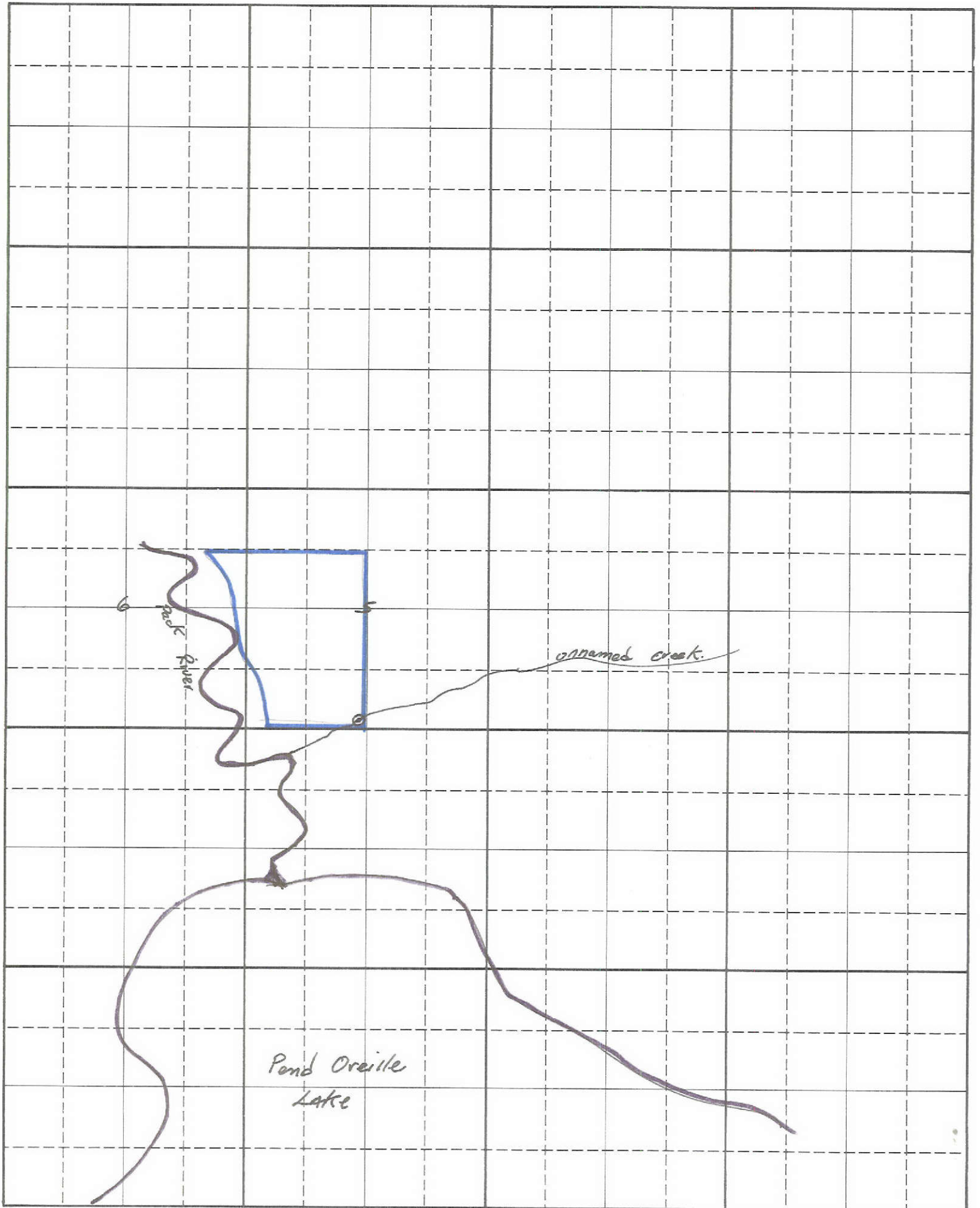


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

John R. Dilson
(Applicant)
Harry C. Neese

96 7234

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

RECEIVED

NOV 16 1973

Department of Water Administration
Northern District Office

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Application for Water Permit,
submitted by Harvey C. Neese &/or John
R. Nilsson, Troy, Idaho, No. 96-7234.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 25th
day of October, 19 73, and end-
ing on the 1st day of November,
19 73, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

15th day of November, 19 73

Thyllis Borath

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Harvey C. Neese &-or John R.
Nilsson, Troy, Idaho have on
October 18, 1973 submitted
Application No. 96-7234 for a
permit to appropriate 0.4 cubic
feet per second of water from an
Unnamed Stream, tributary of
Pack River by means of gravity
flow and pump within the
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 57N, R. 1E,
B.M., Bonner County to be used
from Jan. 1 to Dec. 31 for
domestic purposes for 40
families within the S $\frac{1}{2}$ NW $\frac{1}{4}$
(Gov't. Lots 11 & 12), SW $\frac{1}{4}$, Sec.
5; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6,
T. 57N, R. 1E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, 401 Front Ave.,
Coeur d'Alene, Idaho, 83814 on
or before November 12, 1973.

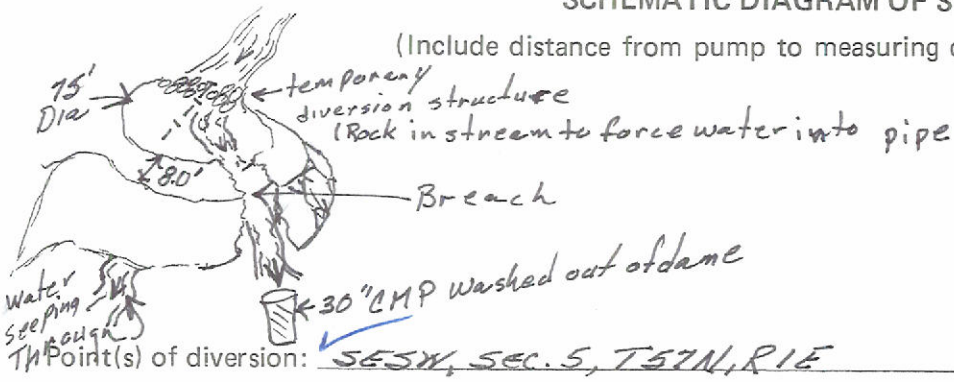
R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint,
Idaho on Oct. 25 and Nov. 1,
1973. O25-N1

96 7234

[illegible]

(Include distance from pump to measuring device, if applicable.)



Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature _____

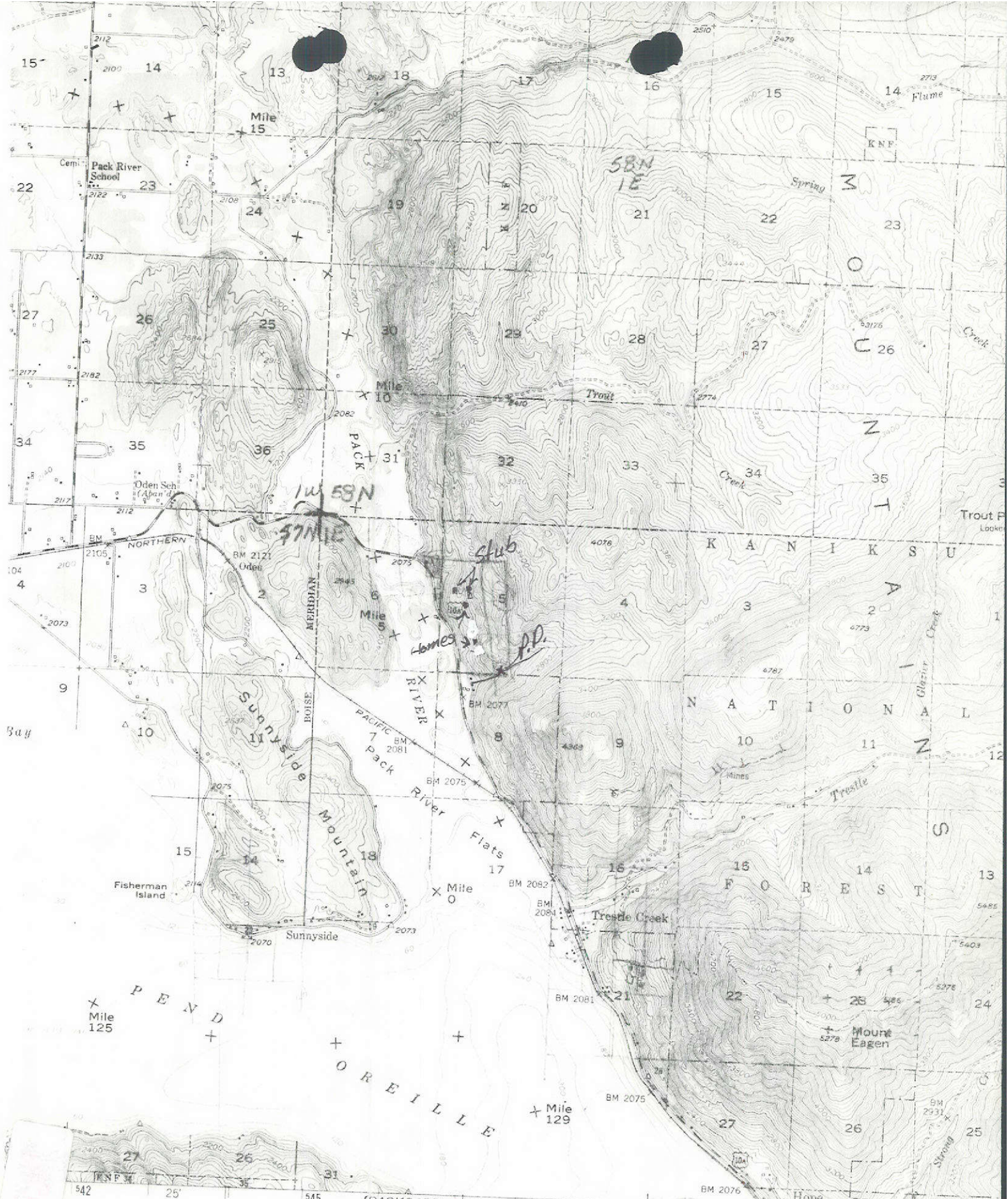
Checked by

Approved by _____

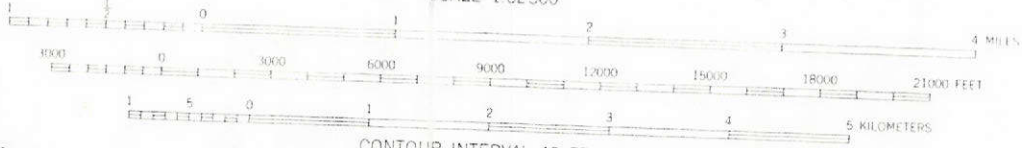
Date 10/28/83

Date 11/7/83

Date 3-25-86



(PACKSADDLE MTN.)
2780 III
SCALE 1:62500



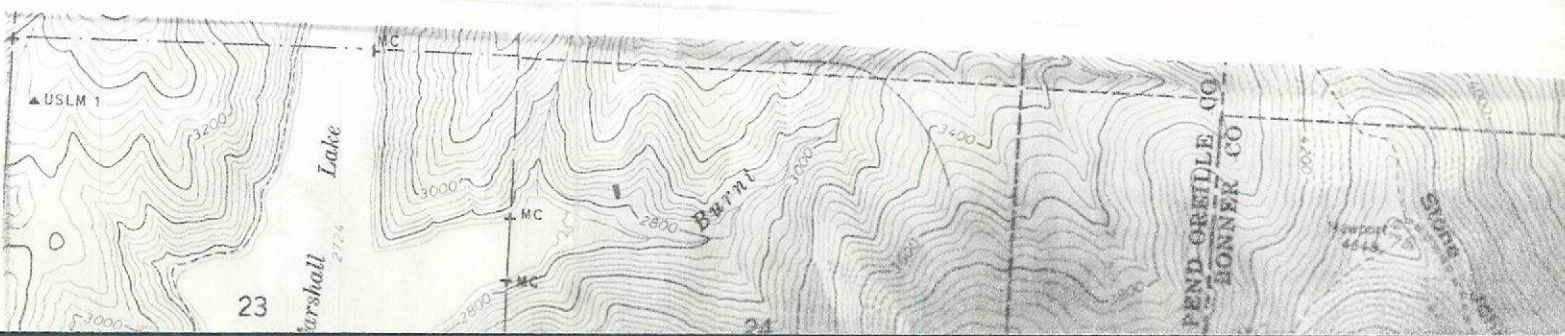
CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT HALF-INTERVAL CONTOURS
DATUM IS MEAN SEA LEVEL
DEPTH CURVES IN FEET-DATUM IS LAKE ELEVATION 2048 FEET

ROAD CLASSIFICATION
Heavy duty ——— 4 LANE 4 LANE
Medium duty ——— 4 LANE 4 LANE
U.S. Route

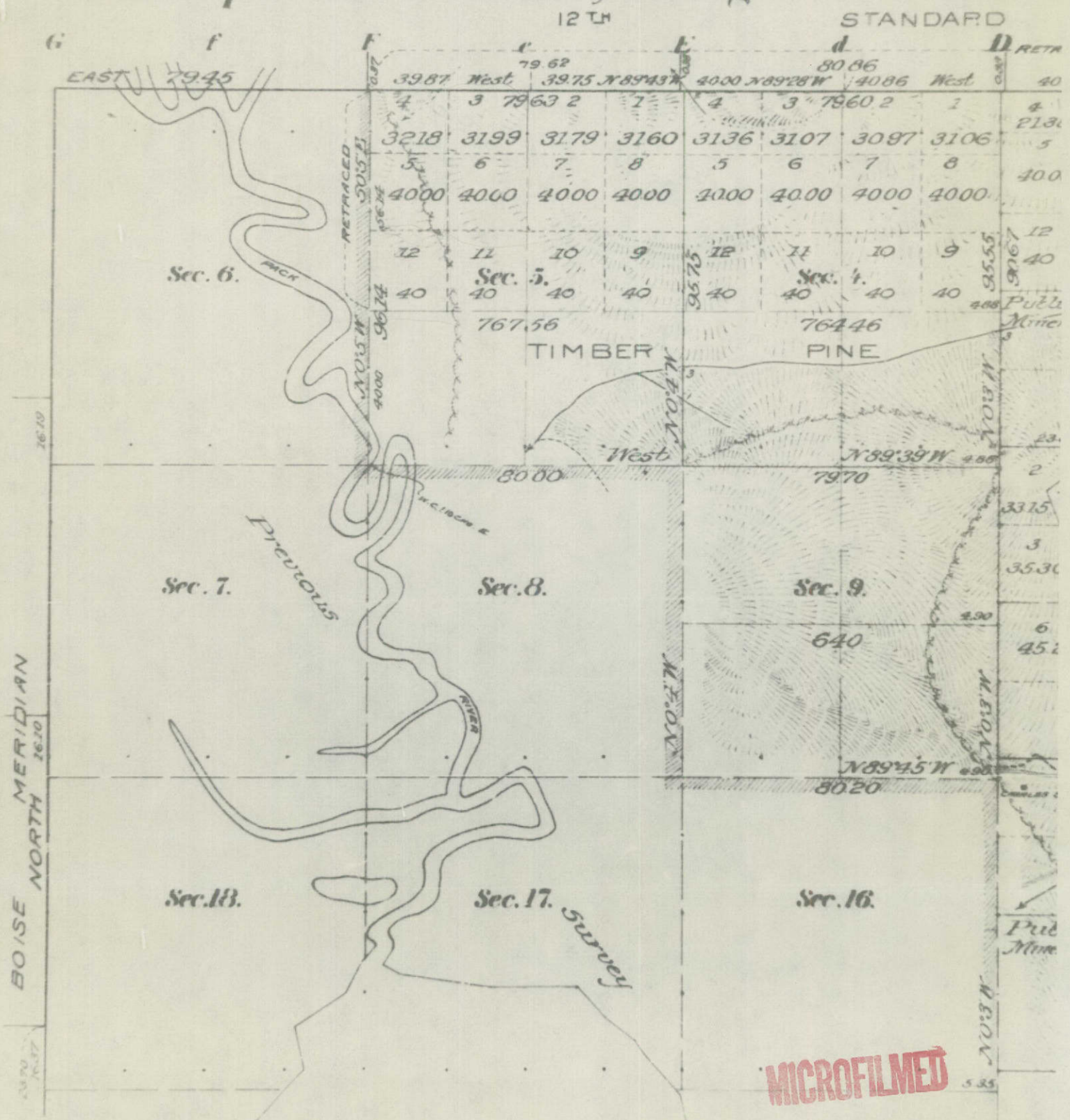
AND 1951 MAGNETIC NORTH
SHOWN AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

MICROFILMED



Township N° 57 North, Range N° 1 East



USFS

1/4

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Govt - Lot

Section 6.
High way
To Sandpoint

To Sandpoint

To Sandpoint

To Sandpoint

To Sandpoint

To Sandpoint

2" water line

4" water line

SW 1/4

SW 1/4

SW 1/4

Reservoir

Kirkby Creek

Highway

Highway

Highway

Highway

Highway

Highway

Highway

Highway

Highway

Highway

Highway

Permit # 96-7234

0.4 cubic feet per second

Domestic water

Supply 40 families

Township 57N. Range 186W

Bonner County

Idaho.

MICROFILMED

USFS

1/4

Govt. Lot 12 Govt. Lot 11

Section 6.
High way
to sand point

2" water line

4" water line

SW 1/4

SW 1/4

SW 1/4

Reservoir

Kirby Creek

2" water line

into to XXXXXXXX

MICROFILMED

Permit # 96-7234

0.4 cubic feet per second

Domestic water

Supply 40 families

Section 5 & Sec 6.
Township 57N. Range 18E
Bonner County
Idaho.

to Hop

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7234 Priority October 18, 1973 Amount 0.10 cfs

THIS IS TO CERTIFY, that Empire Developers Inc.
of Sandpoint, Idaho, has complied with the terms and conditions of Permit
No. 96-7234 issued pursuant to Application for Permit dated October 18, 1973,
and has submitted proof to the Department of Water Resources on September 19, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.10 cfs of water from an unnamed stream,
tributary to Pack River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(4 Units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.10</u> cfs and	<u>4.8</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.8 acre feet per year, said waters to be diverted within the SE1SW4 Section 5,
Twp 57N, Rge 1E in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
57N	1E	5							GL 126111 X X		X	X							

Total number of acres irrigated _____

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of APRIL, 19 86.

Acting for the

Director

Roman C Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 96-7234
IN THE NAME OF EMPIRE DEVELOPERS, INC.

ORDER

WHEREAS, on October 18, 1973, Harvey C. Neese &/or John R. Nilsson applied to the Department of Water Resources for a permit to appropriate 0.4 cubic feet per second of water from an unnamed stream which is a tributary of the Pack River from a point within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, Twp. 57N, Rge. 1E, B.M., Bonner County, to be used for domestic purposes; and,

WHEREAS, on November 28, 1973, the Department approved said application and issued Permit No. 96-7234 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before November 1, 1978; and,

WHEREAS, on October 4, 1978, the permit holders assigned this permit to Empire Developers, Inc.; and,

WHEREAS, on September 25, 1978, Empire Developers, Inc. submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and have given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 96-7234 be extended to November 1, 1983.

Dated this 8th day of November, 1978.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED

OCT 6 1978

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Harvey C Neese, hereby assign to Empire Developers Inc
of 308 North Florence Sandpoint Idaho 83861
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 96-7231
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 4 day of October, 19 78.

Harvey C Neese
Permit Holder

Winnie Neese
Spouse of Permit Holder

State of Idaho)
County of Latah) ss.

On this 4th day of October 4, 19 78, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Deanne C. Brooks
Notary Public residing at
Bozeman, Montana

My commission expires:

8-82

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. 96-7234 }

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

Assigned to:
Empire Developers, Inc.
308 N. Florence
Sandpoint, Id.
10/6/78

Identification No. 96-7234

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Harvey C. Neese &/or John R. Nilsson
post office address Troy, Idaho 83871
2. Source of water supply Unnamed Stream which is a tributary of Pack River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 5 Township 57N
Range 1E B.M. Bonner County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.4 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.4 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Gravity flow to reservoir. Pump
from reservoir to places of use.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation: S $\frac{1}{2}$ NW $\frac{1}{4}$ (Gov't. Lots 11 & 12), SW $\frac{1}{4}$, Sec. 5
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6 Township 57N
Range 1E B.M. NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 6
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 40.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated_____

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

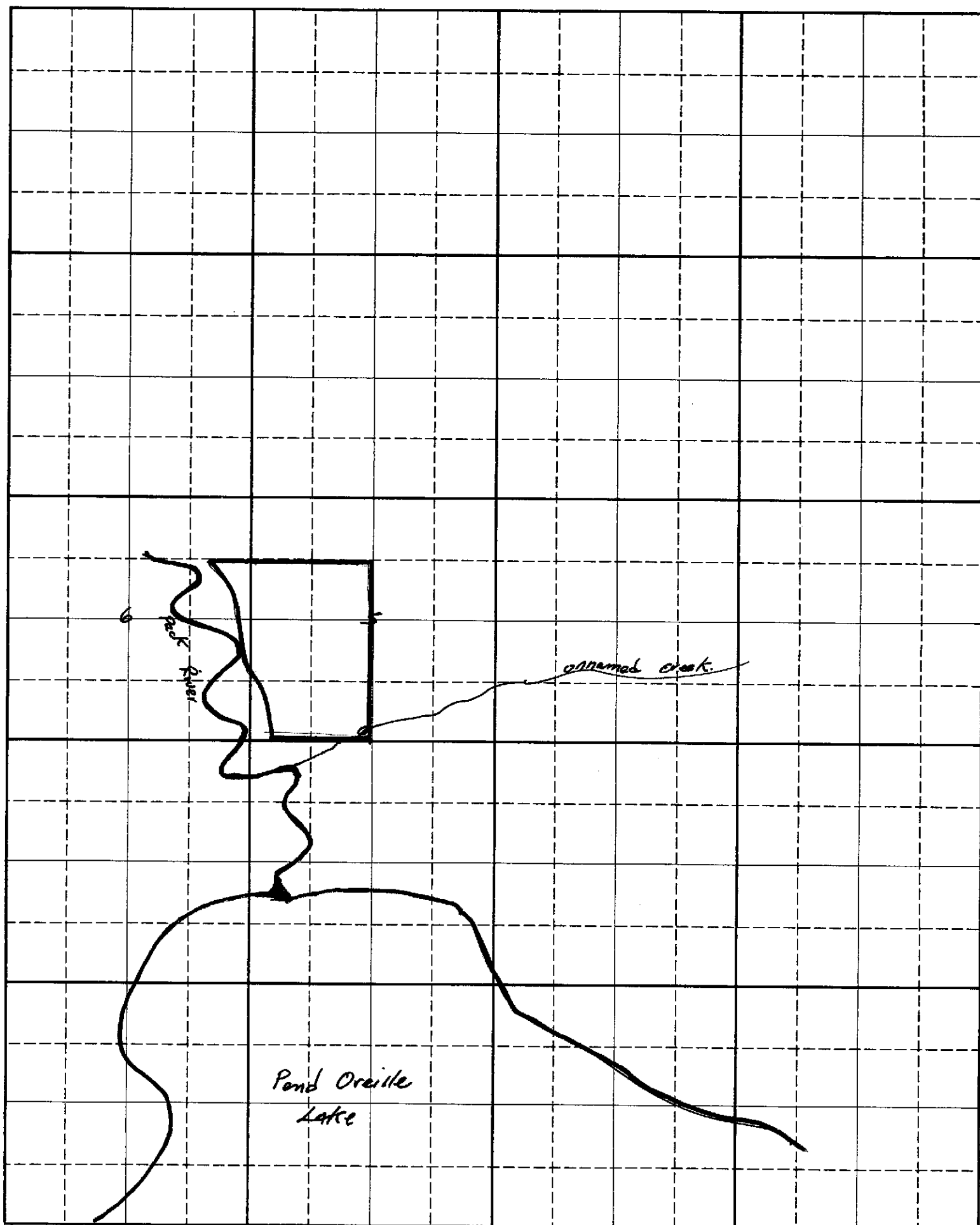
9. a. Who owns the property at the point of diversion_____ Applicants

b. Who owns the land to be irrigated or place of use_____ Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing_____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

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

John R. Dilson
(Applicant)
Harry C. Neese

96 7234

Proposed Priority 10-18-1973

Received by FE Date 10/18/73 Time 3:00 P
Preliminary check by FE Fee \$ 25.00
Receipted by FE Date 10/18/73 # 12218
Publication prepared by cp Date 10-19-73
Published in Sandpoint News-Bulletin
Publication dates 10-25 & 11-1-73
Publication approved CP Date 11-19-73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by W DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7234, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 78.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 28th day of November 19 73.

R. Karl Hig
Director

96 7234

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>ZE</u>	<u>9/18/73</u>	Application No. <u>96-7234</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>ZE</u>	<u>10/18/73</u>	In form to receipt
	<u>ZE</u>	<u>10/18/73</u>	Send Copies to: ☒ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	_____	_____	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>ZE</u>	<u>10/18/73</u>	In form for advertising
(6)	_____	_____	Located within Water District No. _____
(7)	_____	_____	Critical groundwater area: yes _____ no _____
(8)	_____	_____	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)	_____	_____	Comments: _____
(10)	<u>CP</u>	<u>11-19-73</u>	Affidavit of Publication received (date) <u>NOVEMBER 16, 1973</u>
(11)	<u>CP</u>	<u>10-19-73</u>	Final date for protests <u>NOVEMBER 12, 1973</u> Protests received: yes _____ no ☒
(12)	_____	_____	Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>ZE</u>	<u>11/19/73</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>ZE</u>	<u>11/19/73</u>	Action recommended: ☒ Approve Priority <u>10/18/73</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Northern</u>	By <u>Paul B. Burchett</u>	Date <u>11/19/73</u>

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

RECEIVED

NOV 16 1973

Department of Water Administration
Northern District Office

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Application for Water Permit,
submitted by Harvey C. Neese &/or John
R. Nilsson, Troy, Idaho, No. 96-7234.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 25th
day of October, 1973, and end-
ing on the 1st day of November,
1973, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

15th day of November, 1973.

Thelma Borath

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Harvey C. Neese &-or John R.
Nilsson, Troy, Idaho have on
October 18, 1973 submitted
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Unnamed Stream, tributary of
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flow and pump within the
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 57N, R. 1E,
B.M., Bonner County to be used
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families within the S $\frac{1}{2}$ NW $\frac{1}{4}$
(Gov't. Lots 11 & 12), SW $\frac{1}{4}$, Sec.
5; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6,
T. 57N, R. 1E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, 401 Front Ave.,
Coeur d'Alene, Idaho, 83814 on
or before November 12, 1973.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint,
Idaho on Oct. 25 and Nov. 1,
1973. 025-N1

96 7234

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 96-7234

Name(s) of Permit Holder(s): Empire Developers Inc

Post Office Address: 308 North Florence
Sandpoint Idaho 83864

Phone No. 208-263-4177

☒ I hereby certify that construction of diversion works for the above referenced permit began on may 1 1982 (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

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

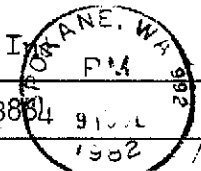
*Note: A financing difficulty is not an acceptable reason.

7/7/1982
Date

Empire Developers Inc
Russell Oliver
Signature of Permit Holder

President

Empire Developers Inc.
308 North Florence
Sandpoint Idaho 83864



MICROFILMED

DEC 22 1988



RECEIVED

JUL 12 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 28, 1986

RE: Permit No. 96-7234

Empire Developers, Inc.
308 N. Florence
Sandpoint, ID 83864

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

April 10, 1986

RE: Permit No. 96-7234

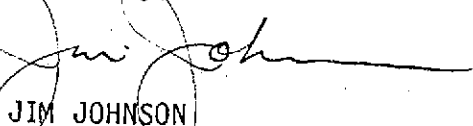
Empire Developers Inc.
308 N. Florence
Sandpoint, ID 83864

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,



JIM JOHNSON

Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

96-7239
Permit No.
EMPIRE

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	10/26/83	JK	Washed out 2 Homes 2 stub garden on one stub
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 10/26/83 Accompanied by - Total Q measured - est. 0.10 cfs
Source Unnamed Stream Tributary to Peak River Supp. annubar measurement sheet used? -
If source is surface water, estimate total flow of source 1 cfs
Methods of measurement Est. Meets permit requirements? yes

Measurement calculations: 4 Homes 0.10 cfs 4.8 AF

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
								Gravity

System Description 9' dam with 4" gravity flow pvc Main to homes

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

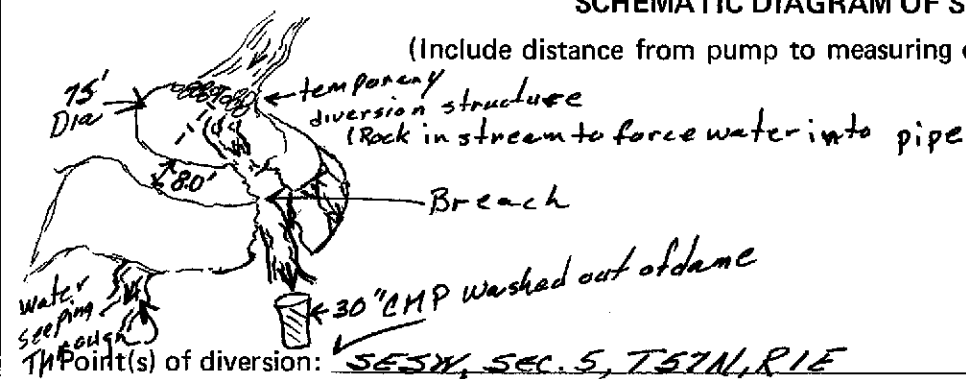
USE	Irrigation requirement =				AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO		
Domestic (4 units)	0.10 ✓	4.8 ✓	1-1 ✓	12-31 ✓		
Total	0.10 ✓	4.8 ✓				

Remarks

MICROFILMED

[illegible]

(Include distance from pump to measuring device, if applicable.)



Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature

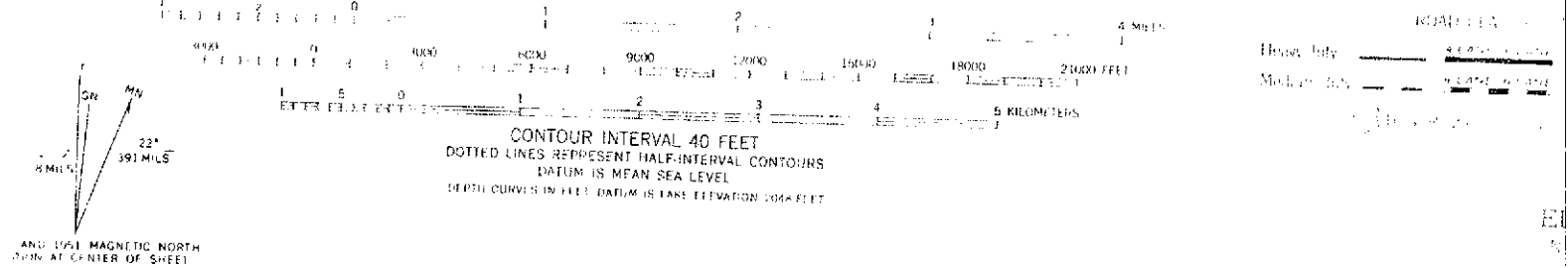
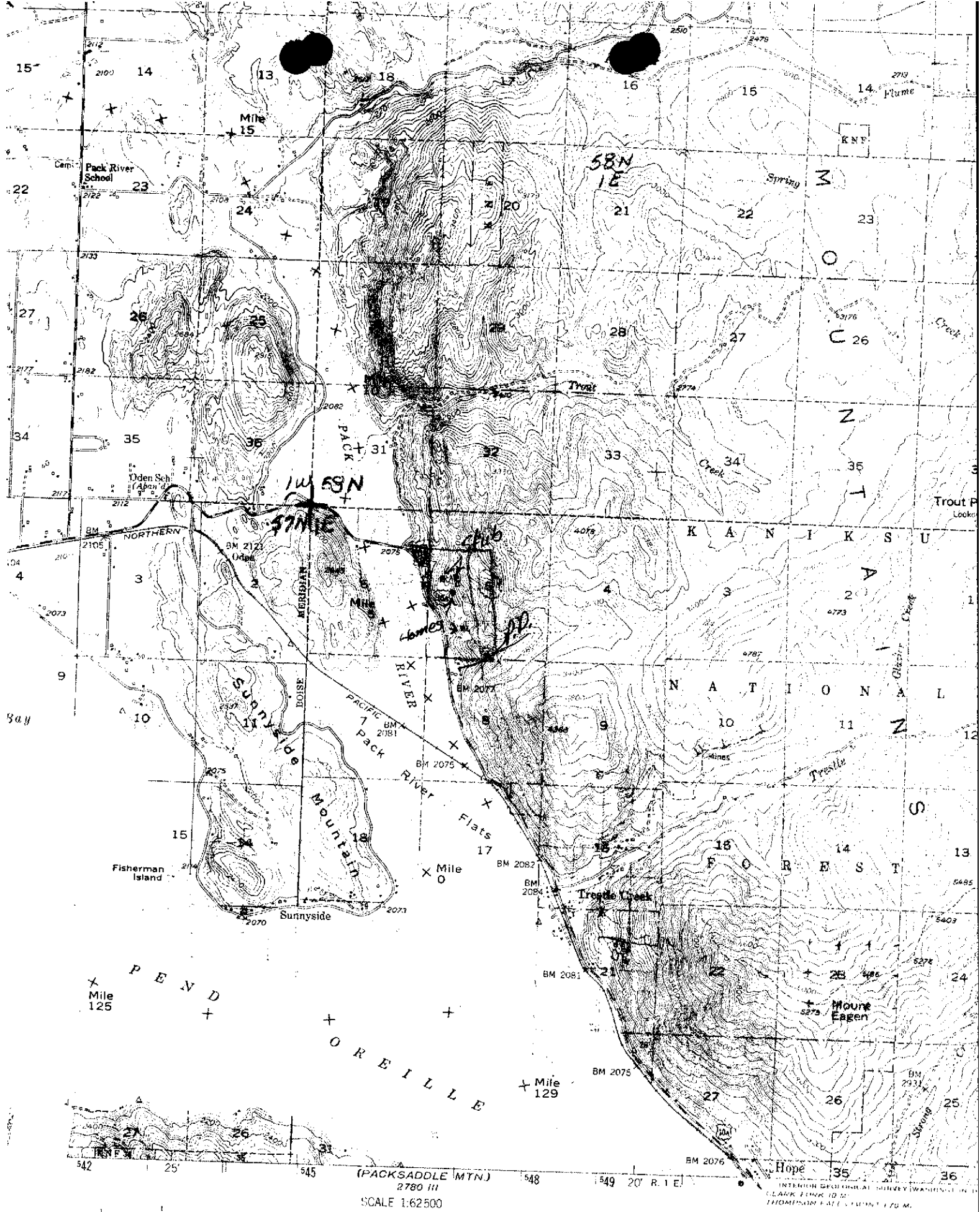
Checked by

Approved by

Date 10/28/83

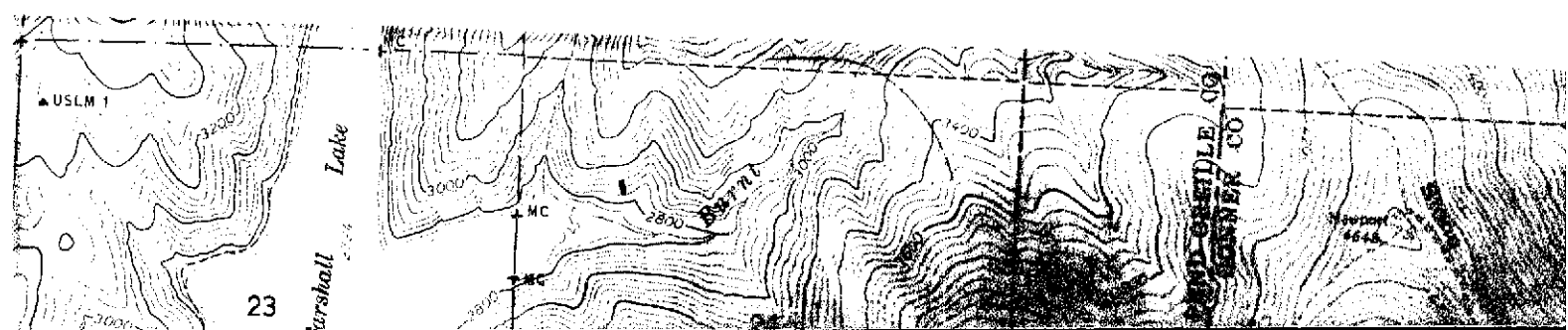
Date 11/17/83

Date 3-25-86



THIS MAP COMPLEIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR WASHINGTON, D. C. 20242
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

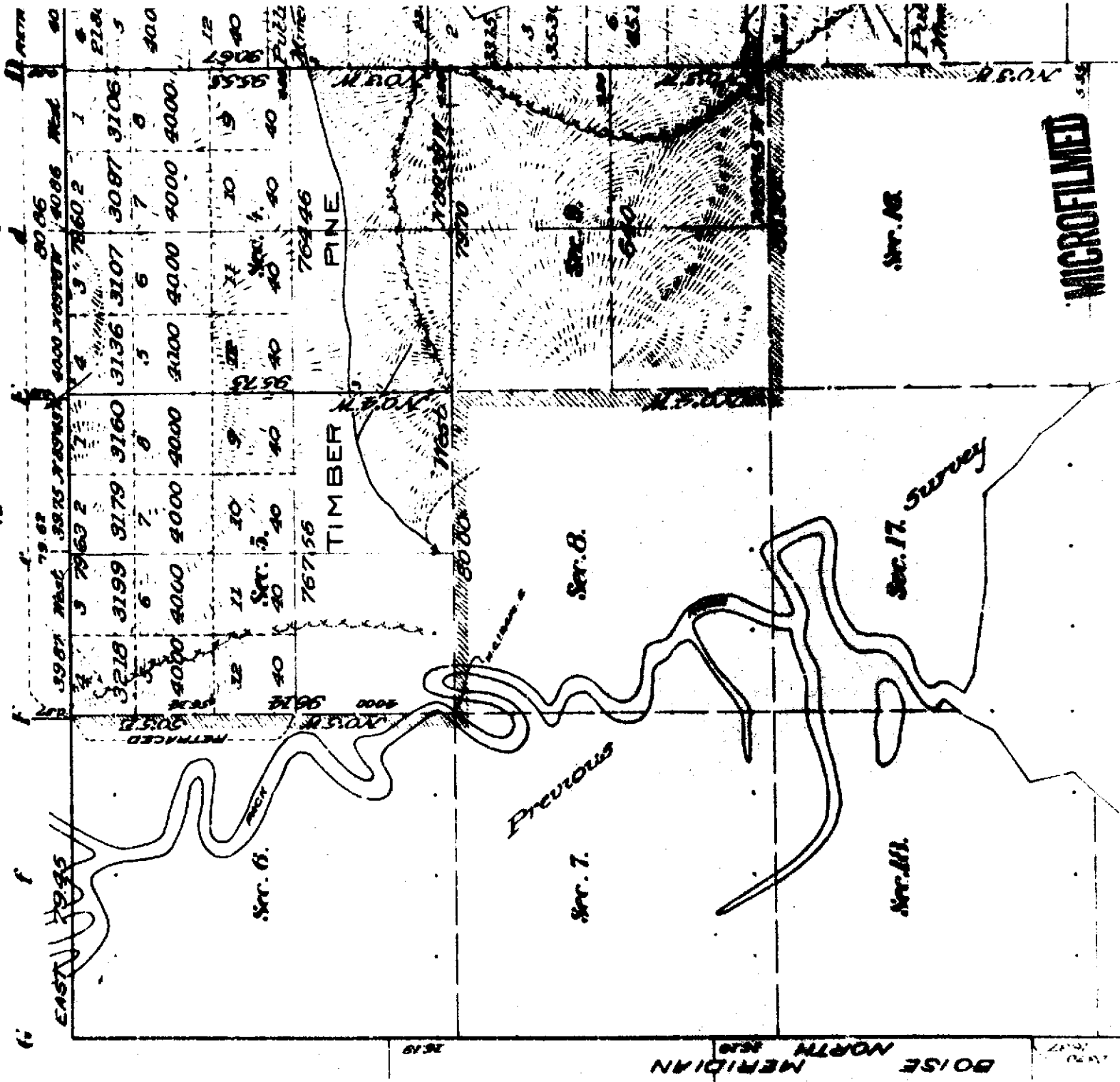
MICROFILMED



Township No 57 North, Range No 1 East

STANDARD

21



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

OCTOBER 18, 1983

IMPIRE DEVELOPERS INC.
308 N. FLORENCE
SANDPOINT ID 83864

RE: Permit No. 96-7234

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-7234

Name(s) of Permit Holder: Empire Developers Inc.

Post Office Address: 308 North Florence

Sandpoint Idaho 83864 Tel. No. 208-263-4477

Source of Water: Kirby Creek (Sec. 5, T11N 57 N. Range 1 EBM)
Bonner County

Extent of Use: ☒ Domestic 2 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

9/14/83
 Date

Empire Developers Inc.
by Ruth Oliver Sec. Treas.
 Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

EMPIRE DEVELOPERS INC.
308 N. FLORENCE
SANDPOINT, ID 83864

138985

PROOF DUE NOTICE

AUGUST 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 96-7234 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

November 13, 1978

Empire Developers Inc.
308 North Florence
Sandpoint, ID 83864

Dear Sirs:

Re: Permit No. 96-7234

Enclosed is a copy of the Order extending the time within which to submit proof of beneficial use of water to November 1, 1983.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc: 1

RECORDED

October 13, 1978

Empire Developers Inc.
308 North Florence
Sandpoint, ID 83864

Gentlemen:

Re: Permit No. 96-7234

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

MICROFILM

Sir: The following
letter is from Russ
Oliver of Empire
Developers who we
are assigning the
water right to.

Please Contact him
for anything else on
his water right.

H Neese

MICROFILMED

EMPIRE DEVELOPERS, INC.

308 NORTH FLORENCE
SANDPOINT, IDAHO 83864
PHONE: 263-4477

September 25 1978

RECEIVED

SEP 28 1978

Department of Water Resources

Harvey C Neese

P.O. Box 332
Troy Idaho 83871

Dear Sir:

As per your letter of September 22.

The legal description of the property we want to supply water to homes site from Kirby Creek is.

South $\frac{1}{2}$ of NorthWest Quarter (Government Lots 11 and 12) SouthWest Quarter in Section 5 Township 57N, Range 1 E.B.M BonnerCounty, Idaho and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ of Section 6 Township 57 N Range 1 E.B.M Bonner County, Idaho

This the same description that is shown on the permit (96-7234)

Shows number of families to be supplied with domestic water 40

Gravity flow to reservoir.

From the assignment of permit form you don't need the description on it. they have this in their files, I suppose. I have sent them a map of the water line and a request for a time extention.

Hope to get this completed to their satisfactory as soon as possible.

Thank you

Yours truly
Russell Oliver
Russell Oliver

RECEIVED

USFS

1/4

Govt. Lot 12 NW 1/4 Govt. Lot 11

Section 6.

High way

To Sand Point

W

200

2" water line

4" water line

SW 1/4

USFS

Sagebrush

Reservoir

Creek

Barber

to Hop

MICROFILMED

Permit # 96-7234

0.4 cubic feet

Domestic water

Supply 40 families

Township 57N. Range 186M
Bonner County
Idaho.

October 5, 1978

Re: Permit No. 96-7234

Russell Oliver, President
Empire Developers, Inc.
308 N. Florence
Sandpoint, Idaho 83864

Dear Mr. Oliver:

Before we can process your extension request, we must receive the completed assignment form from Mr. Harvey C. Neese or Mr. John R. Nilsson.

Therefore, we will hold your extension request in our file and will process it when the assignment is received. This assignment must be received by the November 1, 1978 proof due date so we can accept your extension request and prevent the permit from lapsing.

If you have any questions, please contact us.

Sincerely,

Jan Grover
Water Rights Supervisor

JG/lr

cc: Harvey C. Neese

RECEIVED
OCT 11 1978

1

1

EMPIRE DEVELOPERS, INC.

308 NORTH FLORENCE
SANDPOINT, IDAHO 83864
PHONE: 263-4477

September 25 1978

File: 92-7234

RECEIVED

SEP 28 1978

Harvey C Neese

Department of Water Resources

P.O. Box 332
Troy Idaho 83871

Dear Sir:

As per your letter of September 22.

The legal description of the property we want to supply water to home sites from Kirby Creek is.

South $\frac{1}{2}$ of NorthWest Quarter (Government Lots 11 and 12)** SouthWest Quarter in Section 5 Township 57 N, Range 1 EBM. Bonner County, Idaho and SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{2}$ of Section 6 Township 57 N, Range 1 EBM. Bonner County, Idaho.

This is the same description that is shown ~~XXXX~~ on the Permit (92-7234)

Shows number of families to be supplied with domestic water 40

Gravity flow to reservoir.

From the assignment of permit form, you don't need the description on it. They have this in their files, I suppose.

I have sent them a map of the water line and a request for a time extention. Hope to get this completed to their satisfactory as soon as possible.

Thank You.

Yours truly

Russell Oliver
Russell Oliver

cc: Department of Water Resources

RECEIVED

EMPIRE DEVELOPERS, INC.

308 NORTH FLORENCE
SANDPOINT, IDAHO 83864
PHONE: 263-4477

RECEIVED

September 25 1978

SEP 28 1978

Department of Water Resources

State of Idaho

Department of Water Resources
State Office
373 W Franklin Street
Boise Idaho

RE: Permit Number 96-7234

S $\frac{1}{2}$ NW $\frac{1}{4}$ (Govt lots 12 & 11)
SW $\frac{1}{4}$ Section 5
SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6
Township 57N, Range 1E8M
Bonner County , Idaho

Dear Sirs:

We have a one inch temporary water line as shown on the attached map supplying water to six home sites , Two are already using water.

We plan to lay five hundred feet (500') of 8 inch water line to a reservoir, then Two Thousand Feet (2000') of four inch (4 ") water line, then Fifteen Hundred Feet (1,500 ') of Two inch (2 ") water line as shown on the map. This is to be the permanent water lines, to the home sites.

We are being held up by the Forest Service for permission to go Three Hundred feet (300') on their ground in order to get the gravity flow we need to all of our locations. (See attached map)

We need a extention of time . Time to get the go ahead for the intake from the Forest Service.

We bought this property from Harvey C Neese , He was suppose to assign the water right, title, and interest in Permit # 96-7234 to us with this land purchase.

Is there anything more we are suppose to do?

We need the extention of time to get our water lines in operation.

Yours Truly
Russell Oliver
Russell Oliver, President

*ok to extend
Syr*

MICROFILMED

USFS

Govt. Lot 14
Govt. Lot 15
Govt. Lot 16
Govt. Lot 17
Govt. Lot 18
Govt. Lot 19
Govt. Lot 20
Govt. Lot 21
Govt. Lot 22
Govt. Lot 23
Govt. Lot 24
Govt. Lot 25
Govt. Lot 26
Govt. Lot 27
Govt. Lot 28
Govt. Lot 29
Govt. Lot 30
Govt. Lot 31
Govt. Lot 32
Govt. Lot 33
Govt. Lot 34
Govt. Lot 35
Govt. Lot 36
Govt. Lot 37
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Govt. Lot 85
Govt. Lot 86
Govt. Lot 87
Govt. Lot 88
Govt. Lot 89
Govt. Lot 90
Govt. Lot 91
Govt. Lot 92
Govt. Lot 93
Govt. Lot 94
Govt. Lot 95
Govt. Lot 96
Govt. Lot 97
Govt. Lot 98
Govt. Lot 99
Govt. Lot 100

Section 6,
High way
to Sandpoint

2" water line

4" water line

SW 1/4

NS 4S

SE 1/4

Reservoir

Creek

Highway

to Hop

MICROFILMED

Permit # 96-7234

0.4 cubic feet per second

Domestic water

Supply 40 families

Section 5 & Sec 6.

Township 57N. Range 158M

Bonner County

Idaho.

OLIVER GENERAL CONTRACTING CO., INC.

308 NO. FLORENCE

SANDPOINT, IDAHO 83864



State of Idaho

Department of Water Resources

State Office

373 W Franklin Street

Boise Idaho 83720

RECORDED
INDEXED

September 15, 1978

Harvey C. Neese
Box 332
Troy, ID 83871

Dear Mr. Neese:

Permit No. 96-7234

Enclosed is an Assignment Form. Please complete this form and return it to this office and the Department will show the change in ownership of the water right in the above referenced file.

If you have any questions, please feel free to contact us.

Sincerely,

RITA FLECK
Secretary

Enc: Assignment Form

RECEIVED
SEP 17 1978
FBI - TROY

Harvey C. Neese

BOX 332

TROY, IDAHO 83871

Sept. 6, 1978

PHONE 835-4723
AREA CODE 208

RECEIVED

SEP 8 1978

Dept. of Water Resources
State House
Boise, Idaho 83720

Department of Water Resources

Att: Ms. Fleck

Dear Ms. Fleck:

I have received your letter dated Aug. 31, 1978 in reference to water permit No. 96 - 7234, on requiring proof of beneficial use of water.

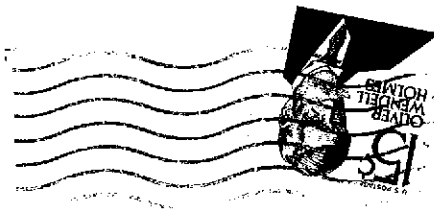
If this is the property alongside Pend Oreille Lake, in Bonner County, then it is now owned by someone else. How do we go about transferring the water rights to the current owner? Would you please send necessary forms?

Sincerely,

H. Neese
Harvey C. Neese

MICROFILMED

Harvey C. Neese
BOX 332
TROY, IDAHO 83871



DEPT. OF WATER RESOURCES
STATE HOUSE
BOISE, IDAHO 83720

ATT: Ms. FLECK



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

CERTIFIED MAIL

100192

August 31, 1978

Re: Permit No. 96-7234

Harvey C. Neese &/or
John R. Nilsson
Troy,
Idaho 83871

Gentlemen:

One of the conditions of approval of your water Permit No. 96-7234 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

Encl: Proof affidavit
Order

MICROFILMED

December 5, 1973

Re: Permit No. 96-7234

Harvey C. Neese &/or John R. Nilsson
Troy,
Idaho 83871

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. . We direct your attention to the conditions of approval as listed on the ~~fourth~~ ⁹⁶⁻⁷²³⁴ page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

96 7234

ADVERTISING INSERTION ORDER.

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name Idaho Department of Water
Administration

Address _____

Name of Advertiser _____

Ad No. _____ Ad Size: _____ x _____

Caption Notice of Application for
Water permit

Insertion Dates: Oct. 25, Nov. 1

Copy: _____

AIO. NO 2-63

DATE 10-25-73

Type of Advertising

- ☐ National Display
- ☐ Local Display
- ☐ Classified Display
- ☐ Classified
- ☐ Reader
- ☐ Card of Thanks
- ☒ Legal

Harvey C. Neese &-or John R. Nilsson

Application No. 96-7234

Total Space	34 lines	x	36¢	=	\$ 12.24
	(Col. inches/Words)		(rate)		(Billing)

96 7234

November 14, 1973

Re: Application for Permit No. 96-7232 - Warren D. Watterson
" " " " 96-7234 - Narvey C. Neese &/or John R. Nilsson

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, ID 83864

Gentlemen:

Could you please submit the affidavits of publication and bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on October 25 and November 1, 1973.

Your assistance in this matter would be appreciated.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

96 7234

October 22, 1973

Re: Application for Permit No. 96-7234 - Harvey C. Neese &/or John R. Nilsson

Jack C. Ross
Department of Environmental and
Community Services
P.O. Box 734
Sandpoint, ID 83864

Dear Mr. Ross:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our office as soon as possible. We normally complete the processing of an application within a four-week period and we are required to take final action shortly thereafter.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

Enclosure

96 7234

October 19, 1973

Re: Application No. 96-7232 - Warren D. Watterson
" " 96-7234 - Harvey C. Neese &/or John R. Nilsson

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, ID 83864

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. ~~-in order to receive payment, the following certification must appear on the bill:~~

~~"I hereby certify that the foregoing account is just
and correct; that the amount claimed is legally due,
after allowing all just credits; and that no part of
the same has been paid."~~

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 11-19-73 by CP

FE:CP

96 7234

Enc: Legal Notices (2)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harvey C. Neese &/or John R. Nilsson,

Troy, Idaho

~~have~~ on October 18, 1973 submitted Application No. 96-7234

for a permit to appropriate 0.4 cubic feet per second ~~xxxxxxfeetperxxxxxx~~
of water from an Unnamed Stream, tributary of Pack River

by means of gravity flow and pump

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 57N, R. 1E, B.M., Bonner County

to be used from Jan. 1 to Dec. 31

for domestic purposes for 40 families

within the S $\frac{1}{2}$ NW $\frac{1}{4}$ (Gov't. Lots 11 & 12), SW $\frac{1}{4}$, Sec. 5; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6,
T. 57N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before November 12, 1973.

R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho

on Oct. 25 and Nov. 1, 1973

96 7234