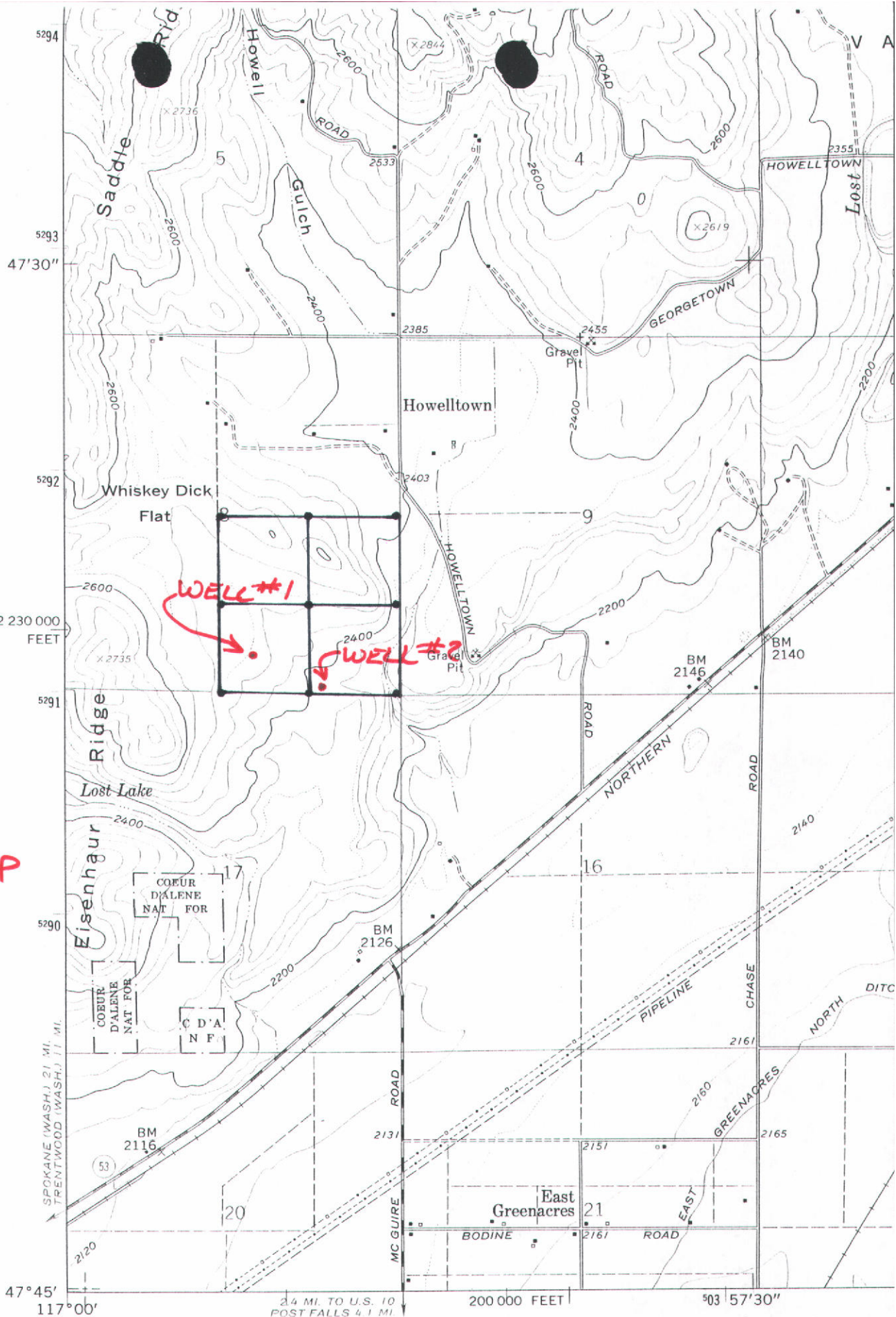


RATHORUM QUAD MAP

(LIBERTY LAKE)
2579 II NE



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

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

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

MICROFILMED

APR 11 2001

0°03'
01 MILS
20 1/2°
364 MILS

1000
1

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09034

Priority: March 26, 1999

Maximum Diversion Rate: 1.00 CFS

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

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

Source: GROUND WATER

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

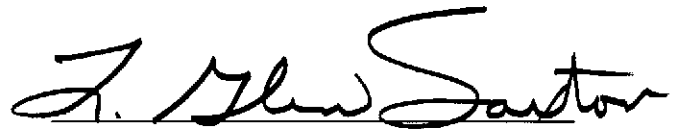
LOCATION OF POINT(S) OF DIVERSION:

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

CONDITIONS OF APPROVAL

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

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


KARL J DREHER, Director
for

MICROFILMED

MAR 20 2003

RECEIVED

208 769 1454;

JUL-25-02 2:25PM;

PAGE 1/2

JUL 26 2002

IDWR/North

70070

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

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

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

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

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

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

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

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

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

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	5W	8															D	D	
51N	5W	17	D	D	D	D													
51N	5W	16					D	D											

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

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

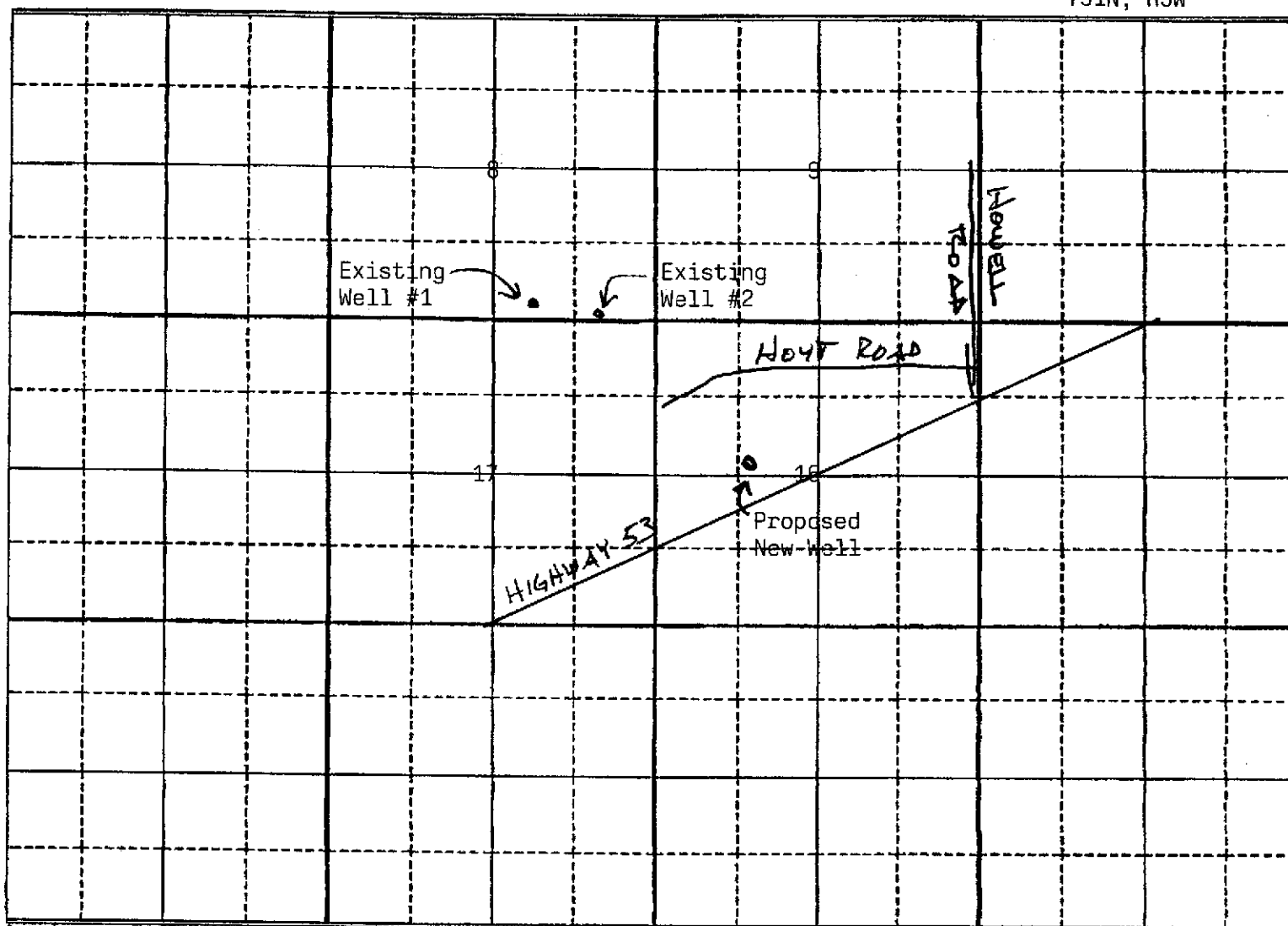
MICROFILMED

MAR 26 2003

RECEIVED

JUL 26 2002

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



Scale: 2 inches equal 1 mile

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

Signed this 26 day of July, 2002.

Bradley J. Hoyt *mgr*
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

I, _____, of the Department of Water Resources hereby

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

MICROFILMED
SIGNATURE

JUL 26 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-09034

Priority: March 26, 1999

Maximum Diversion Rate:

1.00 CFS

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

HOYT WATER COMPANY LLC

8610 E MARINGO DR

SPOKANE WA 99210

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

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

MUNICIPAL

01/01 to 12/31

1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

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

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

KOOTENAI County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

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

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

9th day of March, 2000.

MICROFILMED

APR 11 2000

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

RECEIVED

JAN 31 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

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

MICROFILMED

APR 11 2001

9. Description of place of use:

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

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

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

Total number of acres to be irrigated ± 270

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or place of use? Applicant, individual homeowners
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

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

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

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

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

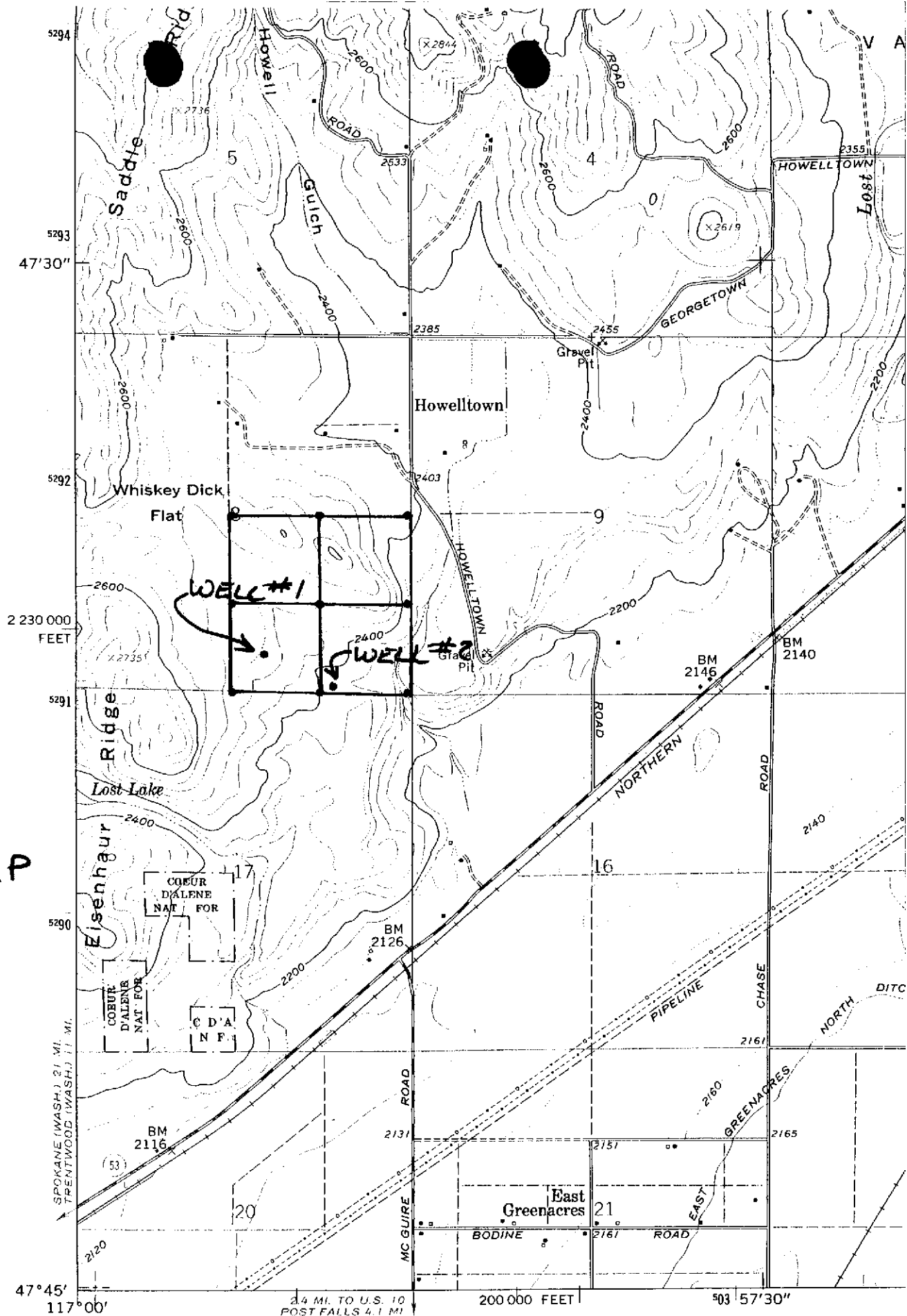
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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

MICROFILMED
SEP 11 2001

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

RATHORUM QUAD MAP



(LIBERTY LAKE)
2579 II NE

Mapped, edited, and published by the Geological Survey

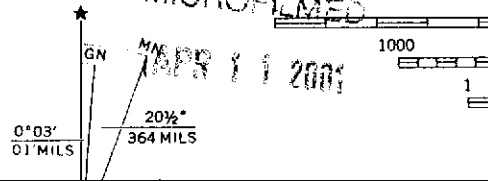
Control by USGS and USC&GS

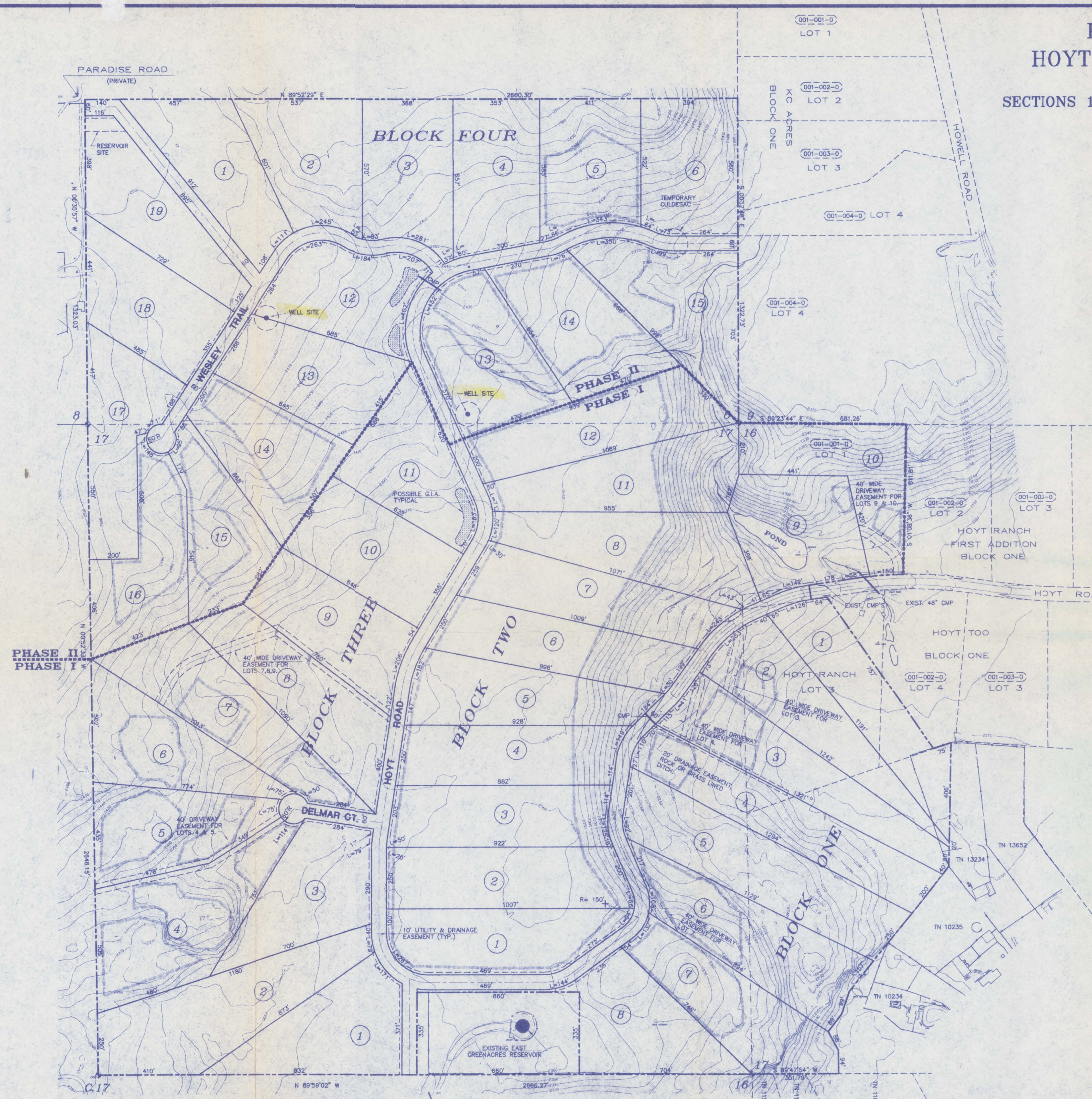
Topography by photogrammetric methods from aerial photographs taken 1958. Field checked 1961

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

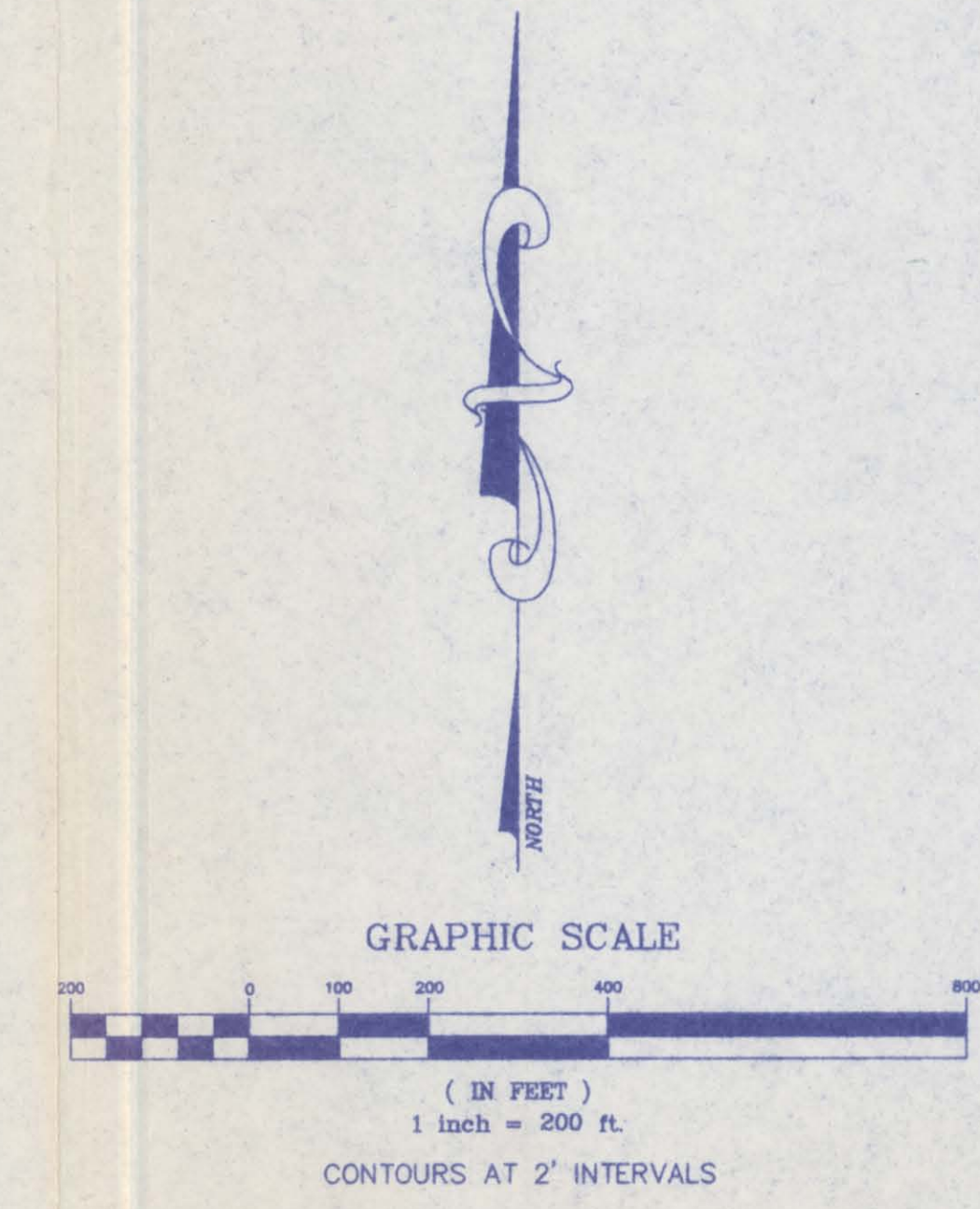
MICROFILMED

APR 11 2001



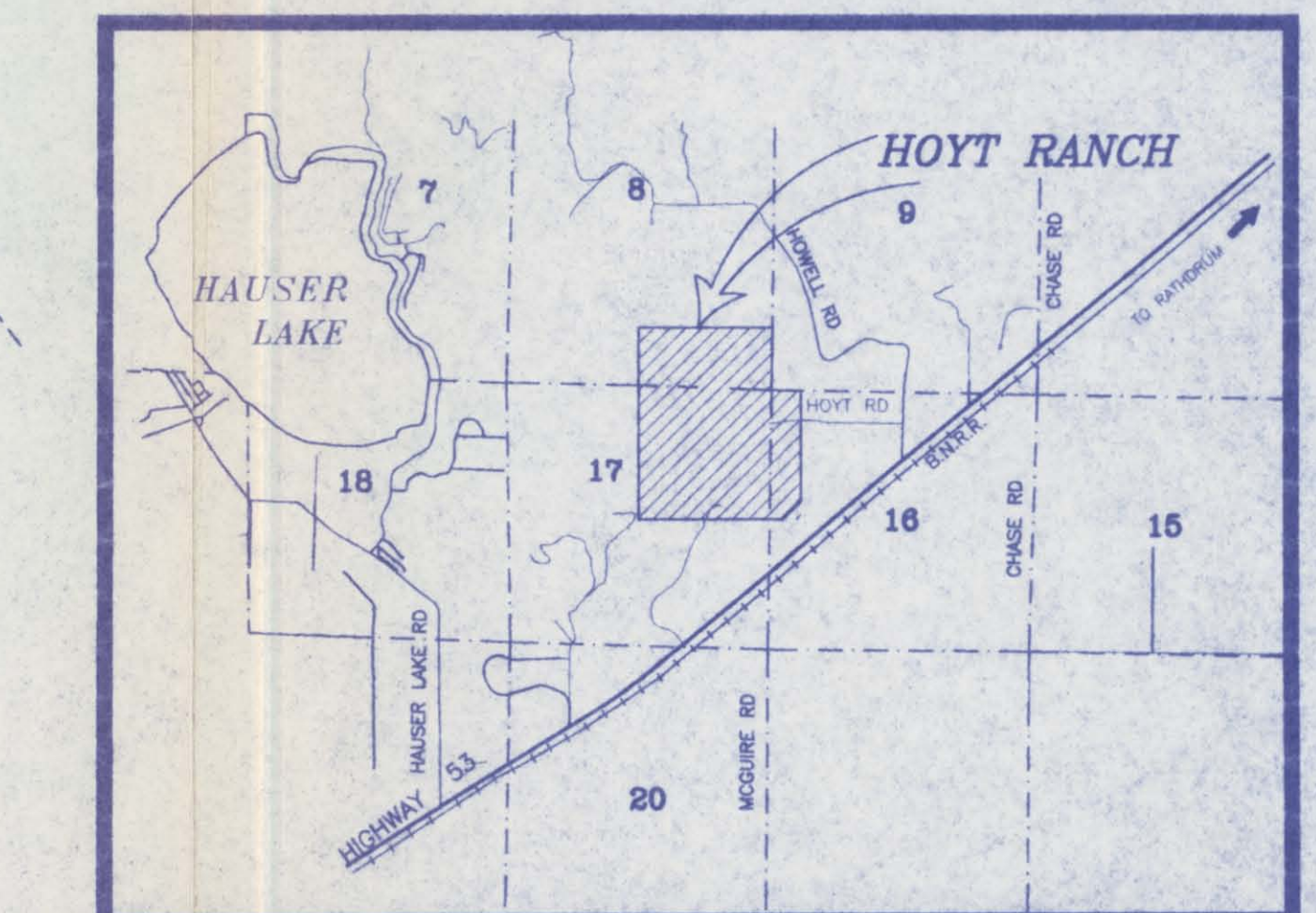


PRELIMINARY PLAT OF
HOYT RANCH SECOND ADDITION
IN PORTIONS OF
SECTIONS 16, 17, AND 18, T.51N., R.5W., B.M.,
IN KOOTENAI COUNTY, IDAHO



48 LOTS
RANCH ACREAGE
TOTAL.....275.1 ACRES
R/W.....12.3 ACRES
NET ACRES.....260.7 ACRES
SMALLEST LOT.....5.00 ACRES
LARGEST LOT.....7.81 ACRES
AVERAGE LOT.....5.32 ACRES
ROADWAY SECTION
COUNTY STANDARDS
WATER SUPPLY
DEVELOPER OWNED COMMUNITY
WATER SYSTEM

SANITARY SEWER
SUBSURFACE DISPOSAL
APPLICANT:
BRAD HOYT
2610 E. MARINO DR.
SPOKANE, WA, 99210
PHONE: (509) 921-0239



VICINITY MAP

DESIGN BY ROH	DRAWN BY DWJ	CHECKED BY ROH	DATE 03/03/99
FRAME & SMETANA, PA Consulting Engineers Coeur d'Alene, Idaho, 83814 (208) 664-2121 / fax 785-5502 email: frame@micron.net			
HOYT RANCH SECOND ADDITION KOOTENAI COUNTY, ID.			
PRELIMINARY PLAT			
LOCATION: SHEET TITLE:			
SECTION-TOWNSHIP-RANGE 16-51N-5W			
PROJECT NO. H358			
FILE NAME H358.DWG			
DRAWING NO. 1 of 1			

RECEIVED

DEC - 1 2005

DEPARTMENT OF
~~State of Idaho~~

Department of Water Resources

72362

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: A. F. [Signature]

Right Number 95-9034

Applicant HOTT BLUFF WATER ASSOC.

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

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

CHECK:

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

FINAL REGIONAL PROCESSING REVIEW:

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

Conditions RP6 WMA

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

STATE OFFICE PROCESSING:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 95-9034

WATER RIGHT NUMBER: 95-9034

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HOYT WATER CO LLC 1521 N ARGONNE PMB 353 SPOKANE, WA 99212 (509)230-4700
Original Owner	BRADLEY HOYT 1521 N ARGONNE PMB-353 SPOKANE, WA 99212 (509)230-4700
Current Owner	HOYT BLUFF WATER ASSN PO BOX 677 RATHDRUM, ID 83858

Priority Date: 03/26/1999

Basis:

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 8, Twp 51N, Rge 05W, B.M.
KOOTENAI County		
GROUND WATER	SW1/4SE1/4	Sec. 8, Twp 51N, Rge 05W, B.M.
KOOTENAI County		
GROUND WATER	SE1/4NW1/4	Sec. 16, Twp 51N, Rge 05W, B.M.
KOOTENAI County		

Place of UseConditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 126 Place of use is within the service area of Hoyt Water Co. as provided for under Idaho law. The place of use is generally located within Sections 8, 16 and 17, T51N, R5W.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 95-9034

Comments:

1. dgibson 2/10/2005 Request for Extension of Time

Comment: Extension request filed asking for 5 years to complete development of this municipal right. Granted request on 2/10/05 based on due diligence. New proof deadline is 2/1/2010.

Dates and Other Information:

Permit Proof Due Date: 2/1/2010

Permit Proof Made Date:

Permit Approved Date: 3/9/2000

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Field Exam Date:

Date Sent to State Office:

Date Received at State Office:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 95-9034

Reviewed By: dgibson

Date: February 10, 2005

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

Priority Calculation

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

Action Taken

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

Update database with address.



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

November 22, 2002

HOYT WATER CO LLC
BRAD HOYT
8610 E MARINGO DR
SPOKANE WA 99210

RE: Permit 95-9034

Dear Permit Holder(s):

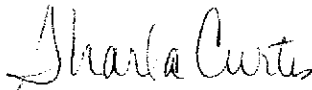
The Department of Water Resources (IDWR) has issued the enclosed Amendment of Permit approving your application to amend the water right referenced above. Please be sure to review every element of the Amendment of Permit, including the conditions of approval and remarks.

The Amendment of 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.**

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 at <http://www.idwr.state.id.us> to obtain the proper reporting form.

If you have any questions regarding this matter, you may call me at 208-327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosures

MICROFILMED

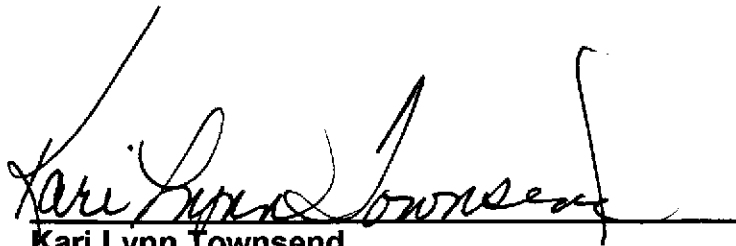
MAR 20 2003

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2002 I mailed a true and correct copy, postage prepaid, of the forgoing **PRELIMINARY ORDER (Amendment of Permit)** to the person(s) listed below:

RE: AMENDMENT OF PERMIT 95-9034

**HOYT WATER CO LLC
BRAD HOYT
8610 E MARINGO D R
SPOKANE WA 99210**


**Kari Lynn Townsend
Secretary**

MICROFILMED
MAR 26 2003

**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.

MICROFILMED
MAR 20 2009

AMENDMENT OF PERMIT REVIEW

Review Date 11-21-02

PERMIT NO. 95-9034 NAME Clayt Water Co.

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

AREA OF CONCERN: None GWMA Trust/Non-trust

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

GROUNDWATER:

Drilling Permit No. _____;
Drilled

Swan Falls Flag _____

Conditions of Approval: 01M 046

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

70070
State of Idaho

Data Entered 7/26/02

ok Pub
7/26/02

Department of Water Resources

AMENDMENT ANALYSIS SHEET

RECEIVED
NOV 19 2002

INITIAL REVIEW BY: AB

Right Number

95-09034

Applicant

AOI

Department of Water Resources

Purpose of Amendment:

☐ Change point of diversion.

☒ Add diversion point(s).

☐ Increase amount.

☐ Change place of use.

☐ Other

CHECK:

☒ Description of amended point(s) of diversion.

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

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

☒ Ownership of point of diversion and place of use.

☒ Map.

☒ Signature (must be permit holder).

☒ Fee.

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

☒ Right number(s)

☒ Yes ☐ No Should amendment be advertised?

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

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

Final protest date 9/3/02

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received.

☒ Amendment published correctly.

☐ Protests processed.

☒ Approve.

☐ Deny.

Conditions

By RAH Date 11/12/2002

STATE OFFICE PROCESSING:

☐ Amendment correct and complete. By _____ Date _____

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

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 23 2002
IDWR/North

STATE OF IDAHO,
County of Kootenai,

} ss.

Dobbie Magnuson

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *3* consecutive *weeks* commencing on the *15th* day of *August*, 20*02*, and ending on the *22nd* day of *August*, 20*02*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Dobbie Magnuson

Personally appeared before me this

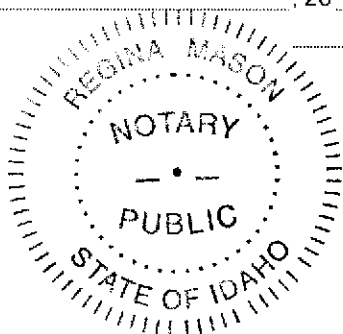
20 *02*

22nd day of *August*

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03



The following application had been filed to amend
Permit to Appropriate Water
95-9034

HOYT WATER'co LLC
BRAD HOYT
8610 E MARINGO DR
SPOKANE WA 99210

Original Point(s) of Diversion: SESE SWSE S8 T51N R05W
KOOTENAI County

Source GROUND WATER

Added Point of Diversion: SWSENW S16 T51N R05W
KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 1 CFS
Total Diversion 1 CFS

Date Filed: 07/26/2002

Remark: Place of use is within service area of applicant.

There are no other changes from original water permit.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42.211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 09/03/2002. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal 1568

August 15, 22, 2002

MICROFILMED

AUG 20 2002

The following application has been filed to amend Permit to Appropriate Water

95-9034

HOYT WATER co LLC
BRAD HOYT
8610 E MARINGO DR
SPOKANE WA 99210

Original Point(s) of Diversion SESE SWSE S8 T51N R05W KOOTENAI County

Source GROUND WATER

Added Point of Diversion SWSENW S16 T51N R05W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 1 CFS

Total Diversion: 1 CFS

Date Filed: 07/26/2002

Remark: Place of use is within service area of applicant.

There are no other changes from original water permit

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/03/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in Coeur d'Alene Press on 8/15 and 22/2002.

MICROFILMED

MAR 20 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 07, 2002

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI SAYLOR AT 664-0212
8/7/02
2 pages including letter
Please call to confirm receipt of this fax.

RE: Application to Amend Permit No. 95-9034 Hoyt Water Co LLC

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 09/03/2002. Your cooperation is greatly appreciated.

Thanks & ☺

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MAILED 11/11/02

AUG 13 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 07, 2002

BRAD HOYT
HOYT WATER COMPANY
8610 E MARINGO DRIVE
SPOKANE WA 99210

RE: Application to Amend Permit No 95-9034

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on August 15 and 22, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

MAR 20 2003



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 9, 2000

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

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09034

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.

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

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this 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.

RECORDED

MAR 11 2001

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

Sincerely,

Kari Lynne Townsend

for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

WICHITA FILMED

APR 13 2006

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of March, 2000, 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. 95-09034

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


Kari Lynn Townsend
Secretary

MICROFILMED
APR 11 2001

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
APR 11 2001

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.

FRAME & SMETANA, P.A.

CONSULTING ENGINEERS

603 North 4th Street

Phone 664-2121 - Fax 765-5502

COEUR D'ALENE, IDAHO 83814

RECEIVED

MAR 6 , 2000

Department of Water Resources

March 2, 2000

Ms. Sharla Curtis
Sr. Water Resource Agent
Department of Water Resources
State of Idaho
P. O. Box 83720
Boise, Idaho 83720-0098

RE: APPLICATION FOR PERMIT NO. 95-C9034-HOYT WATER COMPANY

Dear Ms. Curtis:

This letter is in response to your February 22, 2000 letter addressed to Hoyt Water Co., L.L.C., in care of Brad Hoyt, requesting additional information on the Hoyt Water Company water system. Enclosed is a copy of the August 23, 1999 Division of Environmental Quality (DEQ) letter approving the water plans for construction. As I mentioned in my telephone conversation on this date, the water system infrastructure has been completed and as-builts have been submitted to DEQ for their approval on February 10, 2000. The cover letter of this submittal is enclosed. Upon receiving the letter of approval for the as-builts for this water system, a copy will be forwarded to you.

If you need additional information or have any questions regarding the Hoyt Water Company water system, please contact me.

Sincerely,



Russell D. Helgeson, P.E.

RDH:gg
Enclosures
xc: Brad Hoyt
Charlie Dodson

MICROFILMED

APR 11 2001

H35810

FRAME & SMETANA, P.A.

CONSULTING ENGINEERS

603 North 4th Street

Phone 664-2121 - Fax 765-5502

COEUR D'ALENE, IDAHO 83814

February 10, 2000

Gary J. Gaffney, P.E.
Division of Environmental Quality
2110 Ironwood Parkway
Coeur d'Alene, ID 83814

RE: HOYT RANCH AS-BUILTS

Dear Gary:

Attached are the following as-built plans and related drawings for Hoyt Ranch:

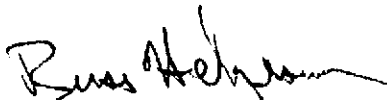
- Subdivision water distribution plans
- Reservoir, booster station, well plans
- Paradise Road water main extension plan
- Service area map for the Hoyt Ranch Water System
- Plat of Hoyt Ranch Second Addition

These plans are being submitted for your review, approval and record. The table of contents for an Operations and Maintenance (O&M) manual was originally submitted with Financial, Technical and Managerial Capacity report (FT&M report). The O&M manual is being assembled by the mechanical contractor and will be submitted at a later date when it is complete.

The organization of the water system has been changed since the original FT&M report was submitted to DEQ. Hoyt Water Company, L.L.C. will own the water system and lease the system to Hoyt Bluff Water Association, Inc. Hoyt Bluff Water Association, Inc., a non-profit corporation, will provide water to the subdivision and any other property that can be reasonably serviced. Attached are copies of the Articles of Incorporation and Bylaws for Hoyt Bluff Water Association, Inc. for your record. Hoyt Bluff Water Association will also provide all operation, maintenance and testing services.

Please contact me if any additional information is necessary to finalize the as-built submittal.

Sincerely,



Russell D. Helgeson, P.E.

Attachments
xc: Brad Hoyt
Charlie Dodson

MICROFILMED

APR 11 2001



STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

Dirk Kempthorne, Governor
C. Stephen Alfred, Administrator

August 23, 1999

Russell Helgeson
Frame & Smetana
603 N. 4th Street
Coeur d'Alene, ID 83814

RE: Hoyt Ranch Water System

Dear Mr. Helgeson:

The report entitled Demonstration of Financial, Technical and Managerial capacity for the New Public Water System at Hoyt Ranch 2nd Addition, submitted by you on August 19, 1999 has been reviewed. The report appears to be in accordance with Idaho Rules for Public Drinking Water Systems. The report and the plans and specifications for the new water system are hereby approved for construction purposes in accordance with Section 39-118 of Idaho Code.

Inspection of construction activities approved herein must be done by an Idaho registered Professional Engineer. If major modifications to this accepted design are necessary, approval by this office must be secured prior to implementation of the changes.

Section 39-118 of Idaho Code requires that as-built plans reflecting actual construction completed and certified by the inspecting engineer be submitted to this office for review and approval within thirty (30) days of completion of construction. If construction activities are not completed within one year of the date of this letter, this construction approval expires.

Sincerely,

Troy A. Thrall

Troy A. Thrall, EIT
Engineering Specialist

c: Bradley Hoyt, 8610 Maringo Drive, Spokane, Washington 99210
Tony Davis, DEQ

MICROFILMED

APR 11 1999



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 22, 2000

HOYT WATER CO LLC
C/O BRAD HOYT
8610 E MARINGO DR
SPOKANE WA 99210

RE: Application for Permit No. 95-09034

Dear Applicant:

The application for permit to appropriate water that you recently submitted describes your proposed use of water as municipal use.

Section 42-202B(3)(c), Idaho Code, defines a municipal provider as a "corporation or association which supplies water for municipal purposes through a water system regulated by the state of Idaho as a "public water supply" . . .". Section 39-103(15), defines a public water supply as "all mains, pipes and structures . . . actually used or intended for use for the purpose of furnishing water for drinking or general domestic use in incorporated municipalities; or unincorporated communities where ten (10) or more separate premises or households are being served or intended to be served; or any other supply which serves water to the public and which the Department of Health and Welfare declares to have potential health significance.

It appears that the water delivery system you propose in the water right application may qualify as a municipal provider as described above. In order for us to complete our review for permit approval, we need some documentation to show that the Hoyt Water Co. LLC water system qualifies as a public water supply by the State of Idaho, Dept. of Health and Welfare.

Please submit evidence of your qualification as a municipal provider within 30 days. Once we receive sufficient documentation to this effect, our review for permit approval can be completed. If you have any questions, please call me.

Sincerely,

SHARLA CURTIS

Sr. Water Resource Agent

RECORDED
APR 11 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 2/4/00

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

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

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

~~WMD~~

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

LOCATION:

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

USES:

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

BENEFICIAL USE DUE: 210112005

MISC CONDITIONS/REMARKS:

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

SURFACE WATER: (✓Flow Chart)

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

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

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

USES:

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

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

IRRIGATION SEASON - (Per updated map)

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

COMMENTS

MICROFILMED

APR 11 2001

Additional documentation
of municipal provides

RECEIVED

JAN 31 2000

ILLINOIS DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WRI
WRA
DCA

Department of Water Resources

APPLICATION # 95-09034

INITIAL REVIEW

APPLICANT: HOYTBY: TSDATE: 3/26/99

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 3/26/99

(Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION

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

Groundwater management area

Critical ground water area

Well Drilling Permit required

Well Drilling Application and Fees received

Well Drilling Application approved?

Remarks: DEQ Upgrade ? for wells ?

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

Notice of pending void order issued. Final order response date: _____/_____/_____

Further information required from applicant

Affidavit of publication received

Application published correctly. If not, record action taken: _____

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

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

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: TSDate: 1/26/00



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

RECEIVED
JAN 24 2000
IDWR/North

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 2000

Hoyt Water Company
8610 E. Maringo Dr
Spokane WA 99210

RE: Application for Permit Number 95-09034

Dear Mr. Hoyt:

We are writing in regard to the above Application for Permit which has been advertised and is ready to be sent to our state office for final approval.

Our records indicate that your two wells were constructed under "Domestic Well Drilling Permits", and a \$75.00 fee was paid for each one. Since the uses listed on your Water Right Permit exceed the Statutory Definition of Domestic use it is necessary to upgrade your well drilling permits prior the forwarding of your Application for Permit to our State Office.

The fee for a "Non Domestic Well Drilling Permit" is \$200. Please send an additional \$250.00 (2 X \$125.00) to upgrade your well drilling permits.

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

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

APR 14 2001



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Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

APR 11 2001

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

Steve Wake

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *LEGAL NOTICE*

of which the annexed is a printed copy, was published in the regular *THURSDAY* issue of said newspaper for *2* consecutive *weeks* commencing on the *18* day of *November* 19*99*, and ending on the *25* day of *November* 19*99*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Shae Fulkerson

Subscribed and sworn to before me this *25* day of *November* 19*99*.

Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

RECEIVED

DEC 07 1999

IDWR/North

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

94-07383

CITY OF HARRISON
PO BOX 73
HARRISON, ID 83833
Source: GROUNDWATER
Diversions Pt. LOT 7 (NENE)
Use: MUNICIPAL
Total Diversion:
Date Filed: 10/14/1999
Place of use is within the service area of the City of Harrison.
95-09009

ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83870070
Source: GROUNDWATER
Diversions Pt. NENE
NENE
NWNW
NESW
SWNENW
Sec 1 T 50N R 05W in KOOTENAI County,
Sec 31 T 51N R 04W in KOOTENAI County,
Sec 35 T 51N R 05W in KOOTENAI County,
Sec 36 T 51N R 05W in KOOTENAI County,
(5,250 CFS)
(5,250 CFS)

Use: MUNICIPAL
Total Diversion:
Date Filed: 2/12/1999
Place of use is within the service area of the Ross Point Water District.
95-09033

ILLICH, THOMAS J
1306 E BLACKWOOD LANE
SPOKANE, WA 992236399
Source: COEUR D'ALENE
Diversions Pt. LOT 6 (SESE)
Use: DOMESTIC
Total Diversion:
Date Filed: 9/30/1999
In: KOOTENAI County
T48N R05W S25
Lot 6 (SESE)
Tributary: SPOKANE RIVER
Sec 25 T 48N R 05W in KOOTENAI County,
(0,040 CFS)
(0,040 CFS)

HOYT, BRAD
HOYT WATER COMPANY LLC
8610 E MARIANO DR
SPOKANE, WA 99210
Source: GROUNDWATER
Diversions Pt. SWSE
SESE
Use: MUNICIPAL
Total Diversion:
Date Filed: 3/26/1999
Place of use is located within the service area of Hoyt Water Company LLC.
95-09034
Sec 8 T 51N R 05W in KOOTENAI County,
Sec 8 T 51N R 05W in KOOTENAI County,
(1,000 CFS)
(1,000 CFS)

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 DECEMBER 6, 1999.

Legal 181
November 18, 25, 1999
KARL J. DREHER, Director

RECEIVED

DEC 07 1999

IDWR/North

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APR 11 2001

95-09034

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

Source: GROUNDWATER

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

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

Date Filed: 3/26/1999

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

MICROFILMED

APR 11 1999

November 10, 1999

Brad Hoyt
Hoyt Water Company LLC
8610 E Maringo Dr
Spokane WA 99210

Re: Water Appropriation Application No. 95-09034

Dear Mr. Hoyt:

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.

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

AB:db

APR 11 2001