golden Scepter, Hall Mtn, and Copeland are marked. The map is overlaid with a grid numbered 1-36 and lettered A-J. A large 'S' is drawn on the left side, and a 'T64N' line is marked on the right. A date stamp 'FEB 25 1994' is visible in the bottom right corner.

EXHIBIT  
B

421  
Rip... J.M.

14850  
Wester...

211  
6.2.6  
75.46

132  
Rip...

1311  
Rip...

17.5  
Rip...

Edwards

140  
Curless, D.

1312  
Meyer, D.  
5.1.7  
38.52

6110  
Dillon, P.

1411  
Rip...

2110  
Brooks, H.S.L.

1611  
Dillon, P.

1610  
Dillon, P.

3150  
Guthrie...

5420  
30.12  
A060  
P... T...

4210  
Chish...

1411  
W...

1310  
1.5.4.

7

5560  
Curless, P.  
6.1.3  
39.12

5410  
Guthrie...

4211  
1310  
H...

5103  
H...

5460  
Amth, V.M.

61.4  
1954

1751

6111  
4410  
Alv...

6110  
Amth...

MICROFILMED

FEB 25 1994  
Dillon, P.

5560  
Wider...

5600  
Robert, D.S.M.

5560  
Wider...

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

1- EXHIBIT A LOCATES PROPERTY ON USDA  
FOREST SERVICE MAP

2- EXHIBIT B LOCATES APPROXIMATE AREA OF EXPECTED  
SPRING DIVERSION FOR DOMESTIC USE

RECEIVED  
FEB 25 1994

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.

Jacob M. Epstein 10-25-93  
 (Applicant)  
 Mary L Epstein

FEB 25 1994

RECEIVED

e. Other:

- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

19

- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

# ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by \_\_\_\_\_ Date 12/29/93 Time 1:30 PM Preliminary check by \_\_\_\_\_  
Fee \$ 30.88 Received by \_\_\_\_\_ # N7116 Date 12/29/93  
Publication prepared by \_\_\_\_\_ Date 11/10/93 Published in \_\_\_\_\_  
Publication approved by \_\_\_\_\_ Date 12/3/93



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 25, 1996

JACOB M EPSTEIN  
PO BOX 1671  
BONNERS FERRY ID 83805

RE: WATER RIGHT NO. 98-07724 - AMENDED LICENSE

Dear Mr. Epstein:

Enclosed is a copy of the amended Water Right License issued on the above referenced permit reflecting a change that increased the diversion rate of 0.02cfs based on the information you provided. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen  
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED  
DEC 02 1996

# MEMORANDUM

RECEIVED

OCT 23 1996

DATE: October 18, 1996

FROM: Allen Beardslee

Department of Water Resources

TO: Keen

RE: Revising Diversion Rate for License # 98-07724

~~~~~  
The attached letter from Mr. Epstein appears reasonable and acceptable.

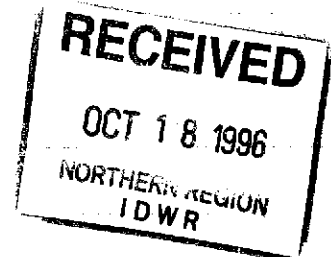
We do not have a problem with increasing the diversion rate from 0.01 CFS to 0.02 CFS, based on the information provided in Mr. Epstein's letter.

MICROFILMED

DEC 8 1996

PO Box 1671  
BOWNERS FERRY, ID 83805  
208-267-4216  
OCT. 15, 1996

IDAHO DEPT. OF WATER RESOURCES  
1910 NORTHWEST BLVD., SUITE 210  
COEUR D'ALENE, ID 83814



Re: PERMIT No 98-07724

DEAR MR BEARDSLEE

PER OUR DISCUSSION THIS MORNING (10-15-96), I AM PROVIDING THE RESULTS OF MY SPRING TO RESERVE TANK TRANSFER MEASUREMENTS WHICH SUBSTANTIATE AN ACTUAL DIVERSION RATE GREATER THAN THAT ESTIMATED BY THE WATER RESOURCES COMPUTER MODEL AS FOLLOWS:

|                                     |             |
|-------------------------------------|-------------|
| DATE OF TEST:                       | 10-14-96    |
| RESERVE TANK FILL FACTOR:           | 45 GAL/IN   |
| CHANGE IN RESERVE TANK WATER DEPTH: | 28 IN       |
| ELAPSED TIME:                       | 150 MIN     |
| MEASURED DIVERSION RATE:            | 8.4 GAL/MIN |

IN LIGHT OF THESE RESULTS, I WOULD APPRECIATE YOUR HELP IN OBTAINING A REVISED LICENSE, INCREASING THE MAXIMUM DIVERSION RATE FROM .01 CFS TO .02 CFS, A CHANGE WHICH WOULD MORE ACCURATELY REFLECT THE TRUE DIVERSION RATE OF THE EXISTING SYSTEM.

MICROFILMED  
DEC 1 1996

Yours Truly,  
J.M. Epstein



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

September 30, 1996

JACOB M EPSTEIN  
PO BOX 1671  
BONNERS FERRY ID 83805

RE: WATER RIGHT NO. 98-07724

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:ph

Enclosure

RECEIVED  
OCT 1 1996

# LICENSE REVIEW CHECKLIST

PERMIT NO. 98-07724

DATE 9/9/96

REVIEWER: S H A R L A

NAME Change OK

Address Change No - blue form had new addrs.

SOURCE Change OK

Is change clarification of originally intended source? Yes  
If not, prepare Notice of Intent to Void Yes

POINT OF DIV Change OK

Amendment required No

PLACE OF USE Change OK

Amendment required No

Does map agree with written description? Yes no

OVERLAPS Yes P/D Yes P/U

## RATE OF DIV

Permitted Rate .04 cfs

Fee limit .20 cfs \$5000

Measured .01 cfs

Theoretical \_\_\_\_\_ cfs

1" pipe @ 5 fps = .03 cfs

.33 x 8.8 x .7 / 50 (2.31 x 25) = .01  
Recommended Total Div Rate .01 cfs

## ANNUAL VOLUME/ NATURE OF USES

Change OK

Use Dom.

Volume Calculation

1.2 standard af

\_\_\_\_\_ af

\_\_\_\_\_ af

\_\_\_\_\_ af

\_\_\_\_\_ af

SUBTOTAL 1.2 af

Flow rate .01 cfs X 365 days X 1.98 = 7.2 af

Total volume recommended 1.2 af

(SUBTOTAL or Flow Rate, whichever is less)

## REMARKS

1/1 home.

CONDITIONS Yes Watermaster Control WD# \_\_\_\_\_

Yes GW Measurement/Measuring Device

Yes Overlap

Yes Use-specific conditions

Advancement of Priority Date Required Yes no

SRBA Claim Filed N/A

Adjustment Memo \_\_\_\_\_

1st Amend Letter N/A

2nd Amend Letter N/A

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**RECEIVED**  
JUN 22 1996

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 98-07724

1. Owner: Jacob M. Epstein Phone No. 208-267-4216

Current Address: P.O. Box 1671 Bonanza Ferry Id. 83805

2. Accompanied by: Jacob Epstein EXAM DATE: 6-27-96

Address: Same as above Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Spring tributary to sinks

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: \_\_\_\_\_

2. Other water rights with the same point of diversion: \_\_\_\_\_

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4       | 1/4       | 1/4       | Sec.      | Twp.       | Rge.       | County          | Method of Determination/Remarks |
|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|-----------------|---------------------------------|
|           | <u>NA</u> | <u>SW</u> | <u>SW</u> | <u>SE</u> | <u>07</u> | <u>64N</u> | <u>01E</u> | <u>Boundary</u> | <u>U.S.G.S. 7.5 min Quad</u>    |
|           |           |           |           |           |           |            |            |                 |                                 |
|           |           |           |           |           |           |            |            |                 |                                 |
|           |           |           |           |           |           |            |            |                 |                                 |

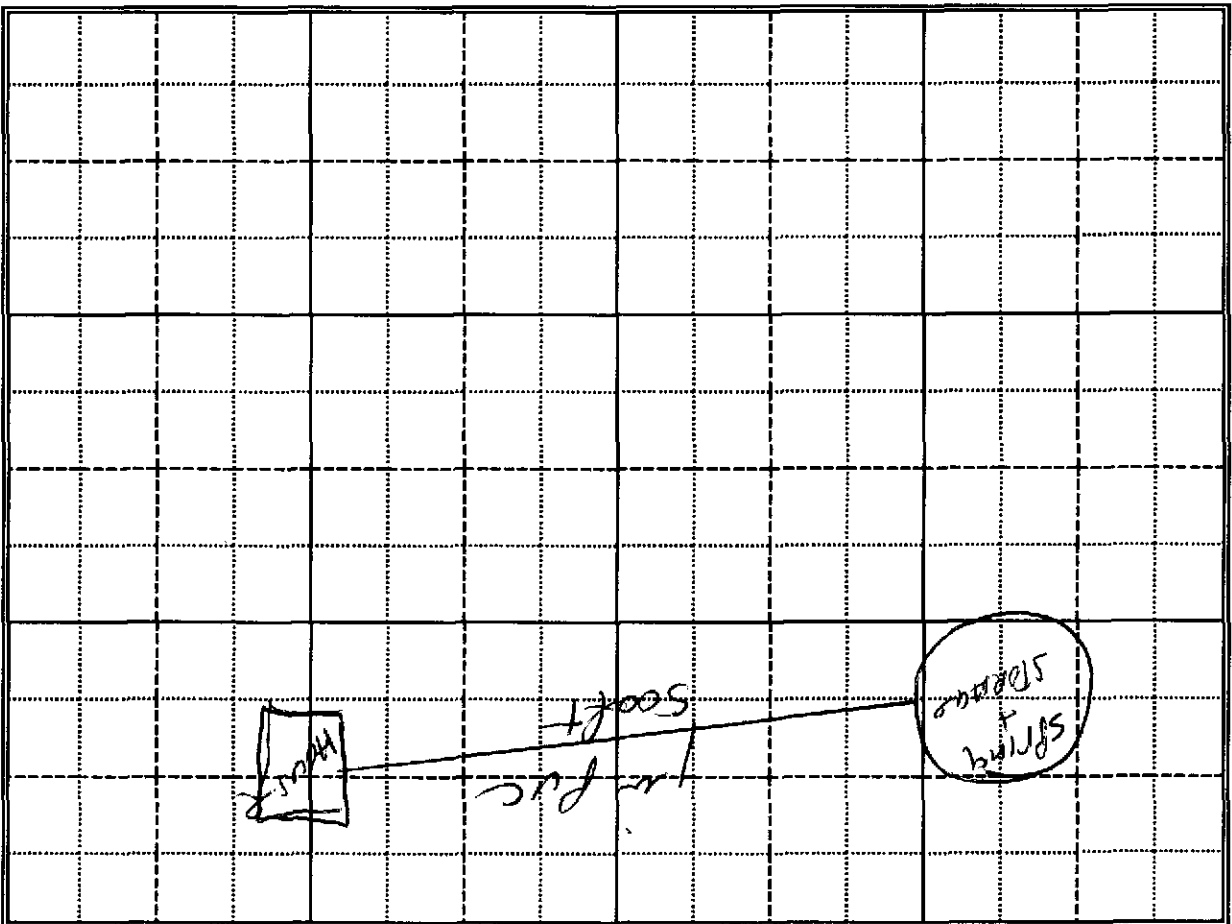
2. Place(s) of Use:

Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 64N | 01E | 07  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | D  |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

RECORDED  
JUL 02 1996

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).  
Aerial Photo Attached (required for irrigation of 10+ acres)  
Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp  | Motor Serial No. | Pump Make   | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|-------------|-----------------------------------|
|                                       | FRANKLIN   | 1/3 |                  | Submersible |                                   |
|                                       |            |     |                  |             |                                   |
|                                       |            |     |                  |             |                                   |

\*Code to correspond with No. on map and aerial photo

## D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

## 2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS.

Spring collection holds approx 3000 gal  
a 1/3 hp. submersible pump delivers  
from storage to house

Have conditions of permit approval been met? Yes ☐ no

MICROFILMED

DEC 5 2 638

**Measured Method:**

Additional Computation Sheets Attached

Spad bucket Spade n. lose

$$10 = \frac{60}{5 \times 133681}$$

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V_{IR} = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

## 2. Volume Calculations for Other Uses:

## H. RECOMMENDATIONS

## 1. Recommended Amounts

## Beneficial Use

Pompeii

**From**

10-10

Period of Use  
To

7-31

Rate of Diversion

**Q (cts)**

10.

Annual Volume

(a) V

57

## 2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

Add P.D. as reflected above

Add P.U. as reflected above

**None**

Other

**Totals:**

10.

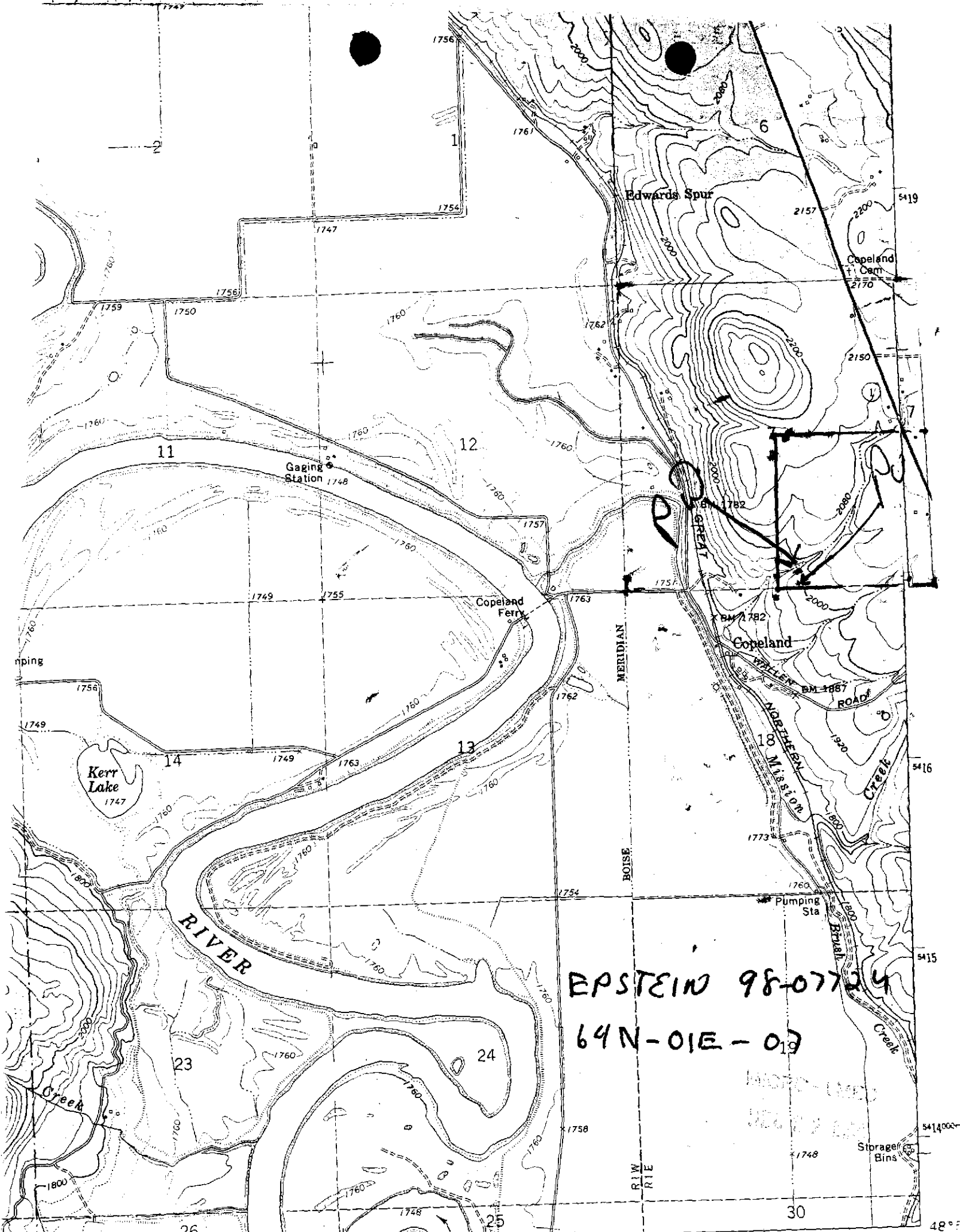
12

## I. AUTHENTICATION

Field Examiner's Name \_\_\_\_\_

Date: \_\_\_\_\_

SEAL



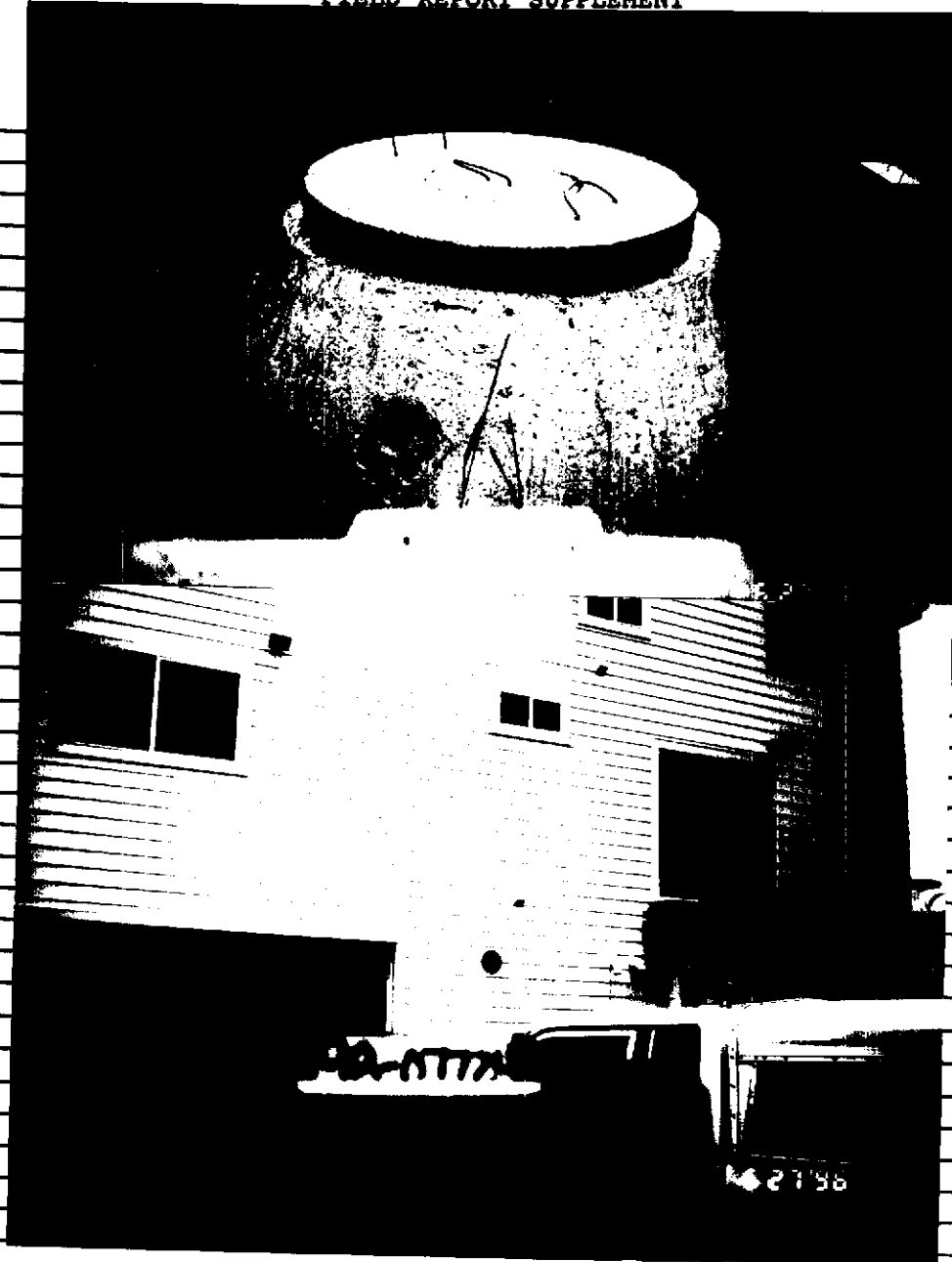
EPSTEIN 98-07724  
64N-01E-019

(FARNHAM PEAK)

CLASSIFICATION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT SUPPLEMENT

PERMIT #



Spring Development  
x  
Storage  
3000 gal

PO  
domestic

EPSTEIN

98-07724

DEC 9 2 1998

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 98-07724 Reviewed by [Signature] Date 11-29-95

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?

Dom.

no Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

**SOURCE OF WATER**

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No. \_\_\_\_\_

☒ Amount paid for permit

\_\_\_\_\_ Correct?

☒ Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?

no Required?

50.00 Amount Submitted

☒ Installed?

yes Correct?

\_\_\_\_\_ Waiver requested?

**PRIORITY CALCULATION**

Date proof received \_\_\_\_\_

Date proof due \_\_\_\_\_

No. of days late \_\_\_\_\_

Priority Date \_\_\_\_\_

New Priority Date \_\_\_\_\_

**DEFICIENCIES OR ACTION ITEMS**

Proof acceptable

**DATA ENTRY**

New Address PO Box 1671  
Bonniers Ferry 83805

Proof Made 11-17-95



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

November 29, 1995

JACOB M EBSTEIN  
PO BOX 1671  
BONNERS FERRY ID 83805

**PROOF ACKNOWLEDGEMENT LETTER**

**RE:** PERMIT NO. 98-07724

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning the field examination, please feel free to contact the NORTHERN Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

RECEIVED

JAN 31 1996

October 31, 1995

JACOB M EPSTEIN  
PO BOX 1671  
BONNERS FERRY ID 83805

PROOF DUE NOTICE

RE: PERMIT NO. 98-07724

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

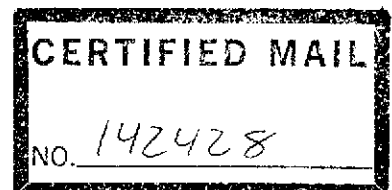
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

RECEIVED  
OCT 31 1995



OCT. 2, 1995

STATE OF IDAHO  
DEPT. OF WATER RESOURCES  
1301 N. ORCHARD ST.  
BOISE, ID 83720-9000

RECEIVED  
OCT 11 1995  
Department of Water Resources

WORK ON THE ATTACHED PERMIT HAS BEEN  
COMPLETED. PLEASE ADVISE WHAT  
PROOF MUST BE PROVIDED TO MEET CONDITION  
No. 1.

SINCERELY,  
J.M. Epstein

PO Box 1671  
BONNERS FERRY, ID 83805  
208-267-2489

MICROFILMED

JAN 31 1996

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

RECEIVED

JUN 01 1995

Department of Water Resources

NO. 98-07724

Proposed Priority: October 29, 1993

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JACOB M EPSTEIN

~~91 W JANSS RD~~

~~THOUSAND OAKS CA 91360~~

has applied for a permit to appropriate water from:

SPRING

tributary of SINKS

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

Computer  
updated 8/8/95  
SC

LOCATION OF POINT(S) OF DIVERSION:

SWSWSE, Sec. 7, Township 64N, Range 01E  
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

64N 01E 7

SWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1996.
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. Domestic use is for 1 home.

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

28<sup>TH</sup> day of DECEMBER, 1993.

WORK HAS BEEN  
COMPLETED ON  
THIS SPRING —

DOMESTIC USE WILL  
BEGIN ABOUT 1 OCT 1995  
JAN 31 1996

*R. Keith Higginson*  
R. Keith Higginson, Director

PLEASE ADVISE  
NEXT STEP JUL 5-30-95

proof due notice  
will soon be sent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

January 20, 1994

JACOB M EPSTEIN  
91 W JANSS RD  
THOUSAND OAKS CA 91360

RE: Permit No. 98-07724

Dear Mr. Epstein:

I recently received your letter dated January 6, 1994, seeking an explanation of 'prior water right'. Condition no. 2 on your permit reads "Subject to all prior water rights.". This condition is a standardized condition for permits in order that they conform to Section 42-106, Idaho Code. For your reference, I have enclosed a photocopy of that statute.

In the case of your permit, the source of water is identified as a spring that sinks before leaving your property. A search of the water right database was inconclusive in identifying any prior water rights that overlap this same spring or your point of diversion or place of use that may affect the development and use of your permit.

If you have any further questions, please feel free to contact me directly at 327-7944.

Sincerely,

CINDY ZIMMERMAN  
Water Resource Agent

Enclosure

DEC 15 1994

RECEIVED  
JAN 10 1994  
Department of Water Resources

Jan 6 1994  
91 W. Janss Rd  
THOUSAND OAKS CA  
91360

STATE OF IDAHO  
DEPT OF WATER RESOURCES

REF Permit No 9B-07724

DEAR MR JOHNSON:

I WOULD APPRECIATE YOUR HELP IN AN EXPLANATION  
OF WHAT "PRIOR WATER RIGHTS" MEANS WITH RESPECT  
TO THE REF. PERMIT. IF SUCH RIGHTS EXIST  
MAY I RECEIVE A DESCRIPTION OF THEM AND  
AN EXPLANATION OF HOW THEY WILL AFFECT THE  
DEVELOPMENT AND USE OF THE PERMITTED SPRING.

SINCERELY

Jim. Stein

DEC 15 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 29, 1993

JACOB M EPSTEIN  
91 W JANSS RD  
THOUSAND OAKS CA 91360

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07724

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED  
FEB 25 1994

FEB 25 1994

APPLICATION FOR PERMIT  
STATE OFFICE REVIEW

Application #: 98-7724 Date: 12/21/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes \_\_\_\_\_  
SYSTEM COMPLETED:  
No - 26A-P17  
Complete in 1 year - P16  
Yes  
Proof not submitted - P16  
Proof submitted - NA  
GROUNDWATER:  
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR  
- 0.2 cfs - NMR <flow chart>  
Drilling Permit:  
Included w/permit - Permit No. \_\_\_\_\_, P99  
Existing well - N/A (if drilled before 7/1/87)  
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)  
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>  
LOCATION:  
Water District - WD No. \_\_\_\_\_  
Surface water - 005 (req) 01J-P08 <flow chart>  
(doesn't sink) or 01H-P01 <flow chart>; NMR  
Groundwater - P05 (if well has not been drilled)  
In stream channel - 030 (stream channel alteration)  
Irrigation Dist. - 023  
Canal Co. Areas - 023  
Drainage Districts - 024  
Flood Control Dist. - 063  
Boise Front (63) - 058 (Groundwater temperature)  
Swan Falls Flag - 3 <See condition code chart>  
Trust - 051-052-053-P74 (Consumptive Uses), NA  
Non Trust <1> - 048-049 (Consumptive Uses), NA  
RIVER BASINS (Surface): Water District Control Condition (005) &....  
Boise (63) - 05A (req), 11E (non-domestic use), NA  
Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA  
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA  
USE:  
Fish Propagation - 010/06A/09E-P10(WQ) & 07A-042 (req)  
044 (N 1000 Spr)  
Irrigation - 803 (if GW use SW 1st) (+5A do POU comp.), NA  
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;  
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09  
Mining - 06A/010/09E-P10 & 054 (req)  
Storage (✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' dam), NA  
Domestic (surface) - 021(Boise R + L Peak), 27A(Payette R), NA  
OWNERSHIP:  
Non land owner - 004 (P/D or P/U)  
PROTESTED:  
Prehearing agreement - 020  
OTHER CONDITIONS: -  
REMARKS: - ① W01(1)  
\_\_\_\_\_  
\_\_\_\_\_  
BENEFICIAL USE DUE: - 1-1-1996  
COMMENTS: - ① Div Desc.

DATE: 12/21/93  
PAGE: 1

Audit: 12/21/93 ZIMMERMAN

No. a  
4/87-06/92n

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED  
DEC 17 1993

APPLICATION # \_\_\_\_\_

Department of Water Resources

\*\*\*\*\* INITIAL REVIEW \*\*\*\*\*

APPLICANT: EPSTEIN BY: BS DATE: 10/28/93

ITEM REQUIRED INFORMATION

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

\*\*\* Send info sheet Y( ) N( )

ADDITIONAL INFORMATION

Yes No

- X Field check: by \_\_\_\_\_  
+ Field report attached  
+ Analysis Supp. attached(>5cfs/500af)  
+ Water delivered by water master?  
Water District # \_\_\_\_\_

PROCESSING

Yes No

PRIORITY DATE: 10/28/93

X (Include Moratorium Remark)

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

ADVERTISE IN: \_\_\_\_\_ 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 \*\*\*\*\*

(Yes) ( No)

Checked by: \_\_\_\_\_ Date: 1/1/

Remarks: \_\_\_\_\_

- X Groundwater management area  
+ Critical ground water area  
+ Well Drilling Permit required  
+ Well Drilling Application and Fees received  
+ Well Drilling Application approved?  
Well Drilling Application Number \_\_\_\_\_

\*\*\*\*\* FINAL REGIONAL PROCESSING/REVIEW \*\*\*\*\*

(Yes) ( No)

- \_\_\_\_ Notice of pending void order issued. Final order response date: 1/1/  
\_\_\_\_ 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 BS  
+ Protests received. Final protest date: 12/6/93  
\_\_\_\_ Measuring device required  
\_\_\_\_ Measuring port required  
\_\_\_\_ Special conditions: \_\_\_\_\_  
\_\_\_\_ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BS

Date: 12/8/93

ss.

County of Boundary,

DAVID KEYES being first duly sworn on oath  
deposes and says that he/she is PUBLISHER  
of the Bonners Ferry Herald, a newspaper printed and  
published at Bonners Ferry, Boundary County, Idaho; that  
the said newspaper has been continuously and  
uninterruptedly published in said Boundary County during  
a period of 12 months prior to the first publication of the  
hereto attached notice of publication in the case of:

LEGAL# 2615

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 17 day of November, 19 93  
and ending on the 24 day of November, 19 93  
and that said notice was published in said newspaper.

Dated: 12/1/93  
Dail Hays

Subscribed and sworn to before me this 1 day  
of December, 19 93.

Kimela G. Haworth  
Notary Public for Idaho

Residing at BONNERS FERRY

My Commission expires: 11/08/97

**NOTICE OF APPLICATION FOR  
WATER RIGHT**

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

**98-07723**

**ROULEAN, JEFFREY**

**ROULEAN, NANCY**

**PO BOX 288**

**PONDERAY, ID 83852**

Source: **SPRING Tributary:**  
**SINKS**

Diversion Pt: **NESE Sec 17 T 63N**  
**R 02E in BOUNDARY County.**

Use: **DOMESTIC**  
**(.040 CFS)**

Total Diversion: **(.040 CFS)**

Date Filed: **11/3/1993**

In: **BOUNDARY County**

**T63N R02E S17 NESE**

**98-07724**

**EPSTEIN, JACOB M**

**91 W JANSS RD**

**THOUSAND OAKS, CA 91360**

Source: **SPRING Tributary:**  
**SINKS**

Diversion Pt: **SWSWSE Sec 7 T**  
**64N R 01E in BOUNDARY County.**

Use: **DOMESTIC**  
**(.040 CFS)**

Total Diversion: **(.040 CFS)**

Date Filed: **10/29/1993**

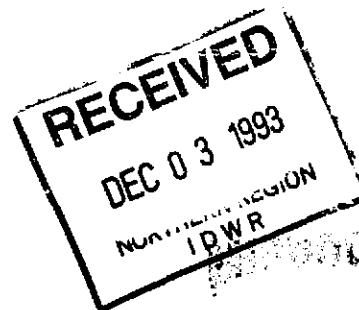
In: **BOUNDARY County**

**T64N R01E S07 SWSE**

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit (s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before **DECEMBER 6, 1993.**

**R. KEITH HIGGINSON, Director**  
**BFH#2615 November 17, 24, 1993**



**FEB 25 1994**

November 12, 1993

Mr. Jacob M. Epstein  
91 W. Janss Rd.  
Thousand Oaks, Ca. 91360

Dear Mr. Epstein:

Subject: Water Application for Permit Number 98-7724.

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N7116. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resource Agent

Enc. - Receipt

FEB 25 1994

98-07724

EPSTEIN, JACOB M  
91 W JANS RD  
THOUSAND OAKS, CA 91360

Source: SPRING

Tributary: SINKS

Diversion Pt: SWSWSE Sec 7 T 64N R 01E in BOUNDARY County.

Use: DOMESTIC ( .040 CFS)

Total Diversion: ( .040 CFS)

Date Filed: 10/29/1993

In: BOUNDARY County  
T64N R01E S07 SWSE

FEB 23 1994