

16

T58N
R2W
B.M.
Section 9



Chair 6

Chair 5

WELL and
Outback
(POINT OF DIVERSION
+ PLACE OF USE)

KANIKSU
NATIONAL FOREST

Colburn
Lake

Colburn
Lake

Schweitzer
Basin

Schweitzer
Basin

KANIKSU

NATIONAL FOR

MICROFILMED
FEB 04 2008
MICROFILMED



RECEIVED
MAR 15 1999
IDWR/North
C. & G. OLIVER

LOUISIANA PACIFIC CORP.

LOUISIANA PACIFIC CORP.

BLM

COLBURN

CREEK

PACK RIVER MANAGEMENT

PACK RIVER MANAGEMENT

D. MADSEN

VITAMANTE

C. OLIVER

Outback
Day Lodge
SENWNW
Sec 9 T58N.R2W.

SWNW

SENW

R. MADSEN

C. MADSEN

K. OLIVER

WEITZER INC.

CROWN PACIFIC INLAND LTD.

F. DUNLOP

C. OLIVER

J. OLIVER

PACK RIVER MANAGEMENT

BLM

T. EDWARDS

T58N. R2W.

Section 9

Scale: 1 in = 400 ft
20 ft contour

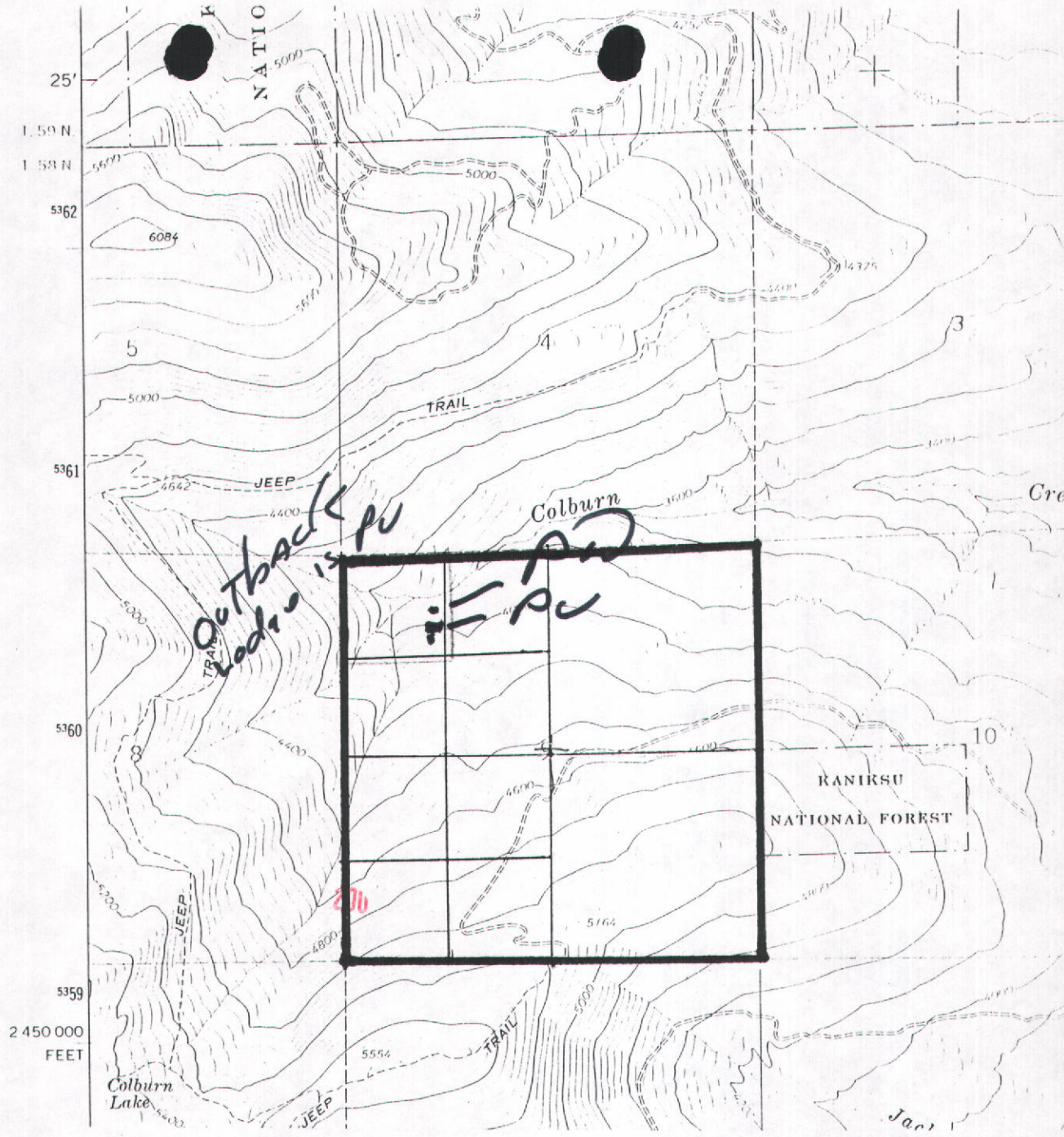
Well
Site

LIFT 51 D4C

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FEB 04 2000



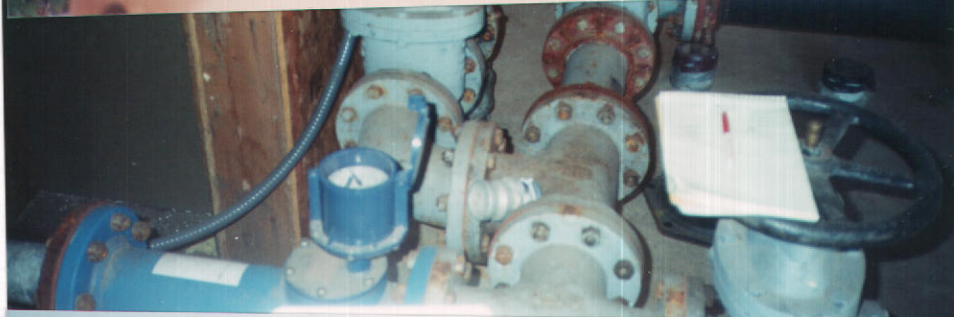
96-09015

MICROFILMED
OCT 19 2001

96-09015



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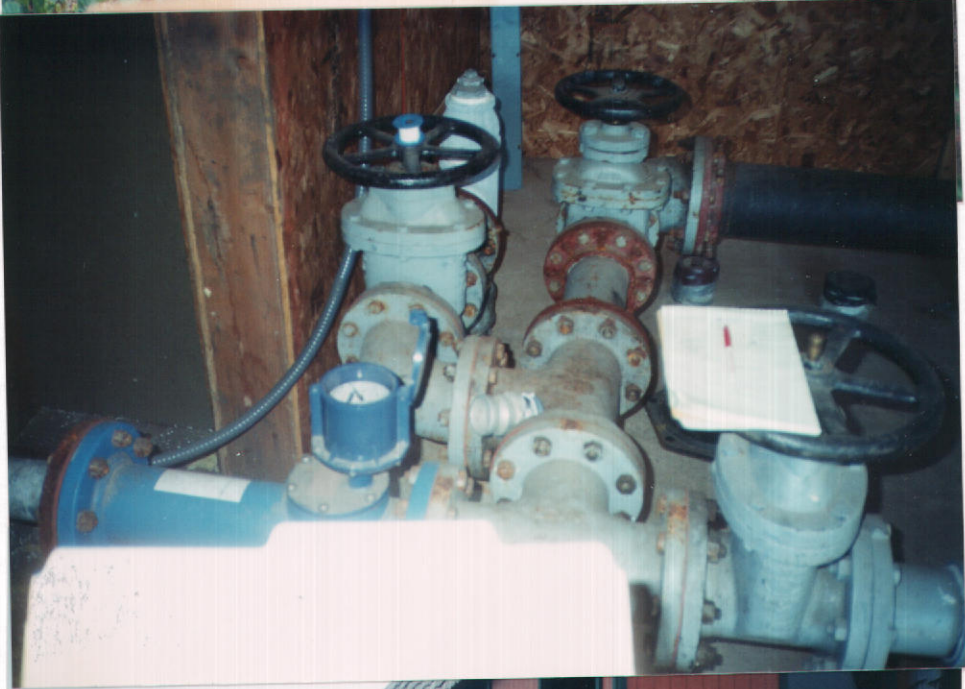


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OCT 19 2001

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96-09015



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OCT 19 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET

RECEIVED

WRI
WRA
BCA

MAY 14 1999

APPLICATION # 96-09015

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: RECREATIONS' UTILITY

BY: AB

DATE: 3/8/99

ITEM REQUIRED INFORMATION

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 3/8/99
- ☒ (Include Moratorium Remark)
- ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

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

WAYNE WILL SEND LIST OF OFFICERS 3/10/99 AB

ADDITIONAL INFORMATION

- (Yes) (No)
- ☒ Field check: by _____
- ☒ Field report attached
- ☒ Analysis Supp. attached (>5cfs/500af)
- ☒ Water delivered by water master?
- Water District # _____

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>96 93 N 204</u>	Dom. ☒ Non-Dom. ☒	Paid \$ <u>35</u>	<u>N006923</u>	Y (☒) N ()
_____	Dom. ☐ Non-Dom. ☐	Paid \$ _____	_____	Y () N ()
_____	Dom. ☐ Non-Dom. ☐	Paid \$ _____	_____	Y () N ()

- Groundwater management area
- Critical ground water area
- Well Drilling Permit required
- Well Drilling Application and Fees received
- Well Drilling Application approved?

Remarks: CONTACT WAYNE TO VERIFY THAT DAILY VOLUME WILL EXCEED 2,500 GPD. - SEE REMARKS 5/12/99

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- Notice of pending void order issued. Final order response date: _____/_____/_____
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken: _____

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

Protests received, Final protest date: 5/1/99

Measuring device required

Measuring port required

Special conditions:

Special conditions of approval Supplement and/or cover letter attached: Sherie

Approval Recommended by: _____

Date: _____/_____/_____

Readvertise - did not get into paper on 4/18/99 as it was supposed to be

Bedaily see

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09015

Priority: March 08, 1999

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.8 AF

It is hereby certified that RESORT WATER CO INC
DBA RECREATIONS UTILITY
500 UNION ST #200
SEATTLE WA 98101 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 08, 1999; and has
submitted Proof of Beneficial Use on August 18, 1999. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.02 CFS	0.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼NW¼ Sec. 9, Twp 58N, Rge 02W, B.M., BONNER County

PLACE OF USE: COMMERCIAL

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 02W 9					X												

CONDITIONS OF APPROVAL

1. The daily diversion volume for the commercial use authorized under this right shall not exceed 2,500 gallons per day.
2. Commercial use is for a bar and restaurant.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 22ND day of August, 2001.

Acting for 
KARL J. DREHER
Director

MICROFILMED

OCT 14 2001

RECEIVED

AUG 18 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 2013145
Receipt By: db
Date Received: 8/12/99

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. 96-09015 Telephone No. 208-263-9555 ext. 2297

2. Name(s) of Permit Holder(s): Resort Water Co. DBA Recreations' Utility

3. Mailing Address: 165 Village Lane, STE "A", Sandpoint, ID 83864

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 10 / yr. 93

a. Well Driller: Ponderosa Drilling Permit Number: 96 - 93 - N - 204

b. **OPTIONAL:**
Pump Horsepower: 3/4 Pressure (psi): 50 Dynamic pumping level (ft): 120

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Commercial

6. Total rate of diversion and/or volume for which proof is submitted: 0.10 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 x or No _____

Has the measuring device been installed? Yes x or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No x

Has the measurement port been installed? Yes _____ or No x

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: Jim Lackey Telephone Number: 208-263-9555 ext 2261/263-3331

Address: 165 Village Lane, Ste. "A", Sandpoint, ID 83864

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.

MICROFILMED

Signature of permit holder: Wayne Benner Public Works Director Date: 8/10/99
(include your title, if on behalf of company of organization)

WAYNE BENNER, PUBLIC WORKS DIRECTOR

Graham & James LLP/Riddell Williams P.S.

RECEIVED

JUN 17 1999

Department of Water Resources

RECEIVED
JUN 07 1999
IDWR/North

June 4, 1999

Mr. Allen Beardslee
Senior Water Resources Agent
Idaho Department of Water Resources Northern Region
1910 Northwest Boulevard, Suite 210
Cour d' Alene, ID 83814-2615

Attorneys
1001 Fourth Avenue Plaza
Suite 4500
Seattle, WA
98154-1065
Tel (206) 624 3600
Fax (206) 389 1708

Direct tel
(206) 389 1693

Re: Recreations' Utility / Resort Water Co., Inc.
Permit Application No.: 96-99015

Internet
maylor@gj.com

Dear Mr. Beardslee:

We represent Resort Water Co., Inc., d/b/a Recreations Utility ("Resort"). In March of this year, Mr. Wayne Benner, Director of Public Works for Recreations Utility, submitted an Application for Permit No. 96-09015.

Affiliated Offices
Los Angeles
New York
Orange County
Palo Alto
Sacramento
San Francisco
Washington, DC

Please change the Name of the Applicant for this application to:

Resort Water Co., Inc.
500 Union Street, Ste. 200
Seattle, WA 98101
(206) 623-0916

Beijing
Tokyo

London
Milan

I have attached for your reference a copy of Resort's Certificate of Assumed Business Name, the Recreations Utility Application for Permit No. 96-09015, and your letter of receipt. If you have any questions or require additional information, please contact me. Thank you for your assistance.

Sincerely,

GRAHAM & JAMES LLP/RIDDELL WILLIAMS P.S.

By 

Robert P. Naylor
Legal Assistant

7.7.99 - WR2 updated - Ket

cc: Mr. Wayne Benner
David D. Buck, Esq.
Enclosures

MICROFILMED

FEB 04 2000

FILED

RECEIVED
JUN 07 1999

CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly. See instructions on reverse.)

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

JUN -8 AM 9:21
SECRETARY OF STATE
STATE OF IDAHOJUN 07 1999
North

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Recreations Utility

RECEIVED

JUN 17 1999

DEPARTMENT OF WATER RESOURCES

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

NameComplete Address

Resort Water Co., Inc.

500 Union Street, Suite 200

a Minnesota corporation

Seattle, WA 98101

3. The general type of business transacted under the assumed business name is:
-
- (mark only those that apply)

☐ Retail Trade	☐ Manufacturing	☒ Transportation and Public Utilities
☐ Wholesale Trade	☐ Agriculture	☐ Finance, Insurance, and Real Estate
☒ Services	☐ Construction	☐ Mining

4. The name and address to which future correspondence should be addressed: Phone number (optional): _____

Suzanne Larsen

Graham & James LLP/Riddell Williams P.S.
1001 Fourth Avenue, Suite 4500

Seattle, WA 98154-1065

Submit Certificate of
Assumed Business
Name and \$20.00 fee to:Secretary of State
700 West Jefferson
Basement West
PO Box 83720
Boise ID 83720-0080
208 334-2301

5. Name and address for this acknowledgment copy is (if other than # 4 above):

Signature: _____

David D. Buck

Printed Name: _____

Capacity: _____

Secretary

(see instruction # 8 on back of form)

SECRETARY OF STATE

03/08/1999 09:00
CK: 6712 CT: 110117 BH: 1945351.0 20.00 = 20.00 ASSUM NAME # 3
MICROFILMED 5764

FEB 04 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09015

Proposed Priority: March 8, 1999

Maximum Diversion Rate:

0.10 CFS

This is to certify, that RECREATIONS UTILITY
165 VILLAGE LN STE A
SANDPOINT ID 83864

has applied for a permit to appropriate water from: GROUNDWATER

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>
COMMERCIAL	01/01 to 12/31	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 9, Township 58N, Range 02W
BONNER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

58N 02W 9

NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 2000.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. The daily diversion volume for the commercial use authorized under this right shall not exceed 2,500 gallons per day.
6. Commercial use is for bar and restaurant.

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

25th day of

May

19 99

Karl J. Dreher

Karl J. Dreher, Director

for

MICROFILMED

FEB 04 2000

Ident. No.

96-09015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 14 1999

Department of Water Resources

1. Name of Applicant Recreations' Utility Phone 208 263-3331
Mailing address 165 Village Lane, Suite A, Sandpoint, ID 83864
2. Source of water supply Well GRANDWATER which is a tributary of _____
3. Location of point of diversion is Township 58 N Range 2 W Sec. 9 in the NW SE 1/4,
NW 1/4, NW 1/4, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.1 cfs for Commercial purposes from Jan. 2 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) 0.1 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 Well & Pump
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is 6" inches; proposed depth of well is 126 feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? 10/93; Drilling firm Ponderosa Drilling
Well was drilled for (well owner) Recreations' Utility; Drilling Permit No. 96-93-N-204
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. Commercial Bar & Restr

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FEB 04 2000

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N	2W	9						C											

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Permit #96-7841

was from surface source. Well replaces domestic use. See letter 10/17/97.

11. a. Who owns the property at the point of diversion? New Schweitzer LLC

b. Who owns the land to be irrigated or place of use? "

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: Letter of 10/17/97 requested Permit # 96-7841 be modified to reflect
only fire protection.

DAILY VOLUME WILL NOT EXCEED 2,500 GALLONS PER
DAY. SAID WAYNE BENNER ON 5/12/99. NO UPGRADES
FEE FOR DRILLING PERMIT REQUIRED.

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

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

Wayne Benner Dir. of Public Works
 Signature of Applicant (and title, if applicable)

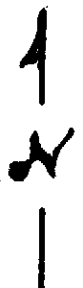
Received by dp Date 3/8/99 Time 2:15 P Preliminary check by [Signature]
 Fee \$ 50.00 Receipted by dp # N012680 Date 3/8/99
 Publication prepared by dp Date 3/24/99 Published in Boomer Co Daily Bee 4/15/99
 Publication approved dp 5/4/99 Date 5/4/99 4/15/99

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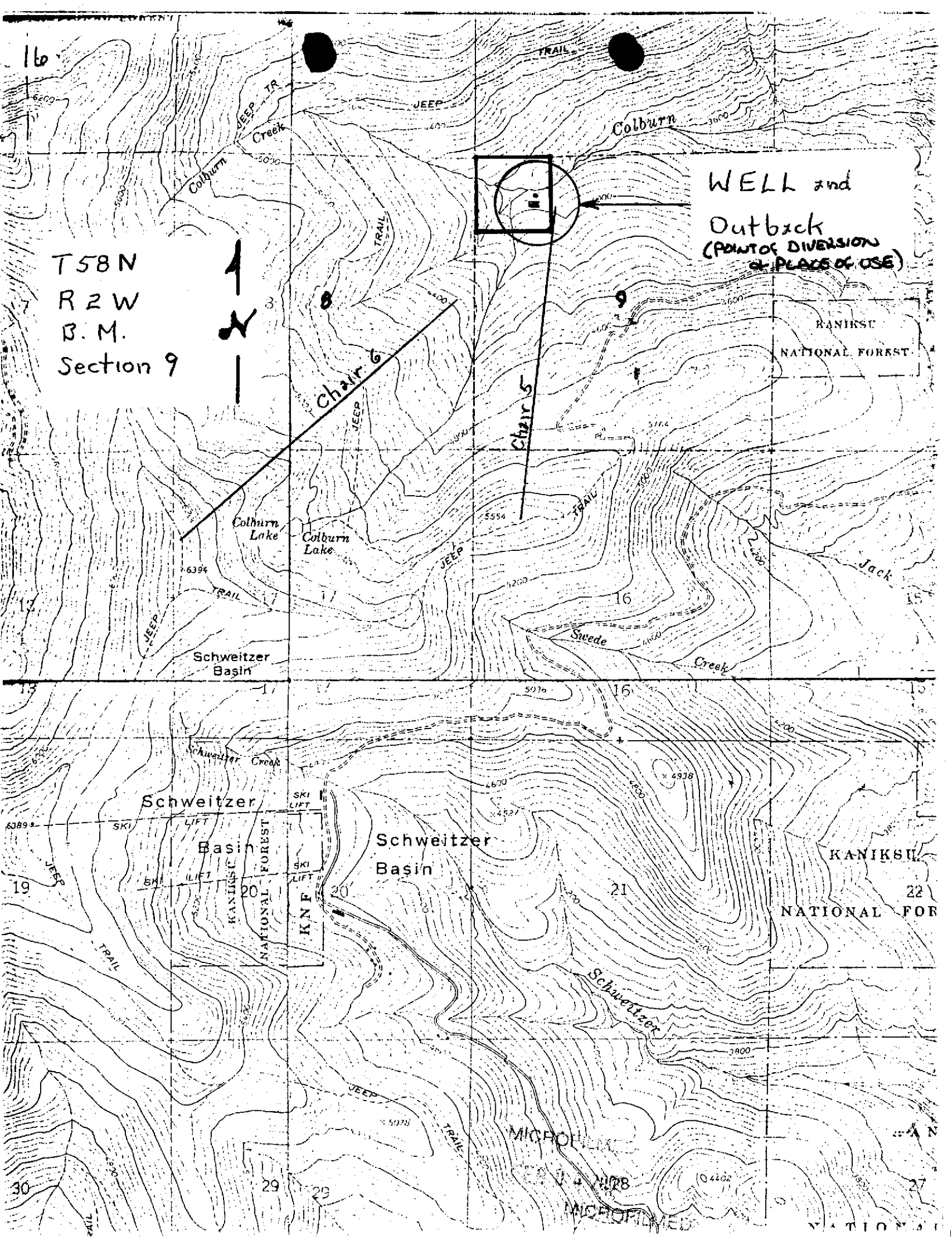
FEB 04 2000

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T58N
R2W
B.M.
Section 9



WELL and
Outback
(POINT OF DIVERSION
of PLACE OF USE)



RECEIVED

MAR 15 1999

HDWB/NOH

C. & G. OLIVER

LOUISIANA PACIFIC CORP.

LOUISIANA PACIFIC CORP.

COLBURN

PACK RIVER MANAGEMENT

D. MADSEN

VITAMANTE

G. MADSEN

K. OLIVER

F. DUNLOP

C. OLIVER

CROWN PACIFIC ISLAND LTD.

PACK RIVER MANAGEMENT

PACK RIVER MANAGEMENT

WEITZER INC.

Out back

Day Lodge

SEWN NW

Sec 9 T58N.R2W.

WEITZER INC.

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Section 9,

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20 ft contour

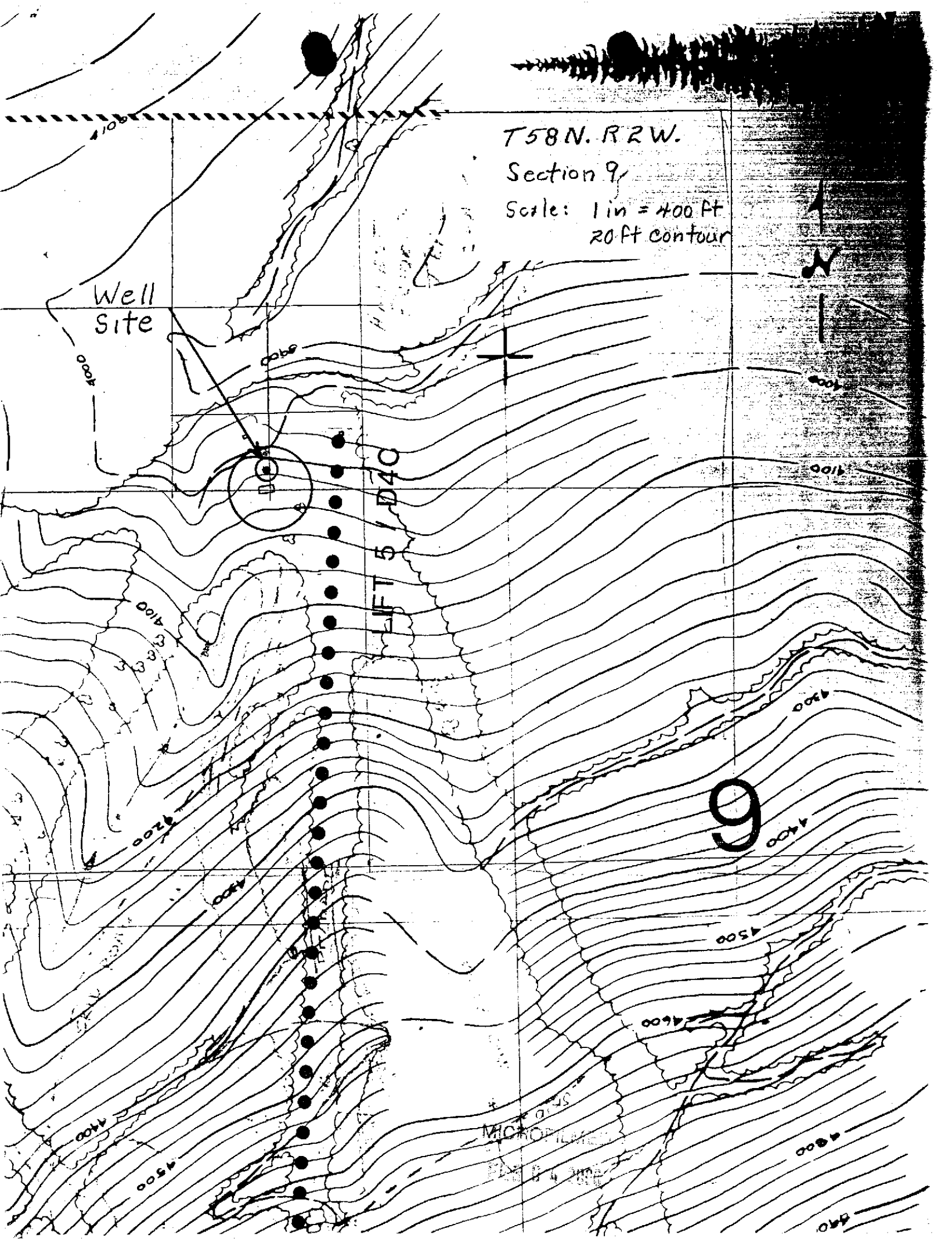
Well
Site

LIFT 51 D40

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NOV 4 1988





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 23, 2001

RESORT WATER CO INC
DBA RECREATIONS UTILITY
500 UNION ST #200
SEATTLE WA 98101

RE: License No. 96-9015 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

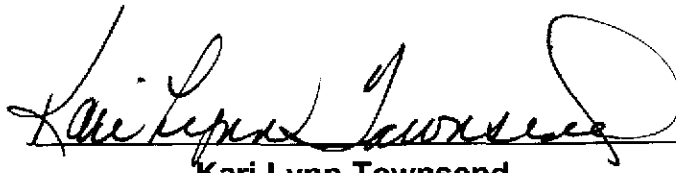
MICROFILMED
OCT 13 2001

CERTIFICATE OF MAILING

I hereby certify that on August 23, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 96-9015

**RESORT WATER CO INC
DBA RECREATIONS UTILITY
500 UNION ST #200
SEATTLE WA 98101**



**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 1 5 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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.

LICENSE REVIEW CHECKLIST

Permit No. 96-09015 Date: 7-17-2001 Reviewer: Kay Walker

type C4

Change/OK

Name/Address

OK

Source

OK

Point of Diversion:

OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

96-7841 for Fire Prot. - also in license process

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.10 cfs

Fee Limit 0.20 cfs

Measured 0.02 cfs

Theoretical 0.02 cfs

Recommended Total Diversion Rate 0.02

Water Uses

OK

Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater cfs af

Domestic cfs af

Comm 0.02 cfs 0.8 af

 cfs af

Total 0.02 cfs 0.8 af

~~Irrigation~~ - overlap(R58-R61, R62-R65, R66-R69)

~~supp Gw~~ (WB7/065/104)

~~overlap spec combined rts~~ (W35)

~~1 acre~~ (W31)

~~Domestic~~ (W01/wb5/070/071/075)

~~Power~~ (W42 or W43/025/027/R22 or R23)

~~Fish~~ (042)

~~Fish~~ (077)

~~Water Quality~~ (081/R07)

~~Payette~~ - (W22/047/27A)

~~Stockwater for US~~ (R37)

Volume Determination

 cfs x 1.9835 x days = af (vs) acres x (FHR) = af

Remarks:

Additional Conditions

~~Watermaster Control~~
~~GW Measurement/Measuring Device~~
~~Other~~
~~Trust R55 - remove 051~~
~~Non-trust (048/049)~~

GW Dist?
Water Msmt. Dist?
Crit. GWMA?
GWMA?
Government Lots?

Advance Priority?

yes
no

If yes, explain why below.

SRBA Claim?

N/A

Adjust memo

Amend Letters

 P87, S06

Second Amendment Notice

 S06

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	96 9015	RESORT WATER CO INC, DBA RECREATIONS UTILITY,	GROUND WATER	58N02W9						X											0
Right	96 9015	RESORT WATER CO INC, DBA RECREATIONS UTILITY,	GROUND WATER	58N02W9						X											0
Permit	96 7841	RESORT WATER CO INC,	UNNAMED STREAM	58N02W9					X	X		X			X						0

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUse Typewriter
or
Ball Point Pen1. DRILLING PERMIT NO. 96-93-N-204-000
Other IDWR No.

2. OWNER: JUB ENGINEERING

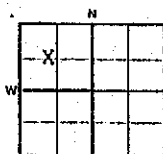
Name RECREATIONS UTILITY COMPANY

Address 1250 IRONWOOD DR., SUITE 220

City COEUR D'ALENE State ID Zip 83814

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

T. 58 North ☒ or South ☐
R. 2 East ☐ or West ☒
Sec. 9 SE 1/4 NW 1/4 NE 1/4
Gov't Lot County BONNERAddress of Well Site OUT BACK INN, SCHWEITZER
MOUNTAIN ROAD

(Give at least Direction + Distance to Road or Landmark)

Lot No. Block No. Subd. Name

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES

SEALING PACK		AMOUNT		METHOD
Material	From	To	Backs or Pounds	
BENTONITE	0	28	400 LBS	TEMP. SURFACE CASING

Was drive shoe seal tested? Y/N ☒ How?

8. CASING/LINER:

Chamber	From	To	Gauge	Casing	Liner	Steel	Plastic	Welded	Threaded
6"	+2	111	.250	X		X		X	
5"	106	111	.250	X		X		X	

Final location of shoes 111

Top Packer or Headpipe 105 Bottom Tailpipe

9. PERFORATIONS/SCREENS

☐ Perforations Method
☒ Screens Type Material

From	To	Slot Size	Number	Diameter	Tele-Pipe Size	Casing	Liner
111	121	.010		6"	TELE		

SE NW NW 9 58N 2W

10. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Depth	Time
10+			

Temperature of water Was a water analysis done? Yes ☐ No ☒

By whom?

Water Quality (odor, etc.)

Bottom Hole Temperature

11. STATIC WATER LEVEL:

* 33 ft. below surface Depth artesian flow found

Artesian pressure lb. Describe access point

Describe Controlling Devices:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Flow Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
10	0	1	OVER BURDEN		
10	1	6	SAND		
10	6	28	SAND & GRAVEL S/COBBLES & BOULDERS		
8	28	40	SAND & GRAVEL W/COBBLES & BOULDERS	4	35
6	40	70	SAND & GRAVEL W/COBBLES & BOULDERS	4	35
	70	100	SAND & GRAVEL W/COBBLES & BOULDERS	7	35
	100	121	SAND & GRAVEL W/COBBLES & BOULDERS	10	35
	121	126	GRANITE, ORANGE		

Date: Started 9/13/93 Completed 9/16/93

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name PONDEROSA DRILLING Firm No. 228

Firm Official (W. SCOTT BARRATT) Date 10/7/93

and Supervisor or Operator (MIKE ROBINSON) Date 10/7/93

(MIKE ROBINSON) (Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

MICROFILMED

OCT 19 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09015

1. Owner: Resort Water Co. Ob4 Recreation Utility Phone No. (208) 263-9555

Current Address: 165 Village Lane, Ste "A" Sandpoint Id. 83864

2. Accompanied by: Wayne Bonner EXAM DATE: 9-13-00

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

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
			NW	NW	09	58N	02W	Bonner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

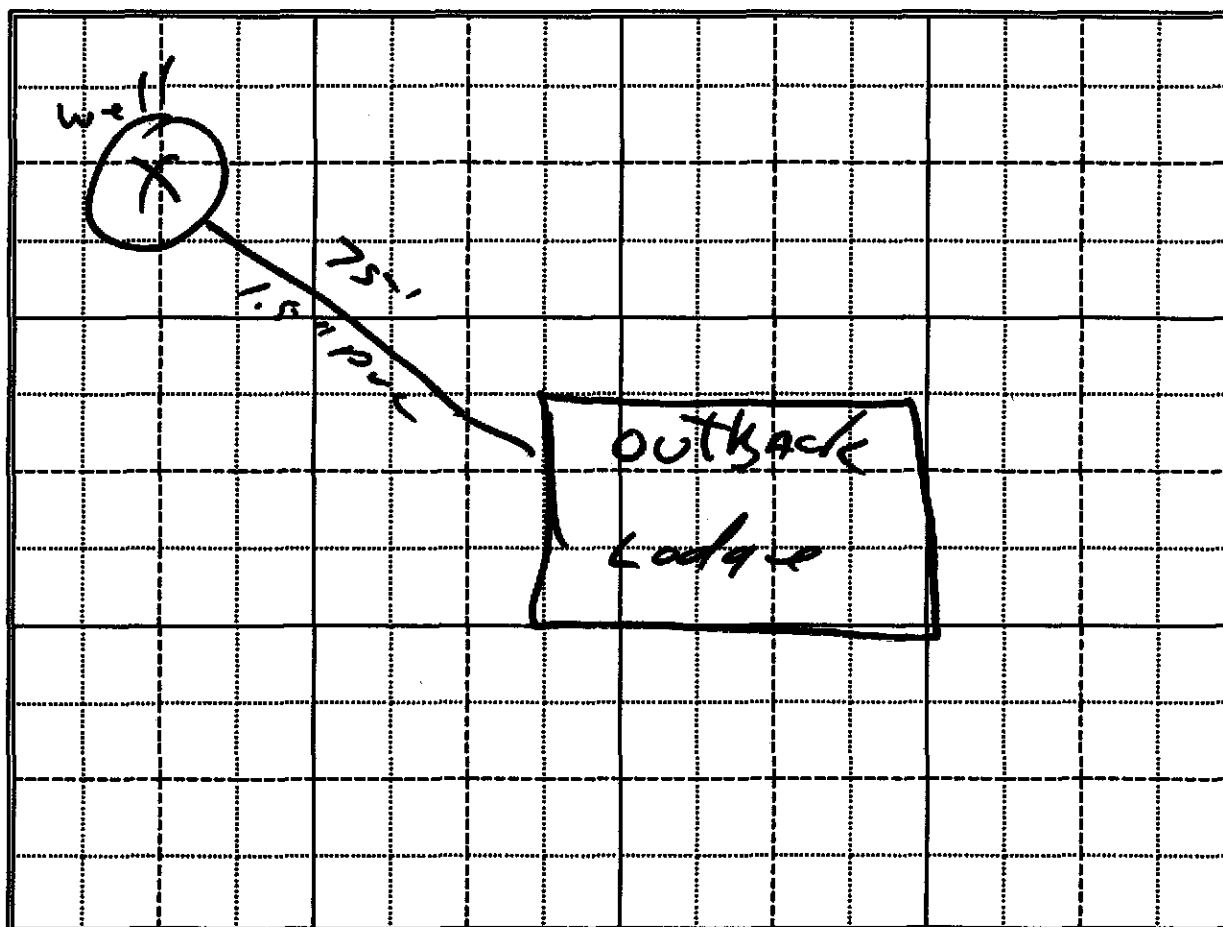
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N	02W	09						C											
								</											

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OCT 13 2001

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



Scale: 1" = _____

____ Copy of USGS Quadrange 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	75	2801074910	Sub	1.5"

*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: _____

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OCT 19 2001

E. NARRATIVE/REMARKS/COMMENTS

Commercial use is for the out back lodge. This is a day use facility consisting of a restaurant with a seating capacity of 75. 2 restrooms, 1 has 3 sinks, 3 toilets the other has 3 sinks, 3 toilets, & 3 urinals.

Have conditions of permit approval been met? ☒ yes ☐ no

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OCT 19 2001

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\text{Theoretical } \frac{8.8(.75)(.7)}{120 + (7.31 \times 50)} = \frac{4.62}{235.5} = .019 .02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses: From Table 3 FE Handbook 109pd/customer

$$\frac{109 \text{ PD} \times 75 \text{ customers} \times 365 \text{ days}}{325,850} = .8 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	01-01	12-31	.02	.8
Totals:			.02	.8

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Wayne Baldwin Date 10-10-00

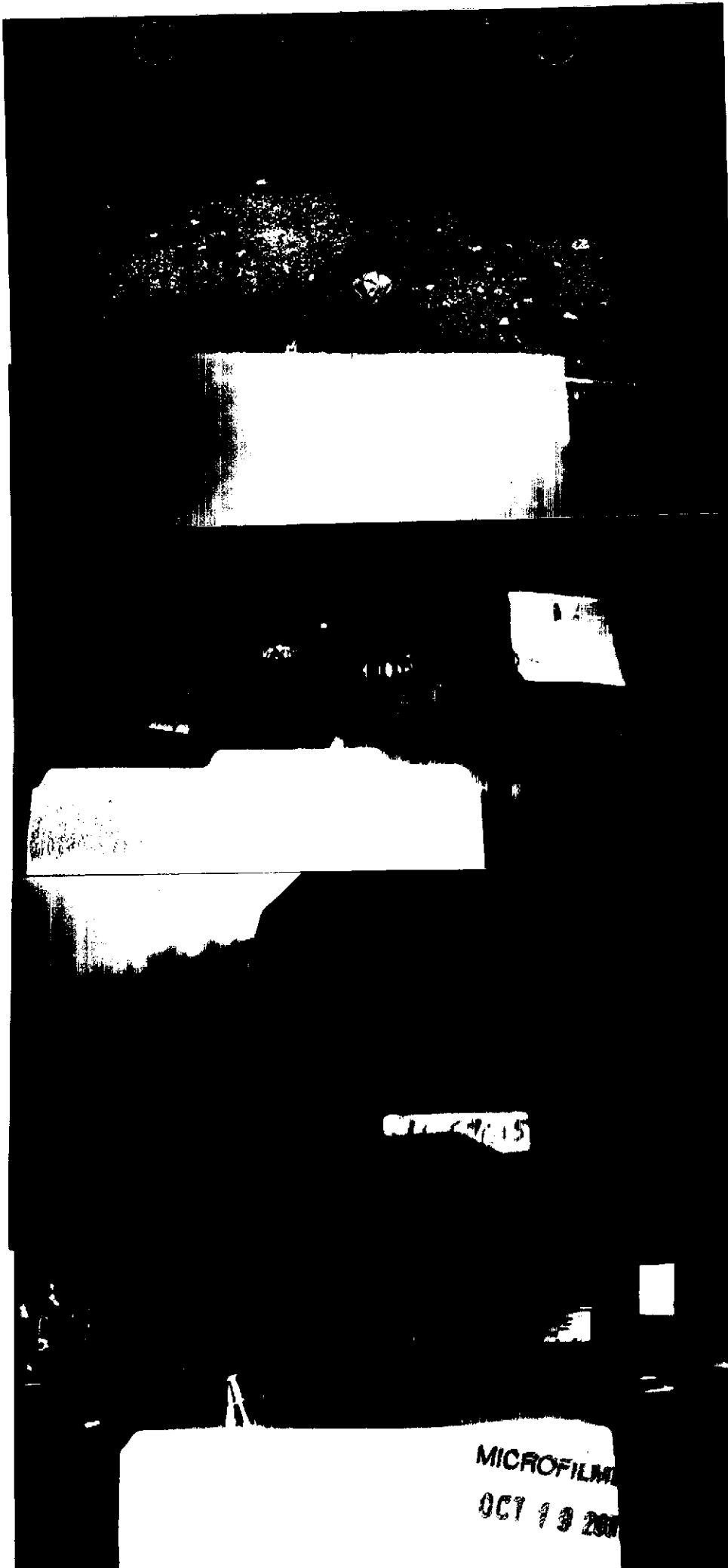
Reviewer _____ Date _____

SEAL

MICROFILMED

OCT 19 01

96-09015



PD

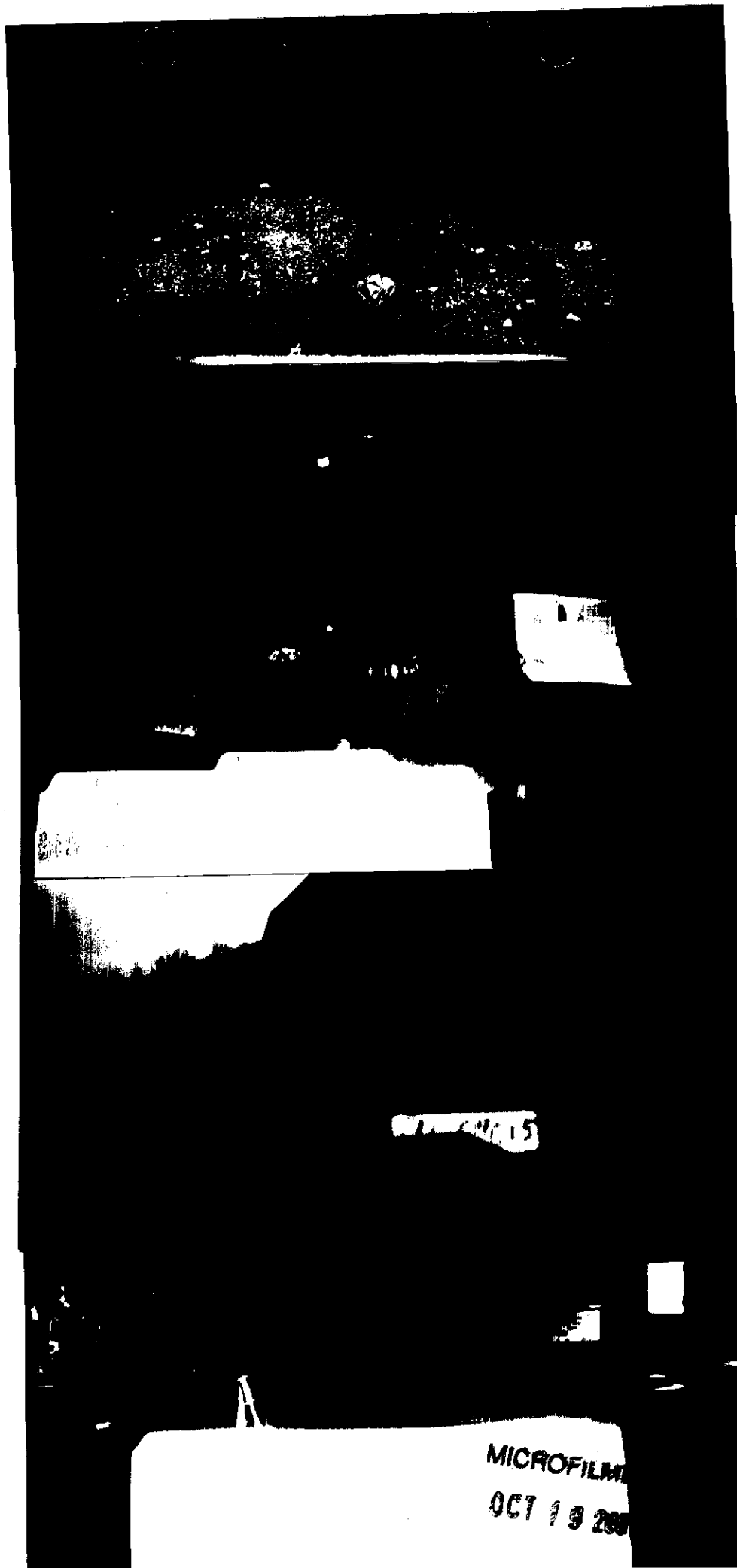
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MICROFILM
OCT 13 2001

96-09015



PD

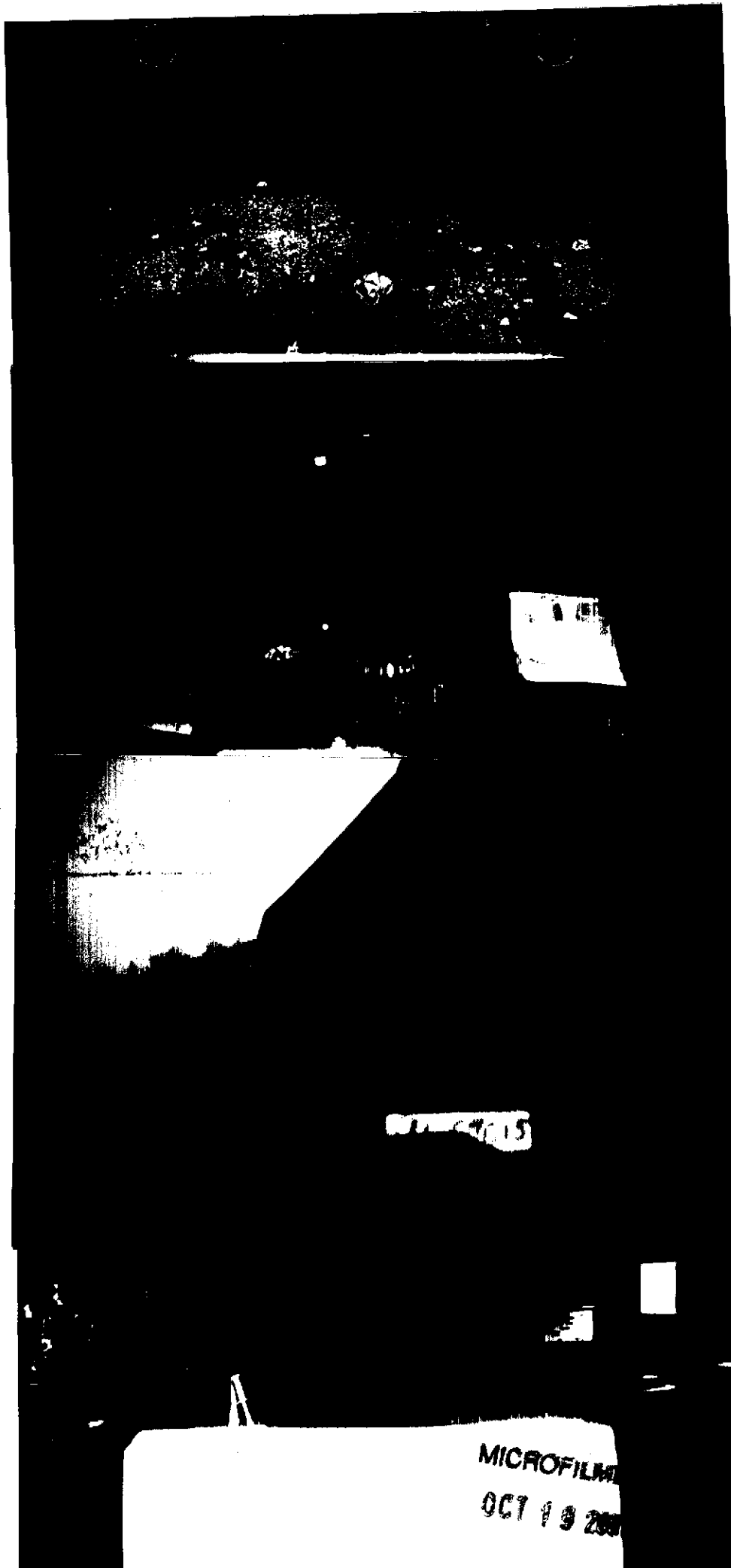
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OCT 19 200

96-09015



PO

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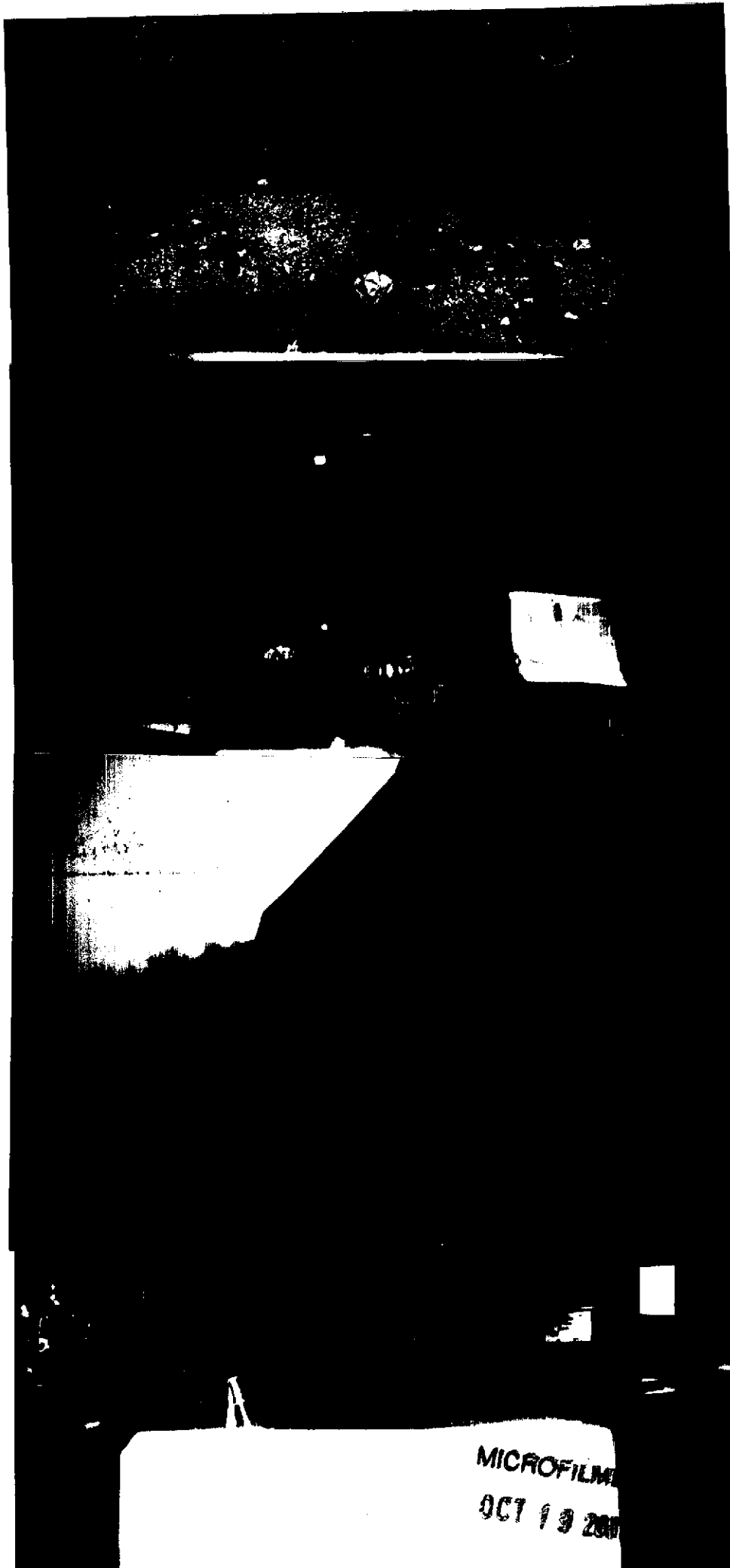
PV

PV

MICROFILM

OCT 19 200

96-09015



PD

PV

PV

PV

MICROFILM
OCT 13 200



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

January 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECREATIONS UTILITY
165 VILLAGE LN STE A
SANDPOINT ID 83864

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09015

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

A handwritten signature in black ink, reading 'L. Glen Saxton', is written over a horizontal line.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

FEB 04 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 96-09015 Reviewed by [Signature] Date 01-05-00

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Comm
yes Correct Uses?

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

 Copy in the file?

 Amount paid for permit

 Well log in the file?

Drilling Permit No. 96-93-N-204
 Correct?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

NO Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

OK - ack proof

DATA ENTRY

New Address

Proof Made 8-12-99



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

RECREATIONS UTILITY
165 VILLAGE LN STE A
SANDPOINT ID 83864

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09015

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is 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 licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

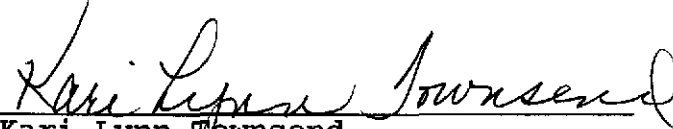
FEB 04 2000

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of May, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 96-09015

RECREATIONS UTILITY
165 VILLAGE LN STE A
SANDPOINT ID 83864


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 04 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the order. 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
FEB 04 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MICROFILMED
FEB 04 2000

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Andy*No.: 96-9015 Name: Rec Utilities Date: 5/24/99 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17

≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - 046-P23

In Basin 34? - 085

Irr. within WD - P05 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)

Supp. irr. + uses - 100-101

> 0.24 cfs/5 acres - 01M (report when notified)

≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP) - *WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)

≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22-P04, NA

(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA

Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's) - 029 (fish screens), NA

Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER - R37 (BLM/USFS); NA

MINING - 054(req)-081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - ① Comm / Bar & Restaurant ② W03

BENEFICIAL USE DUE: - 6/1/2000

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WRI
WRA
BCA

MAY 14 1999

APPLICATION # 96-09015

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: RECREATIONS' UTILITY

BY: AB

DATE: 3/8/99

ITEM REQUIRED INFORMATION

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 3/8/99
- ☒ (Include Moratorium Remark)
- ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

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

WAYNE WILL SEND LIST OF OFFICERS 3/10/99 AB

ADDITIONAL INFORMATION

- (Yes) (No)
- ☒ Field check: by _____
- ☒ Field report attached
- ☒ Analysis Supp. attached (>5cfs/500af)
- ☒ Water delivered by water master?
- Water District # _____

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>96 93 N 204</u>	Dom. ☒ Non-Dom. ☒	Paid \$ <u>35</u>	<u>N006923</u>	Y (?) N ()
_____	Dom. ☐ Non-Dom. ☐	Paid \$ _____	_____	Y () N ()
_____	Dom. ☐ Non-Dom. ☐	Paid \$ _____	_____	Y () N ()

- ☐ Groundwater management area
- ☐ Critical ground water area
- ☐ Well Drilling Permit required
- ☐ Well Drilling Application and Fees received
- ☐ Well Drilling Application approved?

Remarks: CONTACT WAYNE TO VERIFY THAT DAILY VOLUME WILL EXCEED 8,500 GPD. - SEE REMARKS 5/12

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- ☐ Notice of pending void order issued. Final order response date: _____/_____/_____
- ☐ Further information required from applicant
- ☐ Affidavit of publication received
- ☐ Application published correctly. If not, record action taken: _____

- ☐ Publication dates and paper recorded on application | Sr. Agent initial _____
- ☐ Protests received, Final protest date: 5/19/99
- ☐ Measuring device required
- ☐ Measuring port required
- ☐ Special conditions:

Special conditions of approval Supplemental cover letter attached: Shirley Beddely See

Approval Recommended by: _____

Date: _____/_____/_____

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is Bookkeeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App for Water Right

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 15 day of Apr., 1999
and ending on the 22 day of Apr., 1999
and that said notice was published in said newspaper.

On this 22 day of April in the year
of 1999, before me, a Notary Public, personally
appeared Sherilyn Plunk,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Carolyn K. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 7/00

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

96-09015

RECREATIONS UTILITY
165 VILLAGE LANE SUITE 1 A
SANDPOINT, ID 83864

Source: GROUNDWATER
Diversion Pt: SENWNW Sec 9 T

58N R 02W in BONNER County.

Use: COMMERCIAL (0.100 CFS)

Total Diversion: (0.100 CFS)

Date Filed: 3/8/1999

In: BONNER County

T58N R02W S09 NWNW

For additional information con-
cerning 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 Re-
sources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
MAY 3, 1999.

KARL J. DREHER, Director
SNP#9943 Apr 15, 22, 1999

RECEIVED

MAY 04 1999

IDWR/North

MICROFILMED

MAY 14 1999

9943

To: Sheri
BONNER COUNTY DAILY BEE
Legal Notices Department

Fax No.: (208)263-9091

Re: Re-Advertisement of Water Right 96-09015
Recreations Utility

Date: April 8, 1999

Pages: 5 including this cover sheet

Sheri, thank you for calling to notify me that this Water Right did not make it into the paper for today's date (4/8/99) as originally scheduled.

You indicated there would be no charge for the entry in last weeks paper because of the error for this week, which was needed to complete the advertising process for our Department under Rule 4,2,1,1, Sec. 42-203A of the Idaho Code.

Following is a new request for advertising for this water Right with the request that it run in the paper for April 15 and April 22, 1999.

Please process this in the usual manner, and thank you very much.

Dianne

Dianne Ball
Administrative Assistant

[Signature]

*PS- I'm waiting for your fax to me explaining
the situation + necessity for this re-advertisement.*

Thanks

[Signature]

MICROFILMED

FEB 04 2000

From the desk of...

Dianne L. Ball
Administrative Assistant
Idaho Dept. of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene ID 83814
(208)769-1450
Fax: (208)769-1454
E-mail: dball@idwr.state.id.us



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

Dirk Kempthorne
Governor

KARL J. DREHER
Director

APRIL 8, 1999

Legal Notices Department
BONNER COUNTY DAILY BEE
P O BOX 159
SANDPOINT, ID 83864

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

{ Please send the affidavit of publication and publication billing to this office before MAY 3, 1999.

Yours truly,

Dianne Ball

DIANNE BALL
Senior Secretary

Enclosure

MICROFILMED
FEB 04 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
FEB 04 2000

96-09015

RECREATIONS UTILITY
165 VILLAGE LANE SUITE A
SANDPOINT, ID 83864

Source: GROUNDWATER

Diversion Pt: SENWNW Sec 9 T 58N R 02W in BONNER County.

Use: COMMERCIAL	(	0.100 CFS)
Total Diversion:	(	0.100 CFS)

Date Filed: 3/ 8/1999

In: BONNER County	
T58N R02W S09	NWNW

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FEB 04 2000

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, together with a protest fee of \$25.00 on or before MAY 3, 1999.

KARL J. DREHER, Director

Published: 4/15/1999 & 4/22/1999

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FEB 04 2000

Post Office Box 159 • 310 Church Street • Sandpoint, Idaho 83864 • (208) 263-9534 • FAX (208) 263-9091



APRIL 8, 1999

IDAHO DEPT OF WATER RESOURCES
ATTENTION DIANNE BALL,

ON APRIL 8, 1999 THERE WERE NO LEGAL NOTICES PUBLISHED IN OUR PAPER, THIS WAS
DUE TO AN ERROR IN OUR COMPOSING DEPARTMENT. WE APOLOGIZE FOR ANY INCONVENIENCE
THIS MAY HAVE CAUSED YOU.

THANK YOU,

Sheri Plunk
SHERI PLUNK
LEGAL DEPARTMENT

MICROFILMED

SEP 04 2000

96-09015

RECREATIONS UTILITY
165 VILLAGE LANE SUITE A
SANDPOINT, ID 83864

Source: GROUNDWATER

Diversion Pt: SENWNW Sec 9 T 58N R 02W in BONNER County.

Use: COMMERCIAL	(	0.100 CFS)
Total Diversion:	(	0.100 CFS)

Date Filed: 3/ 8/1999

In: BONNER County	
T58N R02W S09	NWNW

MICROFILMED

FEB 04 2000

March 24, 1999

Wayne Benner, Director of Public Works
Recreations Utility
165 Village Lane Suite A
Sandpoint ID 83864

Re: Water Appropriation Application No. 96-09015

Dear Mr. Benner::

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. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file is Receipt Number N012680.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, 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 approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, 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 source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

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FEB 04 2000

STRUCTURE

RECEIVED

MAR 15 1999

IDWR/North

Harbor Properties



Schweitzer Mountain Resort

(New Schweitzer L.L.C.)

Peter Gillis, General Manager



Recreations Utility

Wayne Benner, Director of Public Works



Water, Sewer

Jim Lackey, Supervisor

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FEB 04 2000

RESORT WATER COMPANY, INC.

01029

WATER RIGHT FEE FOR THE OUTBACK WELL

\$50.00

RECEIVED

MAR 08 1999

IDWR/North MICROFILMED

FEB 04 2000

(MIKE ROBINSON) (Sign once if Filing Official & Operator)

WD0731NP
(OD-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 03/15/99
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY	ACC FLG
96-93-N-0204-000	0	SCHWEITZER MOUNTAIN RESORT C/O JUB ENGINEERING 1250 IRONWOOD DRIVE SUITE 220 COEUR D ALENE, ID 83814 (208) 667-1574	58N	02W	09	SE NW NW		BONNER	
	0	RECREATIONS UTILITY COMPANY C/O JUB ENGINEERING 1250 IRONWOOD DRIVE SUITE 220 COEUR D ALENE, ID 83814 (208) 667-1574							

Subdivision Well Site Location and Description:

Subdivision Name:

Well Site Address: SCHWEITZER MOUNTAIN ROAD
City, State:

Lot(s):
Block(s):

Geographic Location:

GPS Site ID:

Lat: : : N
Long: : : W
Accuracy Code:

Proposed Use of Well: Domestic
Anticipated Bottom Hole Temperature: 85F or Less

Proposed Casing Diameter: 6 In.

Proposed Depth: 150 Ft.

Well Use Comments:

Driller License No: 0228

Firm Name: PONDEROSA DRILLING & DEVELOPMENT INC
Official: W SCOTT BARRATT

Permit Status: Permit

Verbal Issue Date: 08/27/1993
Date Received: 09/02/1993
Date Approved: 09/07/1993
Proposed Start Date: 09/01/1993
Extension Date:
Extension Expiration:

Receipt No.	Receipt Date	Fee
N006923	09/02/1993	\$ 35.00
	NOT ON FILE	
	NOT ON FILE	
	NOT ON FILE	
	NOT ON FILE	

Permit Remarks: VERBAL GIVEN BY LORETTA.

LOG STATES: LOCATION OF WELL OUT BACK INN, SCHWEITZER MOUNTAIN
ROAD.

Permit Remarks:

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells

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=====

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 96-93-N-0204-000 (cont'd)

Conditions of approval: must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

----- WELL DRILLER'S LOG REPORT -----

Drilling Permit No: 96-93-N-0204-000
Log Status:

Water Right No: 96-09015
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Number of Monitor Wells:

Casing Diameter: 6 In.
Depth of Casing: 111 Ft.
Total Depth: 126 Ft.
Screen Installed? No

Static Water Level: 33 Ft.
Temperature: F.
Production Rate: 10.00 GPM

Actual Start Date: 09/13/1993
Well Finish Date: 09/16/1993
Log Received Date: 10/14/1993
Certification Date: 10/07/1993
Field Inspection Date:

Inspector:

Violation Flag:

Well Log Remarks: 5" CASING FROM 106 TO 111 FT.

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FEB 04 2000