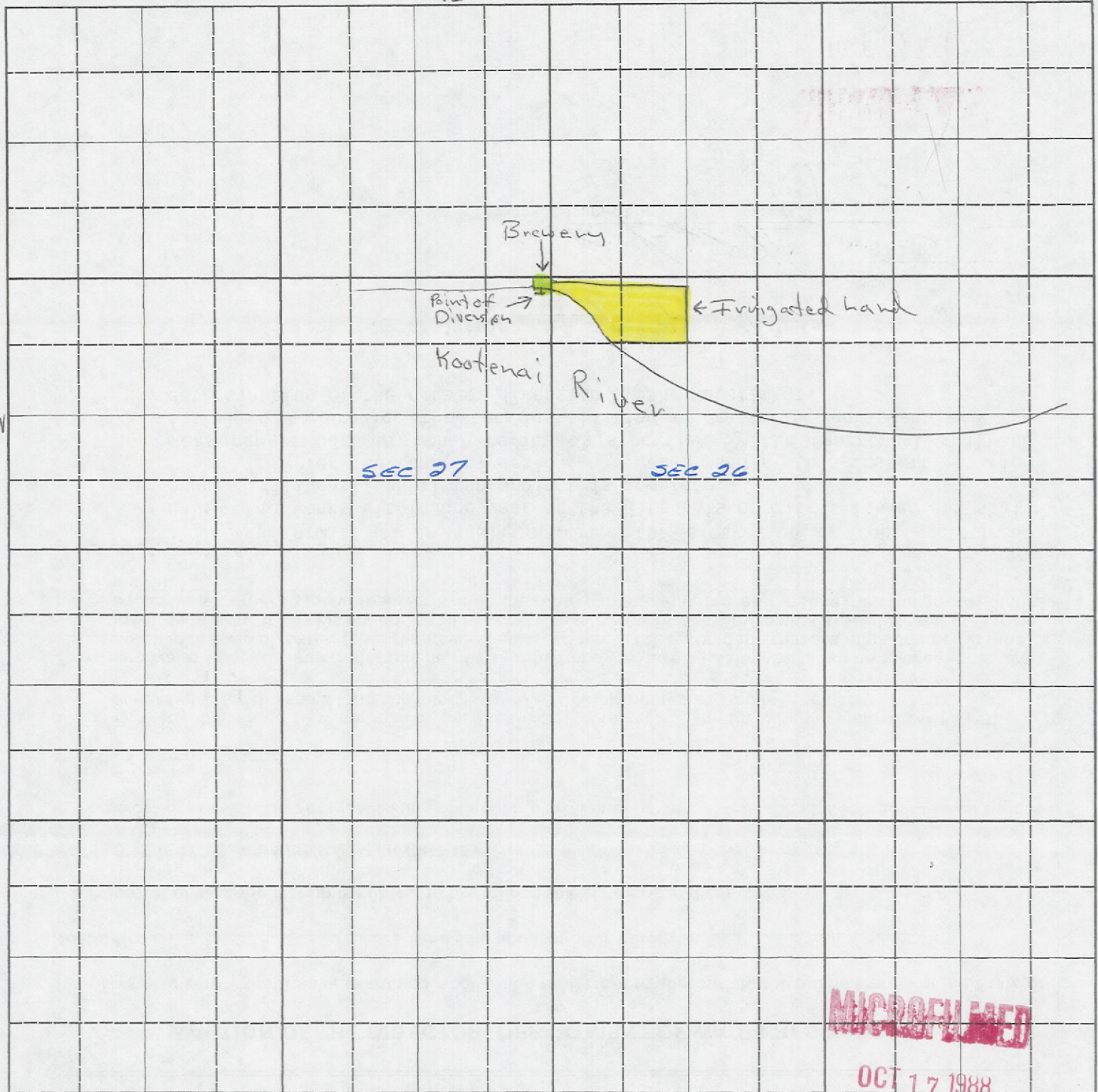


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

1E



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.

PANHANDLE BREWING COMPANY, INC.

By:

*Richard A. Villelli*

(Applicant)

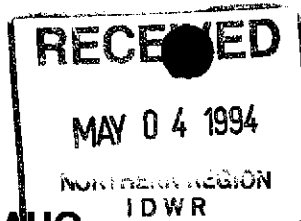
Richard A. Villelli

PRESIDENT

IN THE MATTER OF PERMIT NO. 98-07639

IN THE NAME OF PANHANDLE BREWING CO. INC.

DEC 15 1994



OFFICE USE ONLY  
Amt. of Fee \$ 125.00  
Date 5/4/94  
Receipt No. N7607  
Receipt by RJC

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 98-7639 Telephone No. 208 267-7625  
2. Name(s) of Permit Holder(s): Panhandle Brewing Company, Inc  
3. Mailing Address: HCR 61 Box 169, Bonners Ferry, ID. 83805  
4. Source of Water: Kootenai River

If GROUNDWATER, Well Driller's Name: \_\_\_\_\_ Date Drilled: \_\_\_\_\_

OPTIONAL:

Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use (as authorized by the permit):

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

Irrigation 60 (No. of acres) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted 1.2 cfs OR \_\_\_\_\_ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? \_\_\_\_\_ Yes ☒ No \_\_\_\_\_ Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Flow Measurement Port: Required? ☒ Yes \_\_\_\_\_ No \_\_\_\_\_ Installed? ☒ Yes ☒ No \_\_\_\_\_

Please waive.  
The department  
thought pipe was 30"  
however it was 3"

8. Fee Enclosed: \$ 125 (See License Fee Schedule on back of Instruction Sheet)

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

Dick U. Uelli 267-5595  
Name Telephone No.

1111 S. Main Bonners Ferry ID. 83805  
Address

10. The above information 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.

4-29-94  
Date

Rick U. Uelli, President  
Signature (and title, if on behalf of a company or organization)

DEC 15 1994

RECEIVED

MAR 10 1993

Department of Water Resources

For Office Use Only  
\$15 Fee Received by ju  
Date 3-10-93  
Receipt No. C026948

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 98-07639

Name(s) of Permit Holder: Panhandle Brewing Co. Inc.

Mailing Address: HCR 61 Box 169 Bonners Ferry, Id. 83805

Date Proof is Due May 1, 1993 Telephone No. 208 267 5595

Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

Pads for pump have been installed, Pipe & pump purchased,  
Agreement to supply power has been reached.

Costing \$ 1,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We have been waiting to Co-ordinate sprinkler system with  
County park adjacent. County and city have been slow. We are  
proceeding this year with or without them.

Permit holder(s) request an extension to May 1, 19 93 94. per tele con

FEE: \$15.00

Paul O'Neill President  
(Signature)\* 3/11/93

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED  
and the time within which to submit proof of beneficial use is extended to May 1, 1994. **MAY 24 1993**

Signed this 12<sup>th</sup> day March, 19 93

J. Glen Saylor  
Chief, Water Allocation Bureau

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant PANHANDLE BREWING COMPANY, INC. Phone 208/267-7625  
Post office address HCR61 - Box 169, Bonners Ferry, ID 83805
2. Source of water supply Kootenai River which is a tributary of COLUMBIA R.
3. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 27 Township 62N Range 1E B.M. Boundary County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 1.2cfs for irrigation purposes from April 1 to Sept. 30 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 1.21cfs for industrial purposes from Jan. 1 to Dec. 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.04cfs for commercial 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)  
2.0 PER TEL/CON - JK - 3/18/88
5. Total quantity to be appropriated is (a) 2.45cfs and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. 3" pipe foot valve, 5HP Motor & Pump.
  - b. Height of storage dam N/A 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 N/A inches; proposed depth of well is \_\_\_\_\_ feet.
  - d. Is ground water with a temperature of greater than 90°F being sought? N/A
7. Time required for the completion of the works and application of the water for beneficial use is  
five years (minimum 1 year).

**RECORDED**  
OCT 17 1988

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. \_\_\_\_\_
- e. Other; describe fully. Brewery and Beer Garden Restaurant

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 | RANGE | SEC. | NE¼        |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼        | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 62N | 1E    | 26   |            |     |     |     | 36  | 24  |     |     |     |     |     |     |     |     |     |     | 60     |
| 62N | 1E    | 27   | 6-I<br>&-C |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 6      |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |            |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 66

10. Describe any other water rights used for the same purposes as described above. NONE

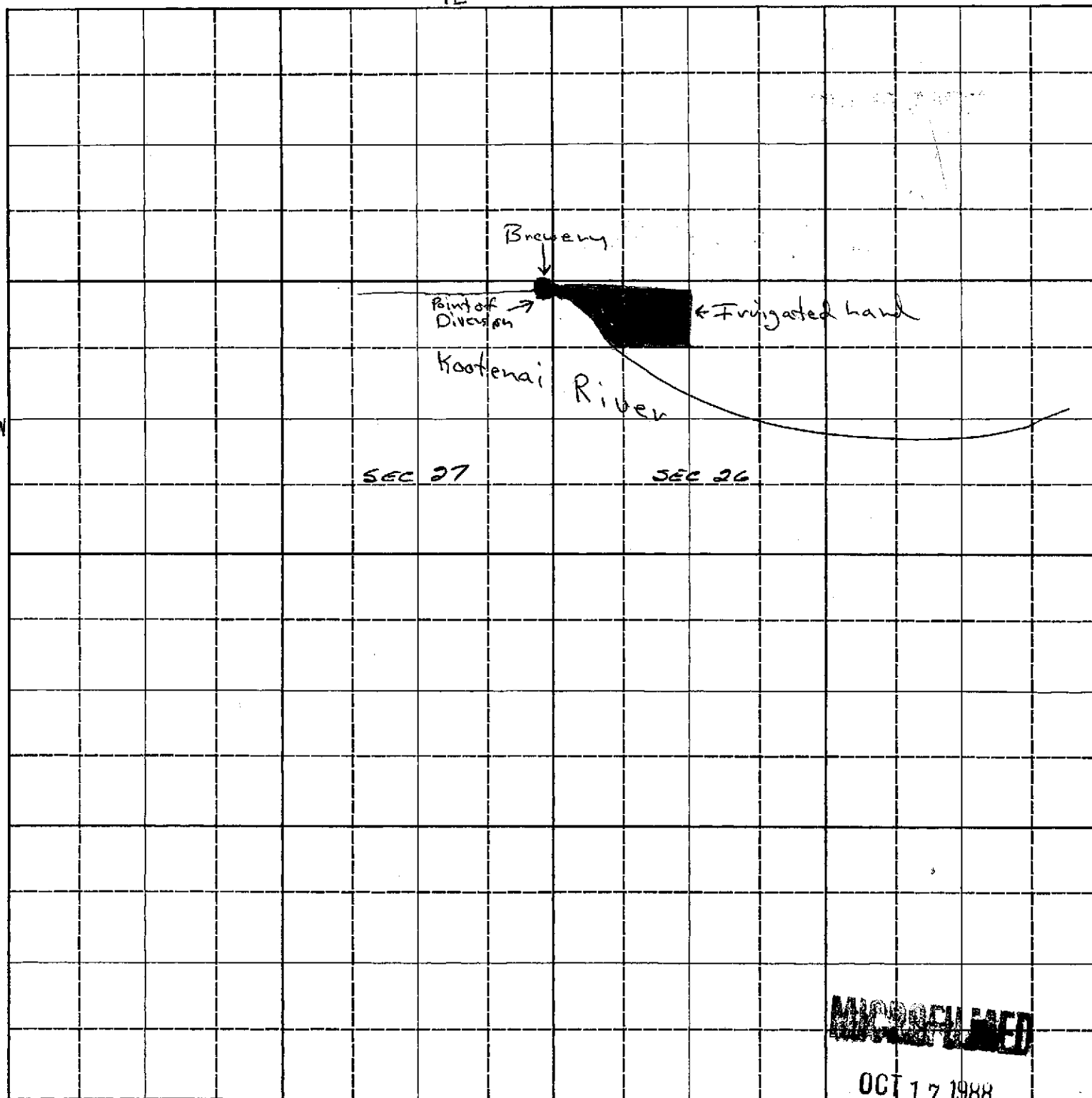
11. a. Who owns the property at the point of diversion? PANHANDLE BREWING COMPANY, INC.
- b. Who owns the land to be irrigated or place of use? Same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: Brewery - clear affluent will be handled through sewer system  
or Health Department, approved lagoon.

OCT 17 1988

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

1E



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.

PANHANDLE BREWING COMPANY, INC.

By:

*Richard A. Vilelli*

(Applicant)

Richard A. Vilelli  
PRESIDENT

Proposed Priority 3/16/88

Received by me Date 3/16/88 Time 1:00 PM Preliminary check by JK  
Fee \$ 650 Received by me # 41982 Date 3/18/88  
Publication prepared by me Date 3/31/88 Published in 4/6+3/88  
Publication approved me Date 5/3/88

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7639, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1993.

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.

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.

e. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 16th day of May, 1988.

Director

OCT 17 1988

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

DAN DREWRY, MANAGING EDITOR FOR JIM THOMPSON being first duly sworn upon his oath, deposes and says that he is the publisher (or foreman) PUBLISHER

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of TRANSFER

a #871

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated 4/6/88, 19, and ending with the issue dated 4/13/88, 19.

Subscribed and sworn to before me this 15 day of April, 1988.

Wa Ladure  
Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho.

## NOTICE OF APPLICATION FOR TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that water right License No. 98-2086b in the name of Glen Erickson was filed for the diversion of 0.14 Cubic Feet per Second of water from an unnamed stream, tributary to Cabin Creek, with a point of diversion in the SESE Sec. 8 T61N R2E, Boundary County, used as follows: 0.04 CFS for Irrigation from 3-15 to 11-15, within the NENE (10 acres) Sec. 18 & SESE (20 acres) Sec. 7, T61N R2E; 0.02 CFS for Stockwater from 1-1 to 12-31 within the NENE Sec. 18 T61N R2E and 0.04 CFS for Domestic from 1-1 to 12-31 within the NENE Sec. 18 T61N R2E. The priority date is June 28, 1949.

The Licensee now wishes to transfer a portion of the place of use as follows: the 10-acre parcel that was irrigated under the original license in the SESE Sec. 7 T61N R2E will be transferred to a 10-acre parcel to be irrigated in the SENE Sec. 7 T61N R2E.

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 4055 Gov't. Way, Suite 9, Coeur d'Alene, Id. 83814, on or before April 25, 1988.

R. Keith Higginson, Dir.

## NOTICE OF APPLICATION FOR AMENDMENT OF A PERMIT

NOTICE IS HEREBY GIVEN that Glen Erickson has filed with the Department of Water Resources on December 14, 1987, Application for Amendment of Permit No. 98-7086D changing the place of use.

The permit showed the place of use as the NESW (15 acres), NESE (39 acres), NWSE (20 acres), SWSE (10 acres) in Sec. 7; and the SWNW (14 acres) in Sec. 8, T61N R2E.

The applicant now wishes to amend said Permit No. 98-7086D to show the place of use in the SENE (10 acres), NESW (15 acres), NESE (39 acres), NWSE (10 acres), SWSE (10 acres) Sec. 7; and the SWNW (14 acres) in Sec. 8 T61N R2E.

Any protest to the proposed amendment may be filed with the Idaho Dept. of Water Resources, 4055 Gov't. Way, Suite 9, Coeur d'Alene, Id. 83814 on or before April 25, 1988.

R. Keith Higginson, Dir.  
Panhandle Brewing Co. Inc  
HCR 61 Box 169, Bonners Ferry, ID 83805

Source: Kootenai River trib. to Columbia River  
Diversion Pt: NENENE Sec 27 T 62N R 01E  
Use: Irrigation (1.2 CFS)

Use: Industrial (1.210 CFS)  
Use: Commercial (0.040 CFS)  
Date filed: 2-22-1988

In: NENW NWNW Sec 26 T 62N R 01E NENE Sec 27 T 62N R 01E for 66 acres

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Government Way, Suite 9, Coeur d'Alene, Idaho 83814 on or before April 25, 1988.

R. Keith Higginson, Dir.  
No. 871 April 6, 13, 1988

RECEIVED

OCT 17 1988

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 98-07639

Reviewed by [Signature]

Date 5-23-94

GENERAL CONSIDERATIONS

yes Name same as permit?  
yes Address same as permit?  
no Proof timely received?  
If not, complete calculation below.

TYPES OF USE

Jrr.  
Correct Uses? yes

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

yes Required?  
125.00 Amount Submitted  
yes Correct?

MEASURING DEVICE

yes Required?  
no Installed?  
yes Waiver requested?

PRIORITY CALCULATION

Date proof received 5-4-94  
Date proof due 5-1-94 -  
No. of days late 3 =  
Priority Date 3-16-88 +  
New Priority Date 3-19-88

DEFICIENCIES OR ACTION ITEMS

Should waive flow port requirement  
restate & advance priority to 3-19-88  
Proof acceptable

DATA ENTRY

New Address \_\_\_\_\_

Proof Made 5-4-94

May 23, 1994

PANHANDLE BREWING CO INC  
HCR 61 BOX 169  
BONNERS FERRY ID 83805

**PROOF ACKNOWLEDGEMENT LETTER**

**RE: PERMIT NO. 98-07639**

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating your permit since the Proof of Beneficial Use form was submitted after the proof due date. Please note that the priority date has been advanced to March 19, 1988. Additionally, the department waived the condition on your permit requiring a flow measurement port.

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 this matter, please feel free to contact the NORTHERN Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

c: IDWR - Region

DEC 15 1994

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

May 6, 1994

PANHANDLE BREWING CO. INC.  
HCR 61 BOX 169  
BONNERS FERRY ID 838050000

LAPSE NOTICE

RE: PERMIT NO. 98-07639

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

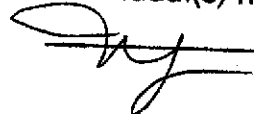
L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

DEC 15 1994

CERTIFICATION OF MAILING

I hereby certify that on 5/6/94  
~~a copy~~ an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.



February 28, 1994

PANHANDLE BREWING CO. INC.  
HCR 61 BOX 169  
BONNERS FERRY ID 838050000

PROOF DUE NOTICE

RE: PERMIT NO. 98-07639

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 May 1, 1994. (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.

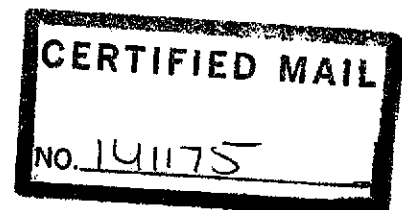
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

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

March 12, 1993

Panhandle Brewing Co Inc  
HCR 61 Box 169  
Bonners Ferry, ID 83805

Re: Permit No. 98-07639

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to May 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

**MICROFILMED**

**MAY 24 1993**

ANALYSIS SHEET  
FOR  
EXTENSION OF TIME

Permit No. 98-07639 Reviewed by Klg Date 3/10/93

BASIC INFORMATION

3/10/93 Date stamp received  
yes Extension received timely  
yes Fee received and receipted  
yes Name and signature same as permit  
no Address Change

BASIS FOR EXTENSION REQUEST

\_\_\_\_\_ Has adequate work been completed to demonstrate due diligence?  
\_\_\_\_\_ Has the permit been involved in litigation?  
\_\_\_\_\_ Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested?  
\_\_\_\_\_ Is delay by a government agency?  
\_\_\_\_\_ Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested?  
\_\_\_\_\_ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend for approval Based on due diligence! Approve to 5/1/94*

PRIORITY CALCULATION

|                         |           |   |       |
|-------------------------|-----------|---|-------|
| Date extension received | <u>NA</u> | = | _____ |
| Proof due date          | <u>1</u>  | = | _____ |
| Number of days late     | <u>1</u>  | = | _____ |
| Priority date           | <u>1</u>  | = | _____ |
| New Priority Date       | <u>1</u>  | = | _____ |

DATA ENTRY

New Address \_\_\_\_\_  
Change Proof Due Date 3/12/93 Klg  
Change Priority Date \_\_\_\_\_

February 28, 1993

PANHANDLE BREWING CO. INC.  
HCR 61 BOX 169  
BONNERS FERRY ID 838050000

PROOF DUE NOTICE

RE: PERMIT NO. 98-07639

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 May 1, 1993. (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.

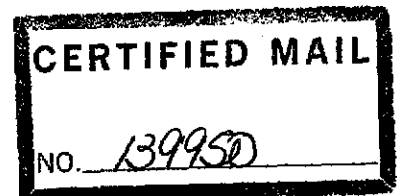
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson  
Secretary/Records Manager

Enclosures



**MICROFILMED**

MAY 24 1993



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 1, 1989

Richard A. Villelli  
Villelli Enterprises, Inc.  
HCR 61, Box 169  
Bonners Ferry, ID 83805

RE: Permit to Appropriate No. 98-7639 in the Name of Panhandle  
Brewing Co., Inc.

Dear Mr. Villelli:

Thank you for your letter dated October 25, 1989. It appears that you are diligently pursuing completion of your project. Please remember that you must complete construction of works and beneficially use water prior to May 1, 1993. The Department will send you a notice that you must file proof of beneficial use approximately sixty (60) days before that date.

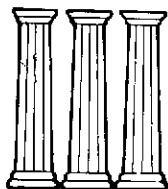
Sincerely,

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

**MICROFILMED**

**MAY 24 1993**



villelli  
enterprises  
inc.

ase reply to:

HCR61 - Box 169  
Bonners Ferry, ID  
83805

208/267-7625

October 25, 1989

RECEIVED  
OCT 30 1989

Gary Spackman, Supervisor  
Water Allocation Section  
STATE OF IDAHO  
Department of Water Resources  
Statehouse  
Boise, ID 83720

Department of Water Resources

RE: PANHANDLE BREWING COMPANY, INC.  
PERMIT #98-07639

Dear Mr. Spackman:

I wrote to you on May 16th to let you know we had commenced construction on the above-referenced Water Permit. Shortly after the commencement of construction, I met with the City of Bonners Ferry regarding putting in power so we could size our motor.

I also mentioned to you at the time, we were negotiating with Northern Lights for a new easement. Unfortunately, the final determination on that easement was not made until this last week. We believe now we finalized an agreement. For some time, there was confusion and actually an argument over who would service the property. We have an agreement letter from Northern Lights Company allowing the City of Bonners Ferry to proceed with serving our property.

I now must get with the City of Bonners Ferry and get service provided. As soon as I can accomplish that, we will finish the development of our permit.

Sincerely,

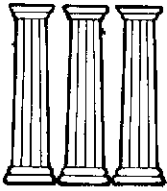
PANHANDLE BREWING COMPANY, INC.

Richard A. Villelli, President

RAV/ja

REPROFILMED

MAY 24 1993



villelli  
enterprises  
inc.

May 16, 1989

Please reply to:

HCR61 - Box 169  
Bonners Ferry, ID  
83805

208/267-7625

Gary Spackman, Supervisor  
Water Allocation Section  
STATE OF IDAHO  
Department of Water Resources  
Statehouse  
Boise, ID 83720

RECEIVED  
MAY 19 1989

REGARDING: PANHANDLE BREWING COMPANY, INC.  
PERMIT NO. 98-07639

Department of Water Resources

Dear Mr. Spackman:

Enclosed with this correspondence is the blue card with indication of Commencement of Works. We started construction on the project May 1, 1989, and we have poured the footings for the pump. We have placed the steel into the side of the river bank. We have also met with a pump company, which is H2O Well Service in Hayden Lake, Idaho. They are currently sizing the pump for us, and we hope to have that purchased in the near future.

We have also met with two power districts. The property is currently served by the City of Bonners Ferry Electric and by Northern Lights, Inc. This has caused us some delay in that we need to determine which organization will service our pump. In that they have agreements for territorial areas, our property happens to be served by both. We have contacted the City of Bonners Ferry, and they have indicated they have 240, 480 volt power with a Delta Five Terminal Meter Box at the site, and on March 30, 1989, they indicated they will serve our property. However, we are currently negotiating with the Northern Lights Company for a new easement through our property in which they have indicated they will also serve the site. As soon as a final determination is made on this, we will bring power to the site. Until that time comes, we do not want to put out the dollars for a pump. As soon as that equipment is purchased and installed, we will inform the Department of Water Resources.

We thank you for your patience and if you need any further information or verification, please don't hesitate to call us.

Sincerely,

PANHANDLE BREWING COMPANY, INC.

*Rich Villelli*

Richard A. Villelli, President

RAV/ja

Enclosure (Blue Card)

MAY 24 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 98-07639

Name(s) of Permit Holder(s): PANHANDLE BREWING COMPANY, INC.

Post Office Address: HCR 61 - Box 169

Bonnars Ferry, ID 83805

Tel. No. 208/267-7625

☒ I hereby certify that construction of diversion works for the above referenced permit began on May 1, 1989 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:

5/16/89

Date

Rich Veltelle

Signature of Permit Holder

\*Note: A financing difficulty is not an acceptable reason.

PLACE  
STAMP

RECEIVED  
HERE

MAY 19 1989



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

NOT RECORDED

MAY 24 1993

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

---

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
June 1, 1988

PANHANDLE BREWING CO. INC.  
HCR 61 BOX 169  
BONNERS FERRY, ID 838050000

P E R M I T   A P P R O V A L   N O T I C E

RE: PERMIT NO.        98-07639

Dear Permit Holder:

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

Gary Spackman  
Supervisor, Water Allocation Section

GS: SC  
Enclosures

**RECORDED**

OCT 17 1988

Form No. 202a  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY JK DATE 2/ APPLICATION NUMBER 98-7639

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☐ Fee
- ☐ Yes ☐ No\* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion
  - ☐ Yes ☒ No Field check required
  - Field check by \_\_\_\_\_
  - ☐ Yes ☒ No Field report attached
  - ☐ Yes ☒ No Critical groundwater area
  - ☐ Yes ☒ No Groundwater management area
  - ☐ Yes ☒ No Send dam safety information
  - ☐ Yes ☒ No Send power requirement letter
  - ☐ Yes ☒ No Send fish farm requirement letter
  - ☐ Yes ☒ No Power residency affidavit
  - ☐ Yes ☒ No Power efficiency form
  - ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☒ See reverse side for additional information

MICROFILMED

OCT 17 1988

RECEIVED  
MAY 10 1988

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested \_\_\_\_\_  
Department of Water Resources

PROCESSING

☒ Yes ☒ No In form for advertising  
☐ Yes ☒ No Statewide advertising  
☐ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM  
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service  
☒ Idaho Dept. of Lands ☐ Water District  
☐ Adjudication Bureau Unit ☐ Other \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received  
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application  
☐ Yes ☒ No Protests received  
Final date for protest 4/25/88  
☒ Yes ☒ No Protests, dates, resolution of protest, recorded on application  
☐ Yes ☐ No Recommendations attached  
☐ Yes ☒ No Measuring device required  
☒ Yes ☐ No Access port required  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. \_\_\_\_\_  
☐ Yes ☒ No Special conditions of approval or cover letter below. \_\_\_\_\_

Date of property recommended \_\_\_\_\_ ☐ See below for additional information  
By Ryff Date 3/16/88

STATE OFFICE REVIEW 5 yrs. is reasonable for development

By LD3, L17 26 OIG ☐ See below for additional information  
Date 5/12/88

ADDITIONAL INFORMATION

98-7031 ADJACENT PROPERTY NO OVERLAP

**FILED**

OCT 17 1988

INTER-DEPARTMENT MEMO — 1

DATE 5/5/88

FROM Pat Stypa

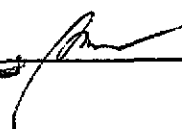
TO File

SUBJECT Priority Date

New interpretation of the Rules and Regulations necessitates the changing of the priority date from 2/22/88 to 3/16/88.

**RECEIVED**

OCT 17 1988

  
SIGNATURE

RECEIVED

APR 18 1988

IDAHO DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

Department of Water Resources

STANLEY F. HAMILTON  
DIRECTOR

RECEIVED

Department of Water Resources  
Northern District Office

April 15, 1988

BOARD OF LAND  
COMMISSIONERS  
CECIL D. ANDRUS  
Governor  
PETE T. CENARRUSA  
Secretary of State  
JIM JONES  
Attorney General  
JOE R. WILLIAMS  
State Auditor  
JERRY L. EVANS  
Sup't of Public  
Instruction

MEMORANDUM

TO: Department of Water Resources  
Northern Region

FROM: Lance E. Nielsen, Chief  
Bureau of Navigable Waters

SUBJECT: Application No. 98-7639  
Panhandle Brewing Company

*Lance E Nielsen*

Regarding the above-numbered application, the Kootenai River is navigable and will require an easement from this department.

A copy of this application has been forwarded to the Bureau of Lands who will contact the applicant concerning easement requirements.

LEN:lr

cc: Panhandle Brewing Co.  
Bureau of Lands

MICROFILMED

OCT 17 1988



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

March 31, 1988

Panhandle Brewing Co., Inc.  
HCR 61 O Box 169  
Bonners Ferry, Id. 83805

Re: 98-7639

Gentlemen:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned Identification No. 98-7639. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Bonners Ferry Herald. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your Receipt No. 41982 for the amount of \$65.00.

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

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Manager

RGH/pms  
Enc. - Receipt

**MICROFILMED**

OCT 17 1988





State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

March 31, 1988

Idaho Dept. of Lands  
Statehouse  
Boise, Id. 83720

Re: 98-7639

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Idaho Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Manager

RGH/pms  
Enclosure

**RECEIVED**

OCT 17 1988

*Celebrate*  
**IDAHO**  
1890 • CENTENNIAL • 1990™

98-7639

PANHANDLE BREWING CO. INC.

HCR 61 BOX 169, BONNERS FERRY, ID 83805

Source: KOOTENAI RIVER trib. to COLUMBIA RIVER

Diversion Pt: NENENE Sec 27 T 62N R 01E

|                 |             |
|-----------------|-------------|
| Use: IRRIGATION | (1.2 CFS)   |
| INDUSTRIAL      | (1.210 CFS) |
| COMMERCIAL      | (0.040 CFS) |

Date Filed: <sup>3/16/88</sup> 02/22/1988

In: NENW NWNW Sec 26 T 62N R 01E NENE Sec 27 T 62N R 01E NENE  
Sec 27 T 62N R 01E FOR 66 ACRES

*changed on  
computer  
5/5/88*

**MICROFILMED**

OCT 17 1988



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

March 4, 1988

Panhandle Brewing Co. Inc.  
HCR 61 Box 169  
Bonners Ferry, Id. 83805

Gentlemen:

This office is in receipt of your Application for a Permit and Check No. 92-310 in the amount of \$65.00 and we are returning same to you because the application cannot be formally receipted until the following information is provided:

Item Nos. 3 & 9 - these do not agree with the map you provided. The point of diversion is listed as NENENE, but appears to be within the NENESE, Section 27 (?). The places of use in Section 26 are listed as NENE, NWNE, NENW and NWNW, but appear to be show within the N $\frac{1}{2}$ SW $\frac{1}{4}$  Section 26 (?) and the N $\frac{1}{2}$ S $\frac{1}{2}$  Section 27 (?). Please check your scale and section labels. The places of use in Section 27 are listed as shown on the map.

Please note that your application has been initialed and dated as being received on 3/3/88. If the requested information is provided within 30 days of the date of this letter, your date of priority will be maintained.

If you desire assistance, please feel free to contact this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms  
Enc. - Application  
Check

**MICROFILMED**

OCT 17 1988



State of Idaho  
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

February 24, 1988

Panhandle Brewing Co., Inc.  
HCR 61 Box 169  
Bonners Ferry, Id. 83805

Gentlemen:

This office is in receipt of your Application for a Permit and Check No. 92-310 in the amount of \$65.00 and we are returning same to you because the application cannot be formally receipted until the following information is provided:

Item Nos. 3 & 9 - These do not agree with the map you provided. The point of diversion is listed as NENENE, but is shown as NESENE. The places of use in Section 26 are listed as NENE, NWNE, NENW and NWNW, but are only shown as NWNW and NENW. The places of use in Section 27 are listed as shown on the map.

Item Nos. 4 & 5 - These must be completed in Cubic Feet per Second. Acre Feet per Annum is reserved for storage applications. I have also included commercial for restaurant use.

Item No. 7 - According to this item, you must have the brewery in production, be irrigating 66 acres and by serving patrons in the restaurant within one year. You can be allowed up to five years to complete this project if you request it at this time.

Please note that your application has been initialed and dated as being received on 2/22/88. If the requested information is provided within 30 days of the date of this letter, your date of priority will be maintained.

Instructions for completing an Application for Permit are included for your information. If you desire assistance, please feel free to contact this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms  
Enc. - App.  
Check  
Inst.

**RECEIVED**

OCT 17 1988

*Celebrate*  
**IDAHO**  
1890 • CENTENNIAL • 1990