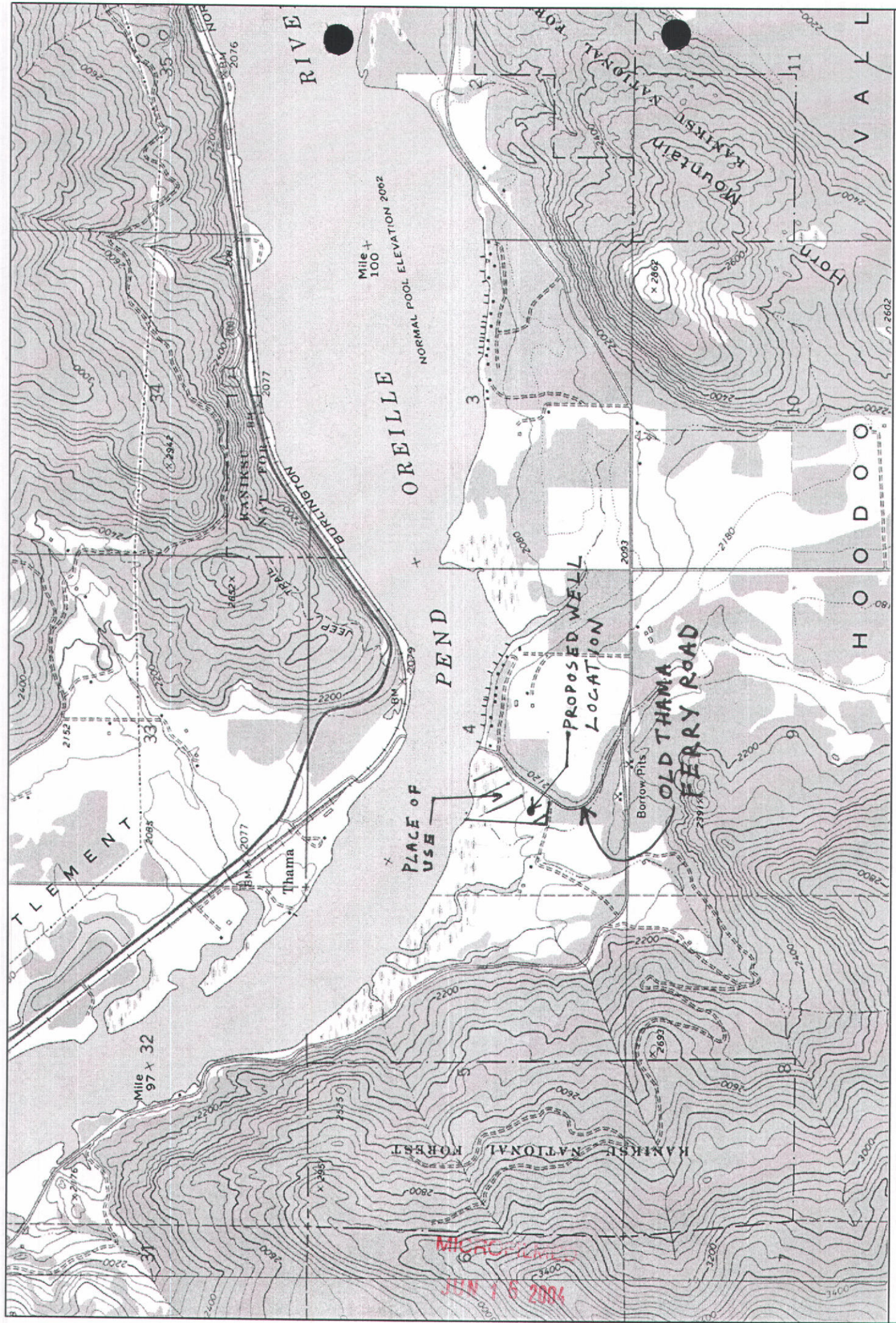




Name: LACLEDE
Date: 4/14/2003
Scale: 1 inch equals 2000 feet

Location: 048° 08' 48.9" N 116° 50' 09.7" W
LOCATION: 55N 04W SECTION 04

RAPTOR VIEW SUBDIVISION
PRELIMINARY PLAT
SECTION 4, TWP. 55N., RNG. 4W., B.M.
PRIEST RIVER, BONNER COUNTY, IDAHO

GENERAL NOTES

- 1) PROPOSED METHOD OF WATER SUPPLY IS COMMUNITY WELL.
- 2) PROPOSED METHOD OF SEWAGE DISPOSAL IS A COMMUNITY DRAINFIELD FOR LOTS 1-7 OF BLOCK 1, INDIVIDUAL DRAINFIELDS FOR BLOCK 2, AND BLOCK 1 LOTS 8 AND 9.
- 3) PROPOSED METHOD OF SOLID WASTE DISPOSAL IS BY PRIVATE CONTRACTOR OR BY COUNTY DUMPSTERS.
- 4) PROPOSED USE IS RESIDENTIAL.
- 5) SUBJECT PARCELS ARE IN SUBURBAN ZONING DISTRICT.

OWNER & DEVELOPER

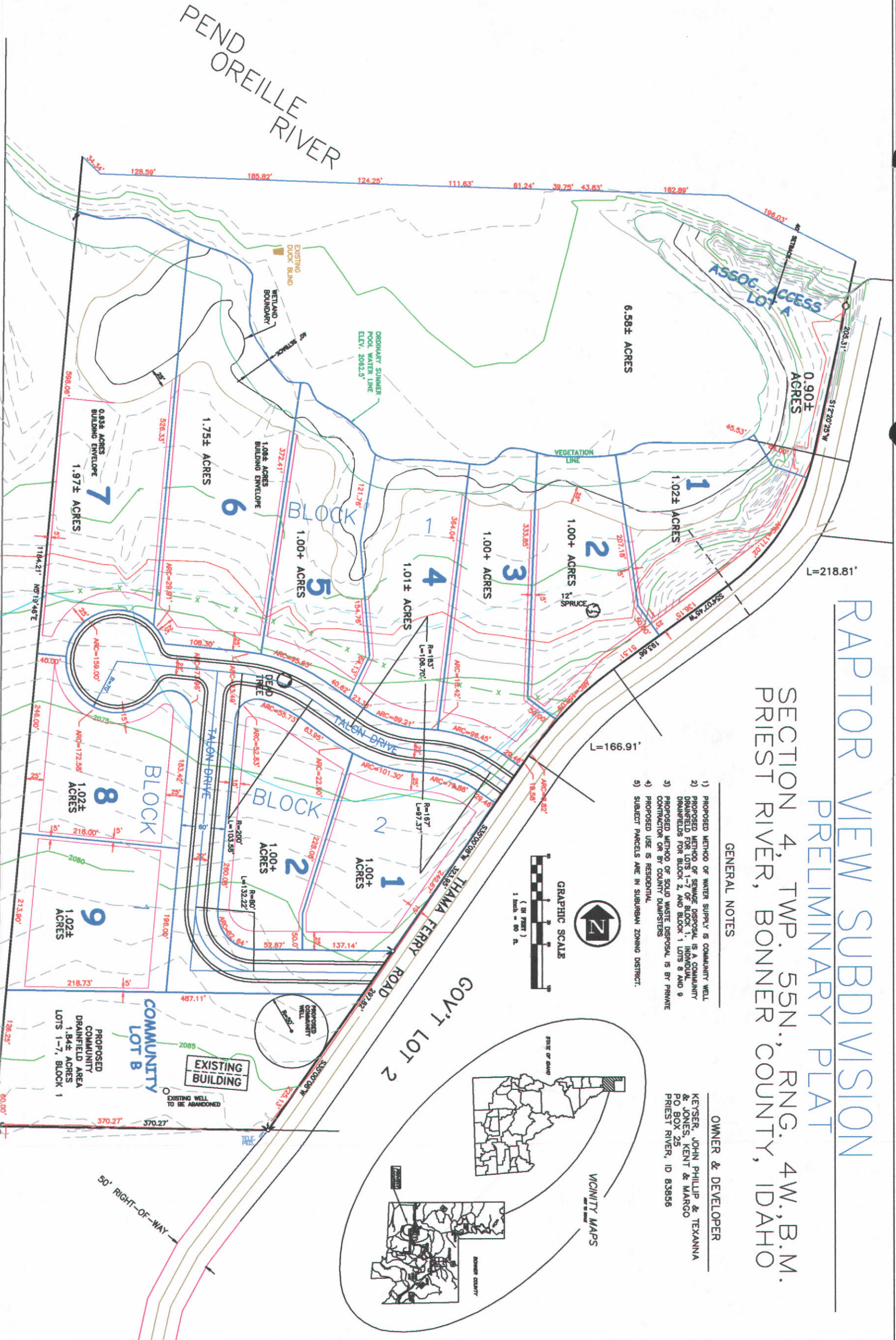
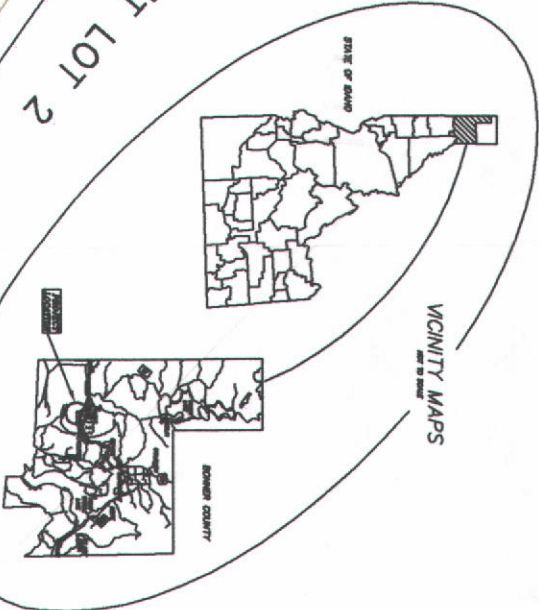
KEYSER, JOHN PHILLIP & TEXANNA
& JONES, KENT & MARGO
PO BOX 25
PRIEST RIVER, ID 83856



GRAPHIC SCALE



VICINITY MAPS



4.1 SITE PLAN / SUBDIVISION LAYOUT
SCALE: 1" = 80'

100 YEAR FLOOD
ELEVATION = 2067.5'
APPROXIMATE LOCATION
OF FLOOD EASEMENT

300' SETBACK
LINE FROM
WETLANDS, PEND
OREILLE RIVER

100YR. FLOOD PLAIN, PER F.E.M.A.
FIRM No. 160206 0360C, Aug. 4th., 1987

SHEET TITLE:
VICINITY MAP AND SITE PLAN
FOR PRELIMINARY PLAT
PROJECT:
RAPTOR VIEW SUBDIVISION
PRIEST RIVER, BONNER COUNTY, IDAHO



James A. Sewell and Associates
CONSULTING ENGINEERS
SANDPOINT, IDAHO 83864
(208) 263-4160

ENGINEER'S STAMP			SAT/RFH
			DRN/CHKD
1	10-23-02	REVISE BLOCK 1, LOT 6 & 7	
No.	DATE	REVISION	

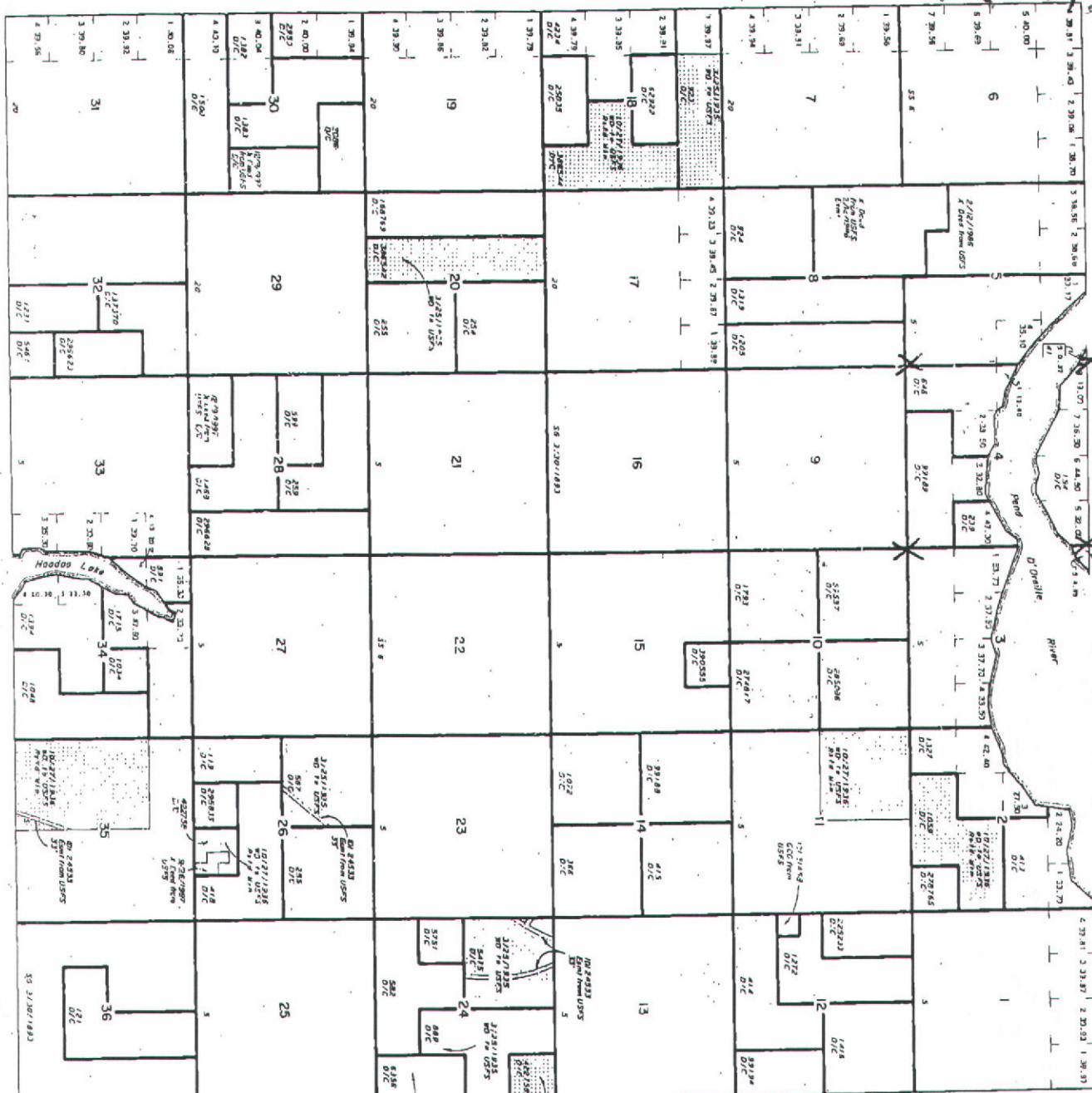
SHEET 1. OF 2.

Ref: Application for Permit
96-09137 (on 06-16-03 report)

RECEIVED
JUN 25 2003
IDWR/North

TOWNSHIP 55 NORTH RANGE 4 WEST OF THE BOISE MERIDIAN, IDAHO

BONNER COUNTY 017
COSEW D'ALMEIDA DISTRICT



MICROFILMED

JUN 16 2004

MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

INDEX TO SEGREGATED TRACTS			
TRACT NO.	Y	SEC.	SUBDIVISION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
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15			
16			
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32			
33			
34			
35			
36			

1/24/1903 R/R Spokane International By

Sec 12, 34

3/25/1935 WD to USFS

Sec 3, Lot 5, 10th R/R

10/27/1935 WD to USFS

Sec 35, SE 1/4, 1/4, 2, 3, SW 1/4, 1/4, 3, 4

Dep of Agr. 0 9/13/1936, all land acq by USFS

administered as part of Bonanza Mt within

Sec 2, SE 1/4, 1/4, 2, 3, SW 1/4, 1/4, 3, 4

Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

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Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

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Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

Sec 3, Lot 5, 10th R/R

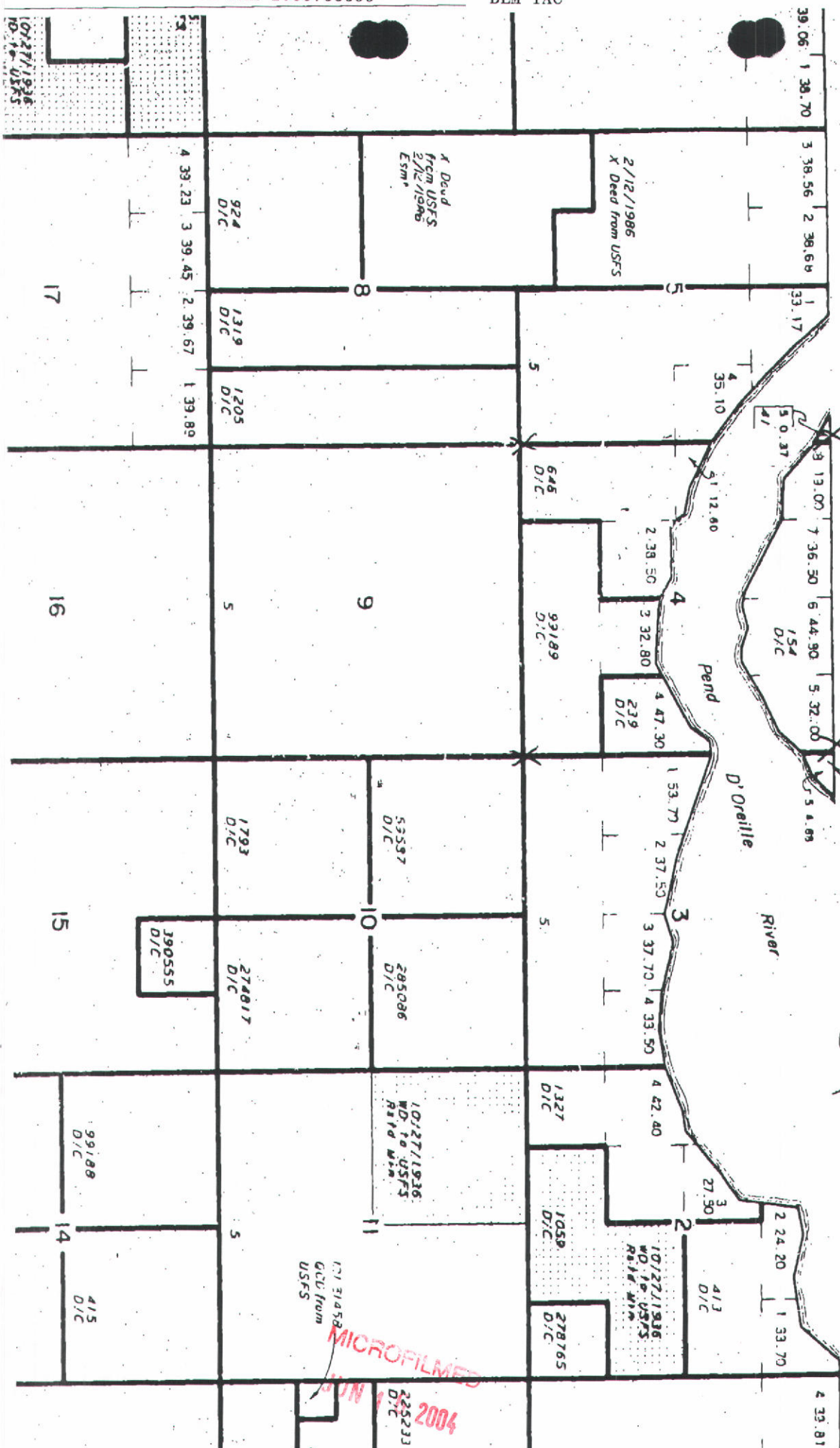
Sec 3, Lot 5, 10th R/R

RECEIVED
JUN 25 2003
IDWR/North

TOWNSHIP 55 NORTH RANGE 4 WEST OF THE BOISE MERIDIAN

BONNER COUNTY O17
COEUR D'ALENE DISTRICT

SH
R04
22551



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09137

Priority: May 27, 2003

Maximum Diversion Rate: 0.12 CFS

This is to certify, that JOHN PHILLIP KEYSER And KENT JONES
And RAPTOR VIEW SUBDIVISION WATER SYSTEM
PO BOX 25
PRIEST RIVER ID 83856

have applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.12 CFS
IRRIGATION	04/01 to 10/31	0.12 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 4, Twp 55N, Rge 04W, B.M., BONNER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N 04W 4										X	X						
										L 2							

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N 04W 4										18.0	4.0						22.0
										L 2							

Total Acres: 22

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2004**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Point of diversion is located within Community Block B, Blk. 1, Raptor View Subdivision.
5. Place of use is located within Lots 1-9, Blk. 1; Lots 1-2, Blk. 2; Raptor View Subdivision.
6. Domestic use is for 11 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.

MICROFILMED

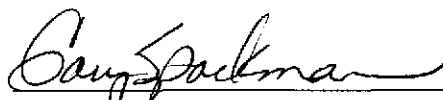
JUN 16 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09137

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of September, 20 03.



KARL J DREHER, Director

MICROFILMED

JUN 16 2004

RECEIVED

FORM 202
12/99

JUL 25 2003

70625
STATE OF IDAHO

Ident. No. 96-9137

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

601-610-0895

1. Name of Applicant JOHN PHILLIP KEYSER/KENT JONES Phone (208)448-1335

Mailing address P.O. BOX 25, PRIEST RIVER, ID 83856

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

3. Location of point of diversion is Township 55N Range 04W Sec. 04 in the SW 1/4, NE 1/4, SW 1/4, Govt. Lot B.M., BONNER County;

additional points of diversion if any:

4. Water will be used for the following purposes: MUNICIPAL

Amount 0.1114 for DOMESTIC 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) 0.1114 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 SUBMERSIBLE WELL PUMP TO WATER DISTRIBUTION SYSTEM

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

c. Proposed well diameter is 8 inches; proposed depth of well is 160 feet

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

e. If well is already drilled, when? N/A; Drilling firm

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

7. Time required for completion of works and application of water to proposed beneficial use is 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. 11 RESIDENTIAL CONNECTIONS

e. Other; describe fully. 1 CONNECTION TO SERVE COMMON AREA

NAME

* = AKA. RAPTOR VIEW SUBDIVISION WATER SYSTEM.

MICROFILMED

JUN 16 2004

3. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	04W	04									A	m							

Total number of acres to be irrigated N/A PLACE OF USE IS WITHIN SERVING AREA OF RAPTORVIEW SUBDIVISION WATER SYSTEM.

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

11. a. Who owns the property at the point of diversion? JOHN PHILLIP KEYSER/KENT JONES

b. Who owns the land to be irrigated or place of use? N/A

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks:

PWS ID1090265

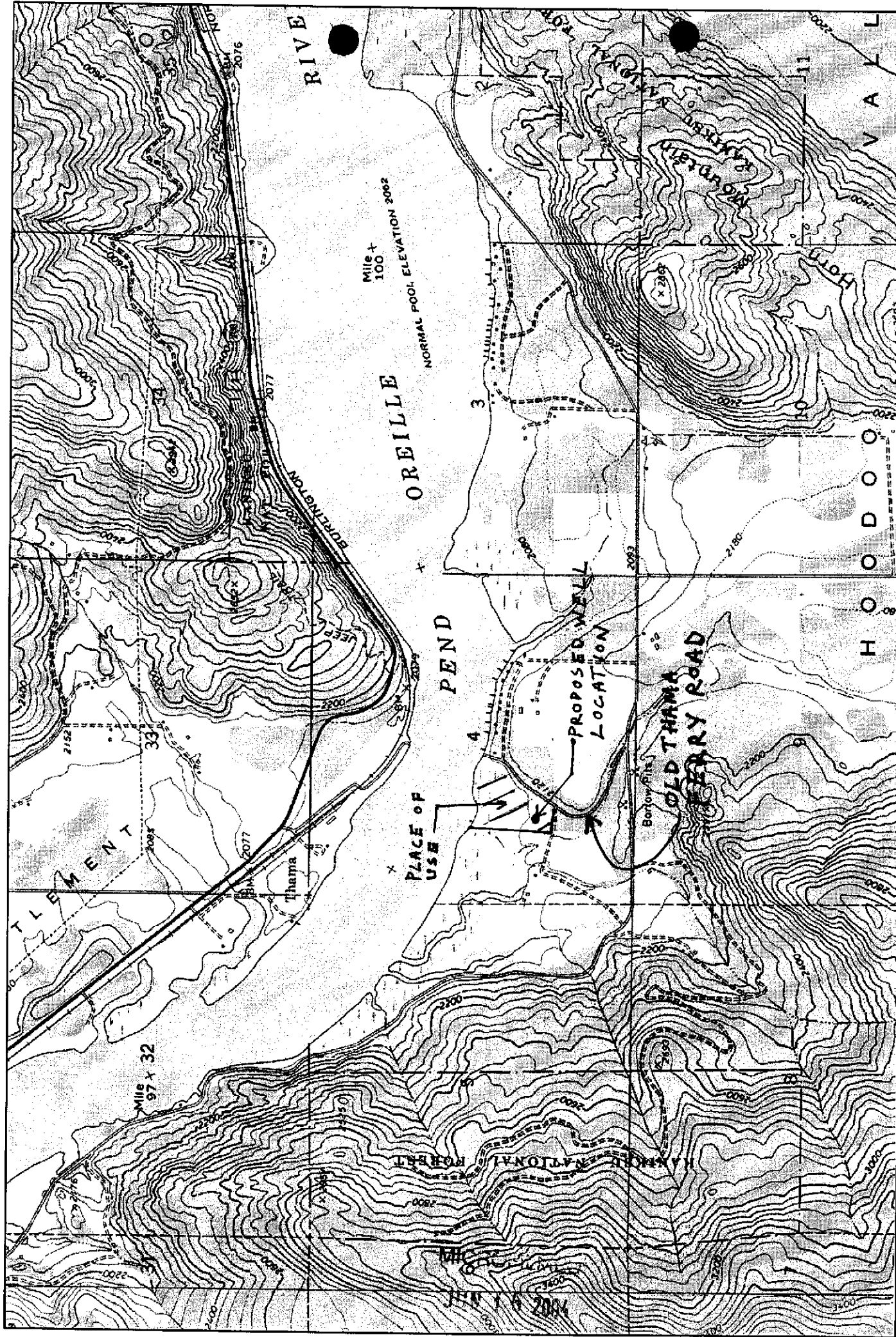
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

John Phillip Keyser
Signature of Applicant (and title, if applicable)

Received by AB Date 5-27-03 Time 2:31 Preliminary check by AB
Fee \$ 100 Receipted by AB # 1015661 Date 5-27-03
Publication prepared by db Date 6/12/03 Published in Prophet's Times 6/18*25/03
Publication approved db Date 7/2/03

MICROFILMED
JUN 8 2004



Location: 64°08'00" N 119°58'00" W
 LOCATION: 55N 04W SECTION 04

Name: LACLEDE
 Date: 4/14/2003
 Scale: 1 inch equals 2000 feet

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9137

Reviewed By: dgibson

Date: February 11, 2005

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		D0028500
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N015661, C074509	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?		X	Measure device waiver requested?		

Priority Calculation

Date proof received		07/14/2004
Date proof due	-	09/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/27/2003
New priority date	=	05/27/2003

Deficiencies of Actions Items

Acknowledge proof. Proof doesn't reflect the uses as permitted so the Department should rely on the field exam to prove the uses developed according to the permit.



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

September 22, 2003

KENT JONES
JOHN PHILLIP KEYSER
RAPTOR VIEW SUBDIVISION WATER SYSTEM
PO BOX 25
PRIEST RIVER ID 83856

RE: Permit No. 96-9137

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

MICROFILMED

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

Sincerely,

for Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

JUN 16 2004

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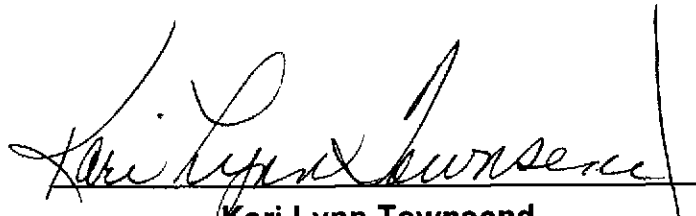
JUN 16 2004

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 96-9137

**JOHN PHILLIP KEYSER
KENT JONES
RAPTOR VIEW SUBDIVISION WATER SYSTEM
PO BOX 25
PRIEST RIVER ID 83856**



**Kari Lynn Townsend
Secretary**

MICAC-11-11-2003

JUN 15 2004

**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).

MICROFILMED
JUN 15 2004

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.

Comment Report

96-9137

1. dball 6/12/2003 Legal Notice Remarks

Comment: Municipal use is within service area of Raptor View Subdivision Water System.

2. dball 6/12/2003 Comment/Analysis

Comment: POU to be owned by individual owners within service area.
Public Water Supply Number ID1090265

3. kwalker 9/15/2003 Use of water

Comment: In review of this application I found that it needed to be assigned to an entity that was authorized to do business in the State of Idaho because Keyser & Jones do not qualify as municipal providers. The applicants stated that they could not assign the application to the homeowners organization because they could not get their subdivision plat approved by the county until they had a water right. We found that the permit could be approved if the applicants were agreeable to domestic and irrigation uses which are included under the definition of municipal. The applicant was agreeable to this so the uses have been changed.

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JUN 16 2004

common - Lot A 0.90 ac

6.58 ac

Lot 1 1.02 ac

2 1.0

3 1.0

4 1.01

5 1.0

6 1.75

7 1.97

8 1.02

9 1.02

Lot B 1.84 ac

Lot 1 1.0 ac

Lot 2 1.0 ac

22.11 total acres

kw
9/12/03

MICROFILMED

JUN 16 2004

Idaho Dept. of Water Resources
1301 N. Orchard
Boise, ID 83706

RECEIVED

SEP 12 2003

Department of Water Resources

September 9, 2003

Attn: Kay Walker

Re: Application for Permit No. 96-9137

Dear Kay,

This is in response to your letter of August 21, 2003 regarding assignment of municipal water rights to a corporate entity.

The water right requested would be used for domestic and irrigation purposes within the preliminarily approved subdivision. The approved subdivision consists of eleven residential lots and two common lots. The common lots would be owned by the Homeowners Association. The Homeowners Association would also own the community drainfield and the community water system, including the water well which will be located on Common Lot "B". One of the requirements imposed by Bonner County through the Preliminary platting process was that a water right be obtained for the community well and water system.

The Homeowners Association will be formed upon the recording of the Homeowners Association Bylaws and the Codes, Covenants and Restrictions (CC & R's). These documents cannot be recorded prior to the final plat approval and recording of the final plat for the subdivision.

Attached please find a copy of the preliminary plat approval from Bonner County and a preliminary copy of the final plat. The final plat has been submitted to Bonner County for review and approval.

Should you have any additional questions regarding this project please contact me at 448-1335 or Ray Henriksen at J. A. Sewell & Associates, 437-2641.

Sincerely,



Phil Keyser

encl Preliminary Plat
Preliminary Plat Approval

MICROFILMED

JUN 16 2004

RECEIVED

SEP 12 2003

Department of Water Resources



BONNER COUNTY
PLANNING DEPARTMENT

Clare Marley, AICP
Planning Director

RECEIVED

FEB 24 2003

James A. Sewell
and Associates

February 21, 2003

Phil Keyser and Kent Jones
Post Office Box 25
Priest River, Idaho 83856

Subject: Raptor View Estates, Preliminary Plat - File S883-01

Dear Mr. Keyser and Mr. Jones:

The referenced application was approved with conditions by the Bonner County Commissioners at the February 20, 2003, public hearing. The ordinance and standards used in evaluating the application and the reasons for approving the application are as follows:

MOTION: It was moved by Commissioner Orr, seconded by Commissioner Phillips, that based on the Bonner County Comprehensive Plan, Bonner County Revised Code, evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing, this project FILE S883-01 to subdivide ± 22.82 acres into 11 residential lots and two common areas and the stormwater plan be approved subject to the Findings and Conditions as discussed and as listed in the Staff Report, with the amendment to the first paragraph under Finding 9 and with the addition of Condition 14, and subject to the following Conclusions and the action that could be taken to obtain the plat is to complete the Conditions of Approval, as adopted.

This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

FINDINGS and CONCLUSIONS

1. **FINDING:**

This proposal was reviewed for compliance with the subdivision criteria and standards set forth at Sections 12-2305, 12-2312 and 12-2315, Bonner County Revised Code, and storm water management criteria and standards set forth in Chapter 24, Title 12, Bonner County Revised Code.

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JUN 15 2003

2. **FINDING:**

ECONOMIC DEVELOPMENT

The proposed subdivision is for residential uses only and does not provide for commercial or industrial uses. (Application.)

PUBLIC SERVICES

Bonner County intends to consider the quality of existing services (police, schools, roads) in the location and density of new development.

The site is located within the West Pend Oreille Fire District, which did not comment on the proposal.

The site is located within School District #83, which did not comment on the proposal.

Proposed Raptor View Estates is served by an existing public road. (Preliminary plat.)

Bonner County intends to consider the quality of existing utilities (sewer, water) in the location and density of new development.

Water will be provided to future residents by a community well. (Application.)

A community drainfield is proposed for lots 1-8, Block 1. (Preliminary plat.)

The Panhandle Health District has reviewed the subsurface sewage disposal plan and has requested approved drainfield sites be shown on the plat. (PHD memo, 8/5/02.)

Bonner County intends for new development to offset the capital costs of expanding services to their area.

No public water or sewer systems will be expanded to serve the site. (Application.)

TRANSPORTATION

Bonner County intends to consider safety hazards and congestion in the location and design of future development.

The site is served by Old Thama Ferry Road, a graveled 18- to 20-foot wide travelway within a 50-foot wide public right-of-way. (Site review, preliminary plat.)

As part of preliminary plat approval, the applicant will be required to dedicate an additional 5-foot strip of land fronting Old Thama Ferry Road to bring the existing right-of-way to a standard width from centerline to subject property line. (Condition #5.)

The Bonner County Road Department did not comment on the project. (File record.)

Bonner County intends for roads within new development to be built to county standards and at the expense of the developer.

The developer will construct proposed Talon Drive to a Local "B" standard road and dedicate it to the public. (Condition #5.)

Bonner County intends for certain intense land use developments to provide paved roads.

The proposed public road serving the subdivision will be hard-surfaced. (Application, Condition #5.)

NATURAL RESOURCES

Bonner County will attempt to protect agricultural land.

A portion of the site contains prime agricultural land soils. (Land capability report, "Soil Survey of the Bonner County Area, Idaho.")

The site had been used for pastureland, but is presently idle. (Site review, application.)

The site is zoned Suburban-1/3. (Bonner County Official Zoning Map.)

Bonner County intends to regulate the location and density of new development in floodplains.

The site contains a special flood hazard area associated with the Pend Oreille River. (FIRM Panel #360.)

The floodplain has been delineated on the preliminary plat.

Eight residential lots would be partially within the floodplain. (Preliminary plat.)

Chapter 16, Title 12, BCRC, regulates construction within the floodplain and requires structures be elevated or floodproofed to prevent flood damage. (BCRC.)

Bonner County intends to consider wetlands and aquifer recharge areas in the location and density of future development.

The site contains wetlands which have been professionally delineated. (Application, preliminary plat.)

The wetlands would be adversely affected by continued bank erosion which was occurring on the site. ("Jurisdictional Wetland Determination for Plat of Raptor View, Carroll, 10/20/01.)

The applicant has initiated shoreline stabilization. (File record.)

The site wetlands functional value is low for shoreline protection, hydrologic support, storm and flood water abatement, ground water exchange, water quality improvement and natural biologic support. (Carroll, 10/20/01.)

A 25-foot wetland setback is recommended for the development site. (Carroll, 10/20/01.)

A 25-foot buffer is shown on the preliminary plat and is required to be shown on the final plat. (Preliminary plat, Condition #8.)

Bonner County intends to maintain or enhance present water quality.

A stormwater management plan has been developed for the future lots and roadway. (Stormwater plan, Sewell, 5/22/02.)

Bonner County intends to maintain or enhance our fish and wildlife resource.

A bald eagle nest is located within ½ mile of the development. (U.S. Fish & Wildlife letter, 9/11/02.)

Idaho Fish & Game Department has stated that the number of lots should be reduced and reconfigured to avoid impacts to riparian and wetland areas. Although building envelopes have been established, the agency does not believe they will "provide substantial additional protection." The agency had recommended denial of the preliminary plat. Following a redesign of the project to eliminate one lot, the agency stated it has no objection to the plat if commitments regarding riparian protection and fish and wildlife mitigations are made a part of the private covenants. Condition #13 addresses this. (Fish & Game letter, 8/14/02.)

The site contains critical wildlife habitat for bald eagles and waterfowl management. ("Critical Wildlife Habitat in Bonner County, Idaho," comprehensive plan map.)

A 25-foot wetlands buffer has been established. (Preliminary plat.)

The site's wetland value has been assessed by the biologist, who found that the functions are low for shoreline protection, water quality improvement, natural biologic support, ground water exchange, hydrologic support and storm and flood abatement. (Carroll, 10/20/02.)

Bonner County will attempt to protect special archaeological and historical sites.

The subject property contains three historic/prehistoric sites. An archaeological survey of the property is recommended. (Idaho State Historical Society letter, 8/27/02.)

An archaeological survey of the property is required by Condition #10.

COMMUNITY DESIGN

Bonner County intends for new development to locate in areas with similar densities and compatible uses.

The following uses adjoin the site: **NORTH:** The Pend Oreille River bounds the northern portion of the site. Highway 2 and the Burlington Northern Railroad are located northerly of the river. There are also single-family dwelling units on unplatted parcels northerly of the river. **EAST:** The project site is bounded on the east by Old Thama Ferry Road, a County road, with public right of way and maintained by the county. The road has an approximately 20-foot wide driving surface with a 50'

wide right of way. Three parcels of open pasture/farm lands are located easterly of Old Thama Ferry Road. The parcels range in size from ± 10 acres to ± 80 acres. Eric's Haven Subdivision is also located to the east adjacent to the Pend Oreille River. This subdivision includes 13 platted lots. The lots are approximately $\frac{1}{2}$ acre in size. Most of these lots are developed with single-family dwellings. **SOUTH:** Unplatted subdivision with single-family dwelling units. These parcels range in size from ± 1 acre to ± 5 acres. There are undeveloped lands on the east side of Old Thama Ferry Road. Dufort Road is located south of these lots. **WEST:** Undeveloped pasture/farm lands bound the project site to the west. The parcel directly to the west is approximately 80 acres in size. The Kalispel Tribe and the Army Corps of Engineers own the undeveloped parcels located west of the project.

Bonner County intends for new development to minimize the adverse impacts on adjacent areas.

A stormwater management plan has been prepared for the subject development. (Stormwater plan, 5/22/02.)

2. **CONCLUSION:**

ECONOMIC DEVELOPMENT

This project is located in a suitable area for the growth of residential development.

PUBLIC SERVICES

This project does provide essential public services, to the residents of Bonner County, at the least expense.

TRANSPORTATION

This project does provide a transportation system that is safe, uncongested and well maintained.

NATURAL RESOURCES

This project does manage natural resources to attain the greatest long-term public benefit.

COMMUNITY DESIGN

This project does maintain a variety of lifestyles and a rural character for the future development of Bonner County.

Therefore, the proposal is in accordance with the general and specific objectives of the Comprehensive Plan.

3. **FINDING:**

The site is level to gently rolling terrain covered by pasture grasses. (Site review, stormwater plan, 5/22/02.)

The site contains wetlands and a portion is within the 100-year floodplain of the Pend Oreille River. (Application, preliminary plat)

Construction is permitted within the 100-year floodplain when the flood prevention standards of Chapter 16, Title 12, BCRC are met. (BCRC.)

The site has been reviewed for subsurface sewage disposal suitability and approved by the Panhandle Health District. (PHD memo, 8/5/02.)

3. **CONCLUSION:**

The site is physically suitable for the proposed development.

4. **FINDING:**

The following uses adjoin the site: **NORTH:** The Pend Oreille River bounds the northern portion of the site. Highway 2 and the Burlington Northern Railroad are located northerly of the river. There are also single-family dwelling units on unplatted parcels northerly of the river. **EAST:** The project site is bounded on the east by Old Thama Ferry Road, a County road, with public right of way and maintained by the county. The road has an approximately 20-foot wide driving surface with a 50' wide right of way. Three parcels of open pasture/farm lands are located easterly of Old Thama Ferry Road. The parcels range in size from ± 10 acres to ± 80 acres. Eric's Haven Subdivision is also located to the east adjacent to the Pend Oreille River. This subdivision includes 13 platted lots. The lots are approximately $\frac{1}{2}$ acre in size. Most of these lots are developed with single-family dwellings. **SOUTH:** Unplatted subdivision with single-family dwelling units. These parcels range in size from ± 1 acre to ± 5 acres. There are undeveloped lands on the east side of Old Thama Ferry Road. Dufort Road is located south of these lots. **WEST:** Undeveloped pasture/farm lands bound the project site to the west. The parcel directly to the west is approximately 80 acres in size. The Kalispel Tribe and the Army Corps of Engineers own the undeveloped parcels located west of the project.

4. **CONCLUSION:**

The proposed subdivision is compatible with surrounding land uses and is compatible with the densities of nearby lands.

5. **FINDING:**

The project site is located within the Suburban-1/3 zoning district. (Bonner County Official Zoning Map.)

Section 12-921(b)(2), BCRC, requires a 1-acre site area minimum for lots which do not have all urban services. (BCRC.)

The site does not provide all urban services. All lots are 1 acre or larger in size. (Preliminary plat.)

5. **CONCLUSION:**

The proposed subdivision is in accord with the purposes of Title 12 and of the Zone District in which it is located.

6. **FINDING:**

Water will be provided by a community well. (Application.)

Sewage disposal will be provided by individual and community drainfield systems. (Application.)

6. **CONCLUSION:**

The public services which will serve the proposed subdivision are adequate for the needs of future residents or users.

7. **FINDING:**

The site does not contain steep slopes. (Site review.)

Portions of the site are within the 100-year floodplain of the Pend Oreille River. (FIRM Panel #360.)

Development within the floodplain is permitted, provided the standards of Chapter 16, Title 12, BCRC are met.

7. **CONCLUSION:**

The proposed subdivision will not cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

8. **FINDING:**

Old Thama Ferry Road, an existing County-maintained public right-of-way, provides direct access to the project. (Preliminary plat.)

The County road is not constructed to the minimum standards of Title 2, BCRC.

The new public road serving the subdivision will be constructed to the minimum standards of Title 2, BCRC, for a Local Road "B." (Application, Condition #5.)

Bonner County Road Department did not comment on the proposal. (File record.)

8. **CONCLUSION:**

The design of the proposed subdivision or related improvements will provide for coordinated access with the County system of roads and with adjacent properties, and will not impede the use of public easements for access to, or through, the proposed subdivision.

9. **FINDING:**

Depth to width ratios vary from .67:1 to 3.39:1. (Preliminary plat.)

A public road will be constructed to provide legal access to the site. (Application.)

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Building envelopes have been established for each of the proposed lots. (Preliminary plat.)

All lots will have direct frontage and access onto a public right-of-way. (Preliminary plat.)

9. **CONCLUSION:**

The proposed subdivision is designed to comply with the design criteria for subdivisions set forth at Section 12-2305, Bonner County Revised Code.

CONDITIONS

1. A final plat shall be recorded.
2. The preliminary plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the preliminary plat, the applicant may make a written request to the Planning Director for a single extension of the preliminary plat for a period up to two (2) years. The Board of County Commissioners may consider such request for extension at any regular business meeting. The extension request must be approved or denied prior to the expiration date of the preliminary plat.
3. The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall provide to the Planning Department prior to ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved. The applicant shall provide to the Planning Department upon completing ground disturbing activities a signed statement from the project engineer or design professional stating that these measures have been installed as per the design specifications as approved. All stormwater facilities shall be installed and functioning as designed or a suitable guarantee of completion shall be in place.
4. Prior to final plat recording, and prior to beginning construction, the subdivider shall have an improvement plan for the subdivision prepared by a Registered Civil Engineer. Two (2) copies of the improvement plan shall be filed with the Bonner County Road Department. The plan shall include the items listed at Section 12-2314, BCRC, specifically:
12-2314, Improvement plan required, contents.
(a) After the preliminary plat is approved, the subdivider shall have an improvement plan for the subdivision prepared by a registered civil engineer. Two (2) copies of the improvement plan shall be filed with the County Engineer. This plan shall include the following:
 - (1) The subdivision name and number, geographic grid (township, range and tier, section number and location within the section), North arrow, date and scale no smaller than one hundred feet to the inch (1" = 100').
 - (2) The plan and profile of all proposed roads showing final grades and cross-sections of roads in accord with the requirements contained in Title 2, BCRC (County Roads and Rights of Way).
 - (3) The plan and profile of proposed sanitary and storm water systems with grades and sizes indicated. Drain calculations may be required.
 - (4) A grading plan, showing storm water drainage for each lot.
 - (5) Any other improvements such as curbs, gutters, sidewalks, bridges, lift stations, fire hydrants, street lighting, etc., as required, and in accord with the requirements contained in Title 2, BCRC

(County Roads and Rights of Way). (Ord. 136, 10-20-1978; amd. Ord. 245, 6-24-1994; Ord. 270, 1-17-1995).

5. Prior to the submission of the final plat, proposed Talon Drive shall be constructed to the Title 2, BCRC, standards of a "Local "B" road, to the satisfaction of the Bonner County Road Department. The road improvements shall be certified in writing by a professional engineer as complete, in accordance with the approved plans. The applicant shall provide a copy to the Planning Department of the Road Department's written approval of the road. Talon Drive shall be dedicated to the public on the final plat. An additional 5-foot strip of land fronting the Old Thama Ferry Road shall be dedicated to the public for right-of-way purposes to bring the subject right-of-way to a standard 30-foot width from centerline.
6. The final plat shall contain the following note: "All lots within this subdivision have been designed to be developed with grassed infiltration areas to manage on-site stormwater runoff."
7. The following note shall be placed on the final plat: "Any work involving filling, excavating, flooding or draining existing wetlands requires an Army Corps of Engineers, Section 404 permit, prior to beginning work."
8. The following shall be shown on the final plat to the satisfaction of the Planning Department and other agencies as noted:
 - a) Approved drainfield sites and utility and well easements, to the satisfaction of the Panhandle Health District.
 - b) The 100-year floodplain
 - c) A 25-foot wetlands buffer established from the wetlands boundary, landward. The plat shall contain the following note: "No structures or travelways shall be constructed within the wetlands or wetlands buffer area as delineated."
 - d) Building envelopes, as shown on the approved preliminary plat.
9. Prior to submission of the final plat, the project engineer shall provide plans and specifications for the sewer and water system improvements to the satisfaction of the Panhandle Health District. The sewer and water improvements shall be installed by the applicant. The applicant shall provide written confirmation to the Planning Department that the utility improvements have been installed to the satisfaction of the Panhandle Health District prior to final plat approval.
10. An archaeological survey of the site conducted by a professional archaeologist shall be completed prior to submission of the final plat and a written report shall be provided to Bonner County Planning Department and the Idaho State Historical Society. Notes or restrictions affecting future homesites or travelways that result from the survey shall be shown on the final plat, to the satisfaction of the Planning Department.
11. Prior to drilling the proposed community well, a well drilling permit and water rights shall be obtained by the Idaho Department of Water Resources.
12. The existing well as shown on the preliminary plat shall be abandoned to the satisfaction of the Idaho Department of Water Resources prior to final plat recording. Written confirmation of the abandonment shall be provided to the Planning Department by the applicant.

13. Covenants, Conditions and Restrictions (CC&Rs) shall be recorded for the final plat, which shall be sufficient to enforce commitments made by the applicants with Idaho Fish and Game Department, as outlined in the agency letter to the Planning Department dated November 13, 2002, which shall include the formation of a homeowners' association responsible for the development, use and permanent maintenance of all common activities and facilities. Prior to final plat, draft CC&Rs, shall be submitted to the Planning Department and the portion relating to riparian and common areas, a common dock, wetlands and fish and wildlife mitigation shall be approved by the Planning Director. This section, which shall not be subject to change by vote of the lot owners, shall address at the minimum the following:
- a) Prohibition of individual docks and establishment and maintenance of a common dock.
 - b) Maintenance and use of the common area.
 - c) Maintenance and preservation of the existing wetlands and riparian area, including during construction periods. Mowing, removal, pruning, landscaping or other disturbance of vegetation in the 25-foot wetlands buffer is to be prohibited.
 - d) Restraint of domestic pets by means of a kennel, leash, indoor housing or other restraints to prevent the chasing or disturbance of wildlife.
14. Prior to final plat approval the developers' voluntary offer to improve Old Thama Ferry Road to the second subdivision access road pursuant to the Roadway Improvements Plan, Items 1 through 4, of Exhibit A shall be completed to the satisfaction of the Bonner County Public Works Director.

Please contact this department if you have any questions.

Sincerely,



Clare Marley, AICP
Planning Director

c: James A. Sewell & Associates, Project Representative
600 - 4th Street West
Newport, Washington 99156

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RAPTOR VIEW SUBDIVISION
PRELIMINARY PLAT
SECTION 4, TWP. 55N., RNG. 4W., B.M.
PRIEST RIVER, BONNER COUNTY, IDAHO

GENERAL NOTES

- 1) PROPOSED METHOD OF WATER SUPPLY IS COMMUNITY WELL.
- 2) PROPOSED METHOD OF SEWER DISPOSAL IS A COMMUNITY DRAINAGE FIELD FOR BLOCK 2 AND BLOCK 1 LOTS 8 AND 9.
- 3) PROPOSED METHOD OF SOLID WASTE DISPOSAL IS BY PRIVATE CONTRACTOR OR BY COUNTY DISBURSERS.
- 4) PROPOSED USE IS RESIDENTIAL.
- 5) SUBJECT PARCELS ARE IN SUBURBAN ZONING DISTRICT.

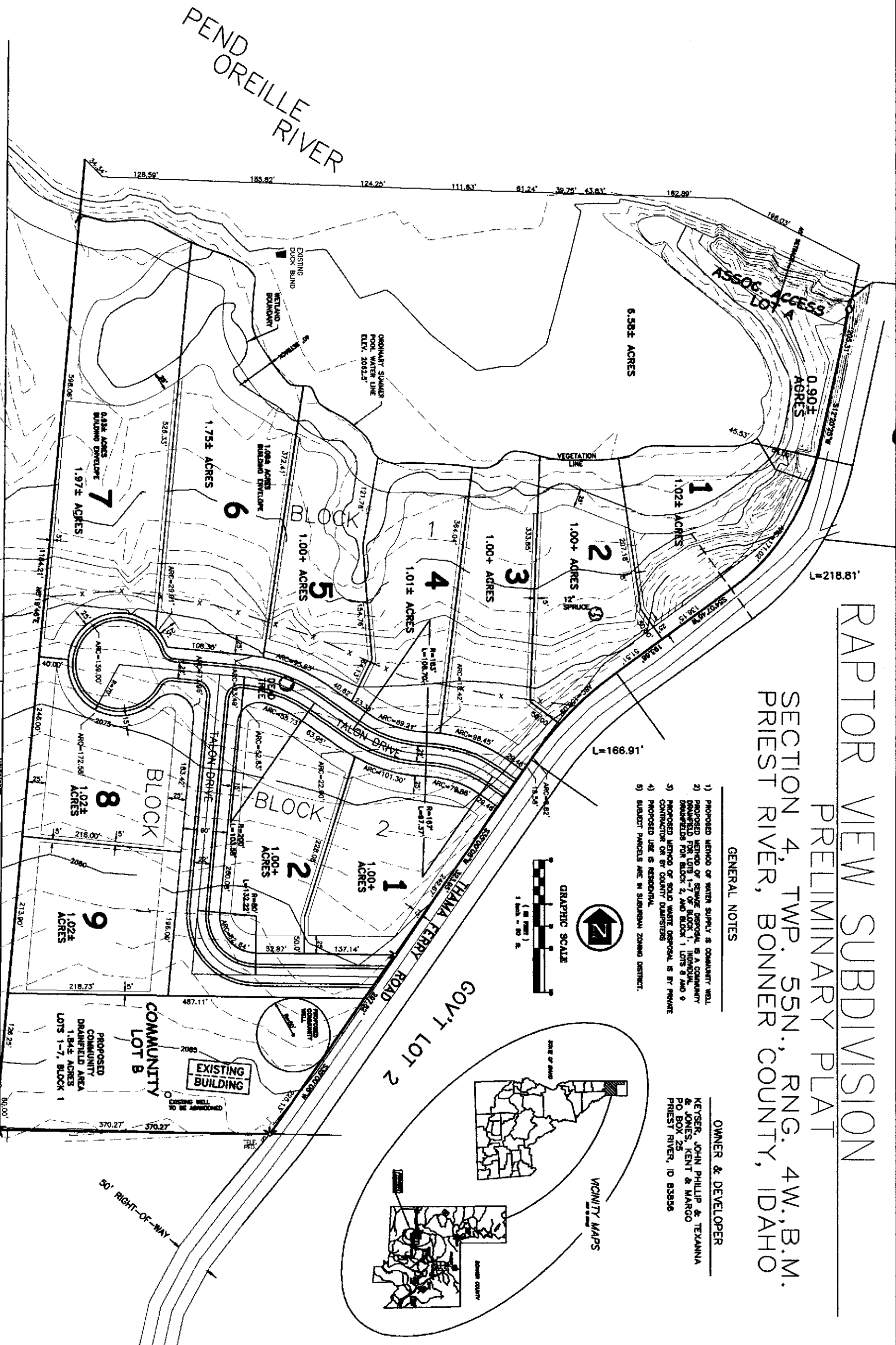
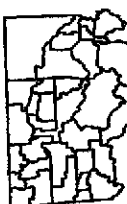
OWNER & DEVELOPER

KEYSER, JOHN PHILLIP & TEXANNA
& JONES, KENT & MARGO
PO BOX 25
PRIEST RIVER, ID 83856



GRAPHIC SCALE
1" = 80' R.

VICINITY MAPS



4.1 SITE PLAN / SUBDIVISION LAYOUT
SCALE: 1" = 80'

100 YEAR FLOOD
ELEVATION = 2087.5'

APPROXIMATE LOCATION
OF FLOOD EASEMENT

100yr. FLOOD PLAN, PER F.E.M.A.
FIRM No. 160206 0360C, Aug. 4th., 1987

SHEET TITLE:
VICINITY MAP AND SITE PLAN
FOR PRELIMINARY PLAT
PROJECT:
RAPTOR VIEW SUBDIVISION
PRIEST RIVER, BONNER COUNTY, IDAHO



James A. Sewell and Associates
CONSULTING ENGINEERS
SANDPOINT, IDAHO 83864
(208) 263-4160

ENGINEER'S STAMP			DATE	REVISION	BY
1	10-23-02	REVERSE BLOCK 1, LOT 6 & 7			SAT/RPH
No.	DATE	REVISION			ORR/ORD

MEMORANDUM

TO: File 96-9137

FROM: KAY WALKER *KW*

RE: Request for Assignment and Qualification to do Business in Idaho

Date: September 9, 2003

.....

Ray Henrickson (208-437-2641) called regarding my letter of 8/21/2003, to Phil Keyser, yesterday. Mr. Henrickson is trying to get all the documentation needed to allow us to process this application. He stated that they couldn't assign the application to the homeowner's association until they have received notice that the county approves their subdivision plat. They now have preliminary plat approval but cannot get it finalized until they have obtained a water right to cover the proposed use. He says we have put them in a difficult position in regard to their development.

I discussed this with Shelley this morning and we came up with a couple of options for this subdivision.

1. We could approve the application for domestic and irrigation uses if they submit a letter indicating that this would be acceptable to them, submit a copy of their preliminary plat and an indication of the amount of irrigation that will occur in the common area and on each lot.
2. They could assign the application to a corporation as long as they can show the corporation is being regulated as a public water supply system. In this case, DEQ has issued a public water system number to Raptor View Subdivision, see letter of 7/11/2003 in file.

I called Mr. Henrickson this morning and discussed the above options. Mr. Henrickson will discuss the options with his client and submit the information to us. He seemed to think that they might pursue option 1 since it would cover their intentions for this subdivision.

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JUN 15 2004



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 21, 2003

JOHN PHILLIP KEYSER OR KENT JONES
PO BOX 25
PRIEST RIVER ID 83856

Re: Application for Permit No. 96-9137

Dear Applicants:

We are reviewing the above referenced application for final action and find we need to request additional information from you. In order for the department to issue a permit for municipal use the permit must be in the name of an association, a city or a corporation that is authorized to do business in the State of Idaho. The above application is in your names with a notation that the system is also known as Raptor View Subdivision Water System. We request that you assign this application to a qualified business or homeowner's association, and include a listing of the corporate officers, so that we can proceed with processing the permit. I have included a blank assignment of application for permit form for your convenience.

We also need something to show that the association that you name on the assignment form is qualified to do business in Idaho. We have looked at the Secretary of State's listing of businesses qualified and find no listing for Raptor View. Attached is a portion of Section 42-202B which describes the need for this documentation.

TITLE 42
IRRIGATION AND DRAINAGE -- WATER
RIGHTS AND RECLAMATION
CHAPTER 2
APPROPRIATION OF WATER -- PERMITS,
CERTIFICATES, AND LICENSES -- SURVEY
42-202B. DEFINITIONS. Whenever used in this title, the term:

(4) "Municipality" means a city incorporated under section 50-102, Idaho Code, a county, or the state of Idaho acting through a department or institution.

(5) "Municipal provider" means:

- (a) A municipality that provides water for municipal purposes to its residents and other users within its service area;
- (b) **Any corporation or association holding a franchise to supply water for municipal purposes, or a political subdivision of the state of Idaho authorized to supply water for municipal purposes, and which does supply water, for municipal purposes to users within its service area; or**
- (c) A corporation or association which supplies water for municipal

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JUN 18 2004

purposes through a water system regulated by the state of Idaho as a "public water supply" as described in section 39-103(10), Idaho Code.

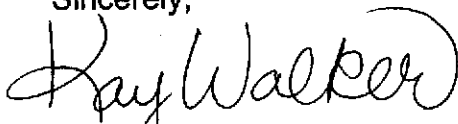
(6) "Municipal purposes" refers to water for residential, commercial, industrial, irrigation of parks and open space, and related purposes, excluding use of water from geothermal sources for heating, which a municipal provider is entitled or obligated to supply to all those users within a service area, including those located outside the boundaries of a municipality served by a municipal provider.

Please return the assignment form with a copy of a current document showing that the assignee is qualified to do business in this state **within 30 days of the date of this letter** and we will process the application for permit.

The Department will hold further processing of this application for the 30-day period mentioned above. Additional time may be granted by the Department if it is requested and you have sufficient justification for an extension of the 30-day period. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you have any questions in regard to this matter, please feel free to contact me at (208)327-7944 or our office in Coeur d'Alene.

Sincerely,



KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

Cc: IDWR, Northern Region

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JUN 16 2006

**ID/NO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET**

W.R. # 96-9137

APPLICATION ID # 70625
INITIAL REVIEW

ENT. 4/12/03 BCA 6/13 OK to Publish 6/12/03

APPLICANT: KEYSER/JONES BY: [Signature] DATE: 6/11/03

- 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)

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

ADDITIONAL INFORMATION
(Yes)(No)

___ Shape File Created Date _____ By: _____
___ Field check: by _____
___ Field report attached
___ Analysis Supp. attached(>5cfs/500af)
___ Water delivered by water master? Water District # _____

PROCESSING
(Yes)(No) PRIORITY DATE: 5/27/03
X (Include Moratorium Remark)
X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).
RECEIVED JUL 25 2003 PT
Department of Water Resources
ADVERTISE IN: BOWEN 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?
_____	_____	Dom. ___ Non-Dom. ___	Paid \$ _____	_____	Y() N()
_____	_____	Dom. ___ Non-Dom. ___	Paid \$ _____	_____	Y() N()
_____	_____	Dom. ___ Non-Dom. ___	Paid \$ _____	_____	Y() N()

- ___ ☒ Groundwater management area per arc view
___ Critical ground water area
___ Well Drilling Permit required
___ Well Drilling Application and Fees received
___ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

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

___ Further information required from applicant

7/2 ___ Affidavit of publication received

7/2 ___ Application published correctly. If not, record action taken: _____

6/12 ___ Publication dates and paper recorded on application

___ Protests received, Final protest date: 7/7/03

___ Measuring device required

___ Measuring port required

___ Special conditions: _____

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

Approval Recommended by: _____ Date: ____/____/____

upgrade

fee

125.00

N015796



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

JUL 14 2003

IDWR/North

RECEIVED

JUL 25 2003

Department of Water Resources

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

Dirk Kempthorne, Governor
C. Stephen Allred, Director

July 11, 2003

John Keyser
PO Box 25
Priest River, ID 83856

Handwritten: All Copy

RE: **Raptor View Subdivision**

Dear Mr. Keyser:

Plans and specifications submitted by Jason Mellin and Eric Eldenburg in March, April and May 2003 for the referenced 12 lot subdivision have been reviewed. They were found to be in accordance with the Idaho Rules for Public Drinking Water Systems and Water Quality Standards and Wastewater Treatment Requirements, and are approved for construction purposes in accordance with Section 39-118 of Idaho Code.

Source

Our understanding is a test well was drilled on the east side of the existing building in June 2003. Final well will be at the same location which was approved by Mike Nelson on April 4, 2003.

Wastewater Treatment

Centralized Septic tank effluent pump (STEP) wastewater treatment will be provided to 7 of the 12 lots using a subsurface drainfield. The remaining 5 lots will use individual on-site wastewater disposal systems. Our review is limited to the centralized system design. Disposal site acceptance, applicable loading rates, and permitting of the centralized and individual systems is handled through Panhandle Health District in Sandpoint. We understand you have completed some of these steps with the Health District.

Distribution and Collection

Distribution (water) and collection (sewer) consists of 2- and 3-inch PVC mains. Sewer collection is a pressure system. As such, minimum separations between water and sewer lines are ten (10) feet horizontal and eighteen (18) inches vertical, water above sewer at any points of crossing.

Public Water System Number

The Raptor View Homeowners Association public water system (PWS) number is: 1090265. A recorded copy of the Associations by-laws must accompany the as-built submission. The by-laws must indicate who is responsible for the operations and maintenance of the individual septic tank pump systems, centralized treatment system, and the water system. A capacity development report must be prepared in accordance with Idaho Rules for Public Drinking Water Systems 58.01.08.549 (enclosed). Guidance for generating this report can be obtained from our office.

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JUN 16 2004

DEQ

SCANNED -docs

AUG 07 2003

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

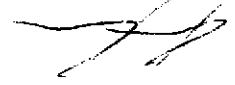
Section 39-118 of Idaho Code requires that as-built plans as certified by the inspecting engineer be submitted to this office for review and approval within thirty (30) days of completion of construction. If construction is not completed within one year of the date of this letter, this construction approval expires and you must request in writing for re-approval of the plans and specifications by DEQ.

As-built plan submittal should also include copies of pressure testing and all total coliform sampling lab results from post disinfection and flushing.

This letter does not constitute approval of stormwater control design. Please contact your local stormwater control authority for details on appropriate requirements. Control of sedimentation and erosion during construction activities is the responsibility of the owner/developer of the project.

There are some aspects of this project that may need to be permitted by the Plumbing Bureau of the Idaho Department of Labor and Industrial Services at 769-1579. Before water or sewer construction is initiated, we recommend that you contact this office to see if plumbing permits and inspections are required for this project.

Sincerely,



Alan Miller, EIT
Associate Engineer
Enc

c: Jason Mellin, Sewell & Assoc, 600 Fourth St W, Newport, WA 99156 (enc)
Clair Marley, Bonner County Planning Dept, 127 S First Ave, Sandpoint 83864
Bob Camp, PHD-Sndpt
Mike Nelson, PHD-Sndpt
Tom King, IDWR, 1910 NW Blvd, CDA 83814
File: Bonner County, Raptor View: to PHD upon completion (#7425, 4761, 7484, 7556)

SCANNED * 1005
AUG 11 2003
MICROFILMED
JUL 16 2004

RECEIVED

JUN 25 2003

IDWR/North

FAX

June 25, 2003

To: Dianne Ball - IDWR - Northern Regional Office - Fax # (208) 769-1454

From: Lin Buck - BLM - Idaho State Office - Fax # (208) 373-3839

Re: Application for Permit No. 96-09137 for John Phillip Keyser, Raptor View
Subdivision Water System, Kent Jones

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated June 16, 2003(copy attached).

Our MTP (copy attached) indicates:

POD: T55N R04W S4 NESW may be missing lot #.

POU: T55N R04W S4 NESW may be missing lot #.

BLM does not have a problem with this claim; we are just providing this for your information.

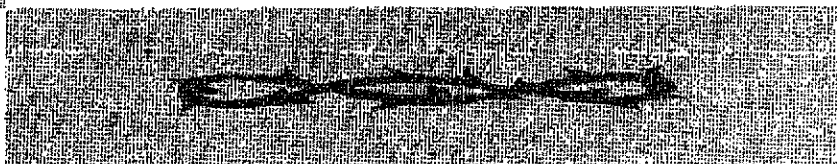
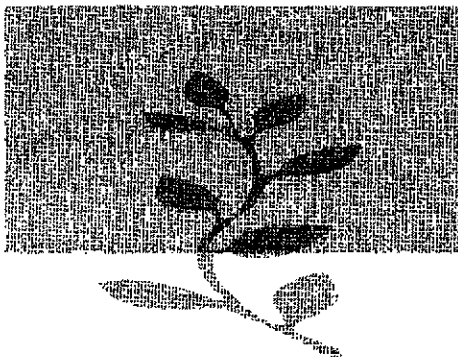
Thank you.

Have a nice day!



Pages 4 (includes cover sheet)

cc: Craig Johnson - Cottonwood FO - FAX: (208) 962-3275



MICROFILMED

JUN 16 2004

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGSRECEIVED
JUN 25 2003
IDWR/North

DATE: 06/16/03

Application for Permit No. 96-9137

Name: JOHN PHILLIP KEYSER

RAPTOR VIEW SUBDIVISION WATER SYSTEM

KENT JONES

Diversion Pt NESW

Sec 4 T 55N R 04W BONNER County

Source GROUND WATER

Use: MUNICIPAL

01/01 To 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 05/27/2003

Place Of Use: MUNICIPAL

T55N R04W S4

NESW NWSW

Remarks: Municipal use is within service area of Raptor View Subdivision Water System.

MICROFILMED

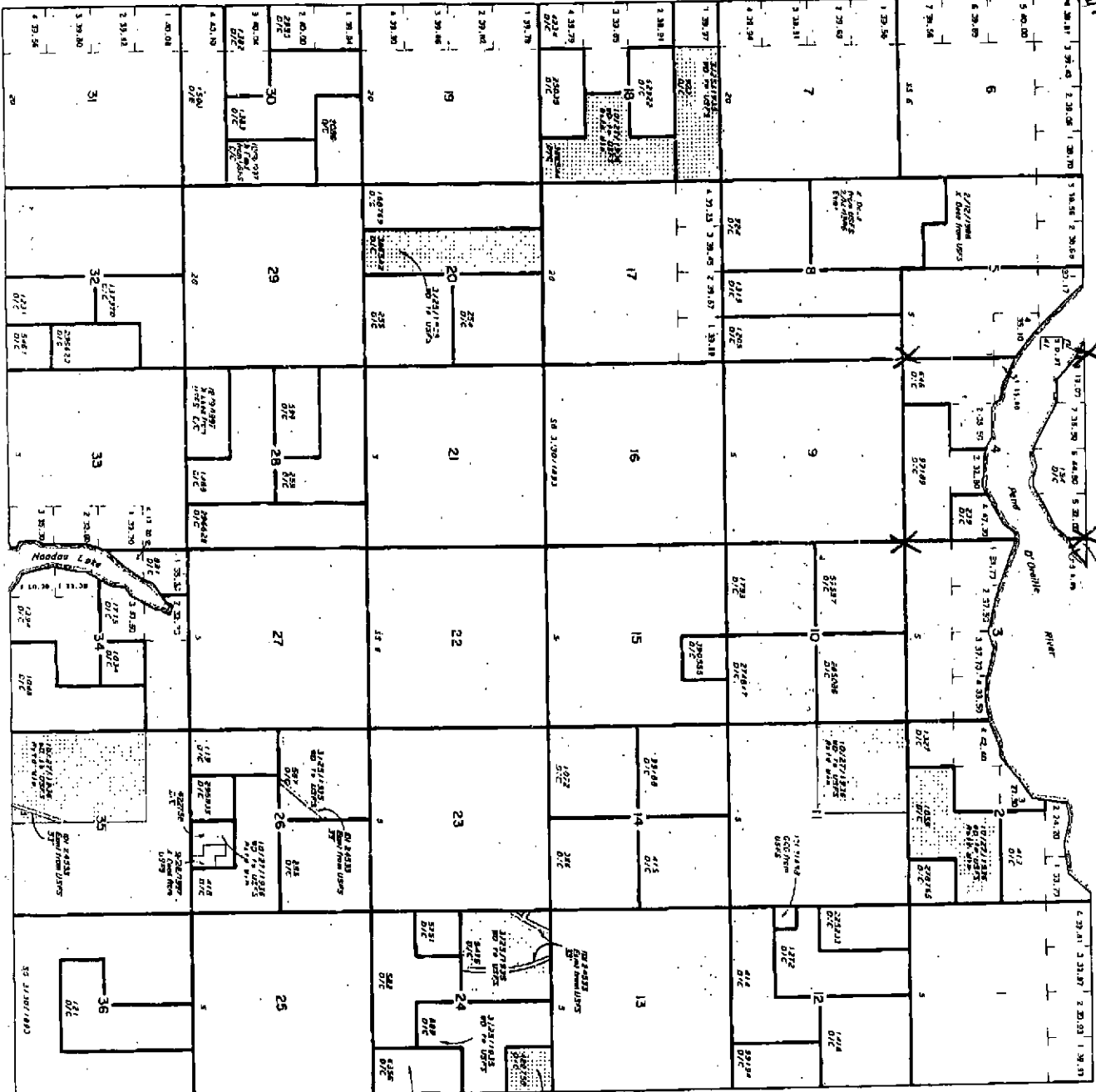
JUN 16 2004

Ref: Application for Permit
96-09137 (on 06-16-03 report)

RECEIVED
JUN 25 2003
IDWR/North

TOWNSHIP 55 NORTH RANGE 4 WEST OF THE BOISE MERIDIAN, IDAHO

BONNER COUNTY 017
CROWN PLATE DISTRICT



MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
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3	55	4	3
4	55	4	4
5	55	4	5
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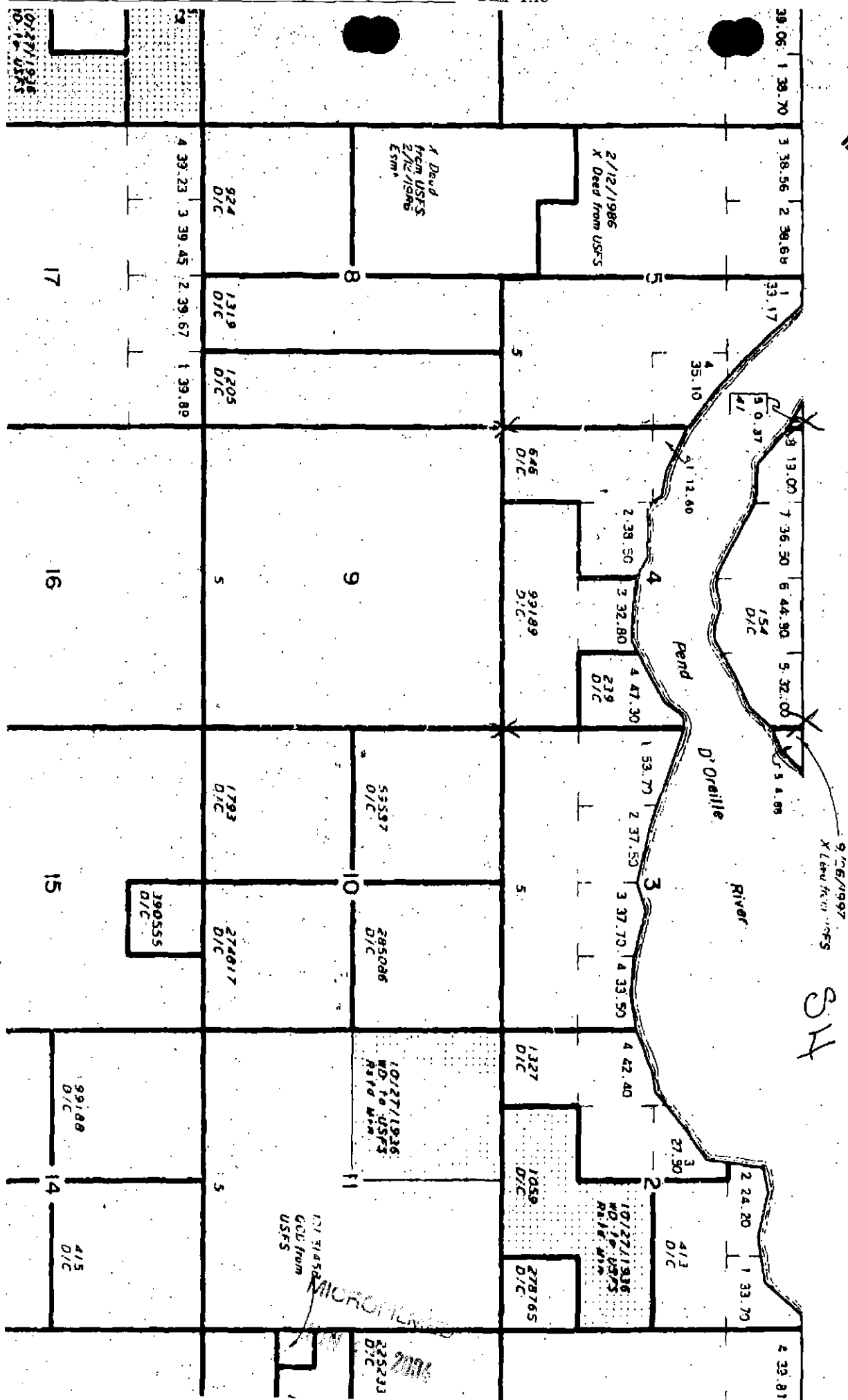
1/24/1900 BLM Spokane International by
Sec 12, 34
3/25/1925 WD to USFS
Sec 31, 34, 35, 36, 37
10/27/1935 WD to USFS
Sec 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 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1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936,

RECEIVED
JUN 25 2003
IDWR/North

TOWNSHIP 55 NORTH RANGE 4 WEST OF THE BOISE MERIDIAN

BONNER COUNTY OIT
COEUR D'ALENE DISTRICT

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AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Terr Lurie

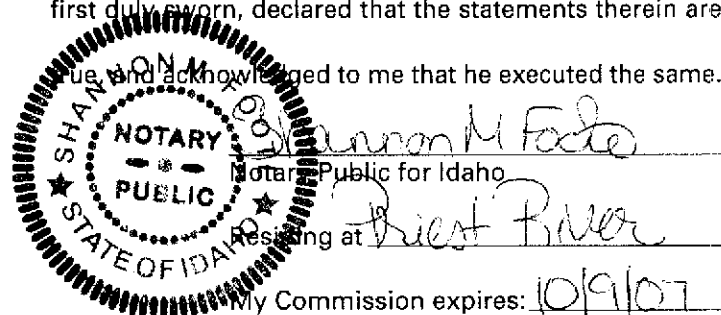
_____ being first duly sworn on oath
deposes and says that he/she is Gen Manager
of the Priest River Times, a newspaper printed and
published at Priest River, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App 96-9137 Keyser/Jones

App 97-7425 Miller

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 18th day of June, 2003
and ending on the 25th day of June, 2003
and that said notice was published in said newspaper.

On this 25th day of June in the year
of 2003, before me, a Notary Public, personally
appeared Jenni Dure,
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.



RECEIVED
JUL 02 2003
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:

96-9137

JOHN PHILLIP KEYSER

KENT JONES

RAPTOR VIEW SUBDIVISION WATER SYSTEM

PO BOX 25

PRIEST RIVER ID 83856

Point(s) of Diversion: NESW S4 T55N R04W

BONNER County

Source GROUND WATER

Use: MUNICIPAL

01/01 To 12/31 0.12 CFS

Total Diversion

0.12 CFS

Date Filed: 05/27/2003

Place Of Use: MUNICIPAL

T55N R04W S4 NESW NWSW

Remark: Municipal use is within service area of Raptor View Subdivision Water System.

97-7425

V THOMAS MILLER

M ANN MILLER

PO BOX 1265

PRIEST RIVER ID 83856

Point(s) of Diversion: NESW S29 T57N R04W

BONNER County

Source PRIEST RIVER Tributary To PEND OREILLE RIVER

Use: IRRIGATION

03/15 To 11/15 0.03 CFS

Total Diversion

0.03 CFS

Date Filed: 06/10/2003

Place Of Use: IRRIGATION

T57N R04W S29 NESW

Number of Acres: 1

Permit will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42.203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur D'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 07/07/2003. The protestant must also send a copy of the protest to the applicant.

Legal 610685
June 18, 25, 2003

KARL J. DREHER, Director

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, June 12, 2003 3:11 PM
To: Legal Notices-Priest River Times (E-mail)
Subject: Legal Notice for publication on 6/18 and 25/2003

Greetings, Shannon, and a happy day to you.

Attached you will find a copy of our cover letter to you requesting publication of the attached legal notice on June 18 and 25, 2003. Second attachment is the Legal Notice, itself.

PLEASE FAX PROOF OF PREPARED LEGAL PRIOR TO PUBLICATION!

Thank you very much,



May your day be filled with great beauty.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814

Phone 208-769-1450 FAX 208-769-1454

MICROFILMED

JUN 16 2004

6/12/2003



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

June 12, 2003

E-mailed

~~FAXED~~ TO SHANNON 6/12/03

SHANNON FOOTE
LEGAL NOTICE DEPARTMENT
PRIEST RIVER TIMES
PO BOX 10
PRIEST RIVER ID 83856

PLEASE FAX PROOF PRIOR TO PUBLICATION

RE: Application for Permit No. **96-9137 AND 97-7425**

Dear Shannon:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, June 18 and 25, 2003, (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 07/07/2003.** Your cooperation is GREATLY appreciated, as always

Sincerely

Dianne Ball

Dianne Ball
Administrative Assistant

WILLIAM BALL

6/12/2003

96-9137

97-7425



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
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DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 12, 2003

JOHN PHILLIP KEYSER
KENT JONES
RAPTOR VIEW SUBDIVISION WATER SYSTEM
PO BOX 25
PRIEST RIVER ID 83856

RE: Application for Permit No 96-9137

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Priest River Times on June 18 and 25, 2003. 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,

A handwritten signature in cursive script, appearing to read 'Allen Beardslee'.

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

JUN 16 2003

JAMES A. SEWELL & ASSOCIATES

Consulting Engineers & Land Surveyors

Spokane

Hutton Building
9 South Washington, Suite 708
Spokane, Washington 99201
(509) 747-5794
(509) 747-5798 Fax

Newport

600 4th Street West
Newport, Washington 99156
(509) 447-3626
(208) 437-2641
(509) 447-2112 Fax

Sandpoint

Pend Oreille Professional Center
30336 Highway 200, Suite C
Sandpoint, Idaho 83864
(208) 263-4160
Fax (208) 263-5229

*Civil Engineering *Electrical Engineering *Land Surveying *Building Inspection

May 23, 2003

Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 83814

Attn: Alan Beardslee

Re: Raptor View Subdivision Water System

Ref: Transmittal of Application for Permit to Appropriate Public Waters

Dear Mr. Beardslee:

Enclosed please find an application for a permit to appropriate ground water to supply a public drinking water system for the proposed Raptor View Subdivision. The subdivision is to be located off of Old Thama Ferry Road near Priest River, Idaho as shown on the enclosed map. The water system is to serve 12 connections with an expected total peak hourly flow of up to 50 GPM. The application requests a permit that would allow 50 GPM (0.1114 CFS) to be pumped from the local aquifer using an expected 160-foot deep, 8-inch diameter well. A check for \$100.00 has been enclosed to cover the application fee.

We appreciate your time and consideration on this matter. Please contact me at our Newport office if you have any questions or comments.

Sincerely,

JAMES A. SEWELL & ASSOCIATES

By Jason J. Mellin
Jason J. Mellin/E.I.T.

JJM/jjm

encl: \$100 check, application, map

cc: Phil Keyser, P.O. Box 25, Priest River, ID 83856 w/encl
File w/encl

RECEIVED
JUN 4 5 2003