



CONTACT WITH PERMIT HOLDER

PERMIT # 98-7030
INITIALS

DATE

7/25/82

267-2050 Neil Martin - 7 Units 4WD

0.2 mi off city road to right well at end of road

FRANK DeFalco on corner 2nd & 3rd

267-7274 Barber & Doyle Hellbach

MICROFILMED

MAR 30 1990



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MAR 30 1990

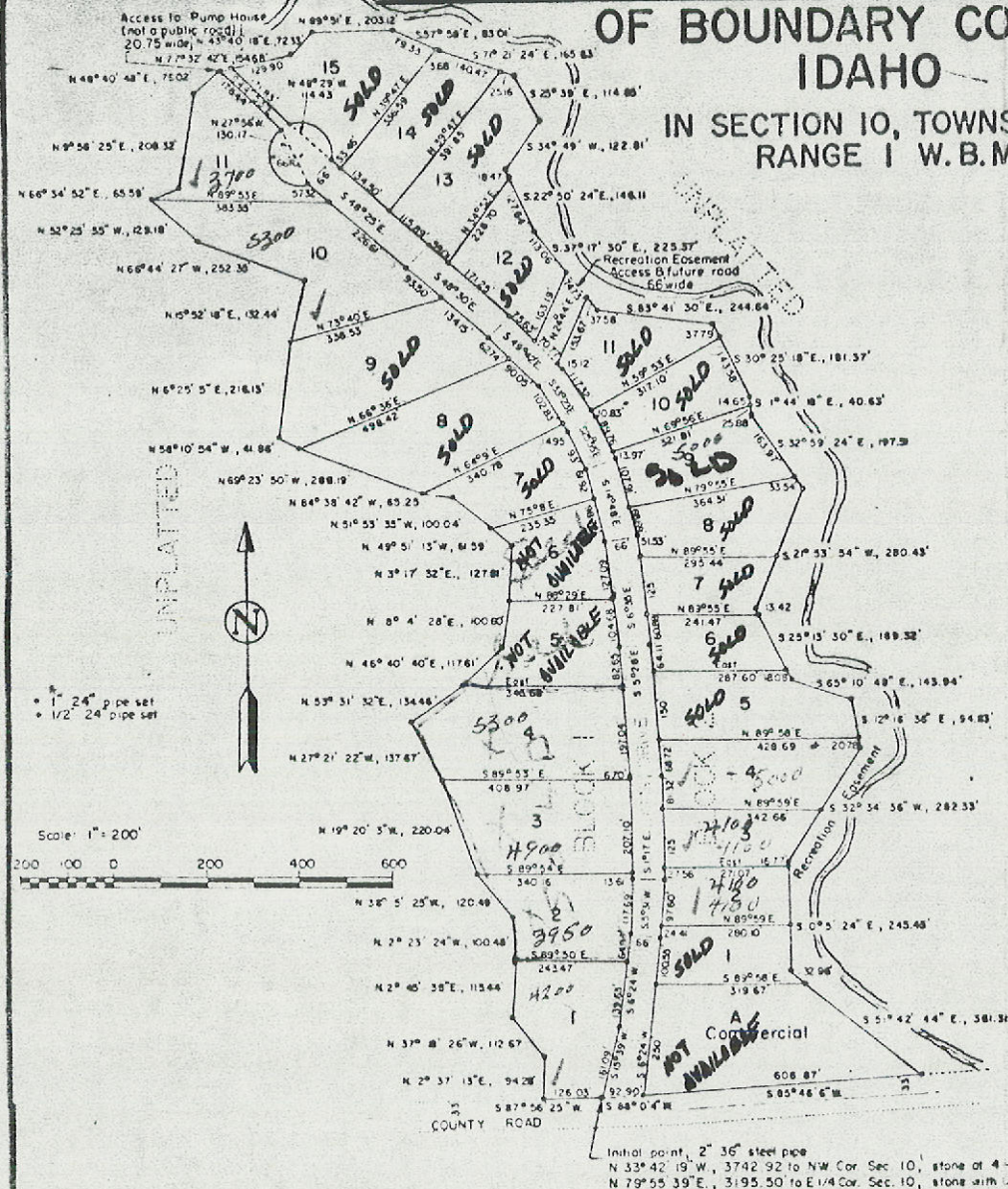
T60N
R10W
SEC 10 P.
98-7030

98-7030

KANKUS
NATIONAL FOREST

FALL CREEK SUBDIVISION
OF BOUNDARY COUNTY,
IDAHO

IN SECTION 10, TOWNSHIP 60 N.
RANGE 1 W.B.M.



— TO SHELMAN REALTY 9/1/76 —
EXHIBIT "B"

[illegible]

The 65 roadways shown herein are dedicated to the public

The lots in Block 2 do not extend to Fall Creek. The owner hereby grants to all of the owners of lots in the plot a non-exclusive easement over and across the land between Block 2 and Fall Creek for the purpose of access to Fall Creek for recreation purposes, reserving to the plot's owners, the right to extend roads over and across said access easement.

All disposal facilities of any sort must meet the requirements of the State of Idaho and must be approved and inspected by the local public health authority.

IN WITNESS WHEREOF, J.M. Brown, Jr., Chairman of the Board, and Chester Chaslen, Secretary, of said corporation have caused their signatures to be affixed:

Page December 10th 1970

J. M. Brown, Jr.
J. M. Brown, Jr., Chairman

Charles C. Schastek
Charles C. Schastek, Secretary

ACKNOWLEDGEMENTS

STATE OF IDAHO
COUNTY OF

On this 16th day of December in the year 1970, before me, a Notary Public in and for said State, personally appeared J.M. Brown, Jr., Chairman of the Board, and Chester Crecelius, Secretary of the corporation that executed the within instrument and the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

I, WITNESS HEREOF, have hereunto set my hand and official seal on the day and year written above.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year written above.

Sonnette C. Pearson
 Notary Public for the State of Idaho
 Residing at Goodfoot, Idaho
 My commission expires 1974

5. REVIEWER'S CERTIFICATE

I hereby certify that the within plat of Fall Creek Subdivision is correct and that the description in the owner's certificate is correct. Survey completed on May 10, 1970, and all lot corners and monuments shown have been established upon the ground and this map is a true and accurate record of the survey directed by me.

Date Nov. 14th 1970

Ronald W. Largent

ACKNOWLEDGEMENT

STATE OF IDAHO, COUNTY OF BONNER

On this 14th day of November, 1970, before me personally appeared Donald W. Lergene, known to me to be the person who executed the foregoing surveyor's certificate and acknowledged to me that he signed the same.

Bennett C. Peterson
Notary Public for the State of Idaho
Residing at Sandpoint, Idaho
My commission expires *Dec 1, 1930*

COUNTY COMMISSIONERS ACCEPTANCE AND APPROVAL

With the approval of the County departments listed herein the within plat of Fall Creek Subdivision of Boundary County is hereby accepted and approved by the Board of County Commissioners of Boundary County, Idaho.

Dated this 14th day of December, 190
Edward J. Perkins
 Notary Public for the County of San Diego

COUNTY DEPARTMENTS

Frank C. Rasi POSTAL OFFICE	Date 12/1/87
Bruce Kusler Treasurer	Date 12/1/87
L. H. Oberlin Chairman, Planning and Development	Date 11/1/87

836
STATE OF TEXAS
JULY 11, 1900

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 98-07030

Priority: September 14, 1970

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.12 CFS
8.4 AF

This is to certify, that FALL CREEK COMMUNITY ASSN.
P.O. BOX 43

NAPLES, ID 838470000 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 14, 1970; and
has submitted Proof of Beneficial Use on October 3, 1980. An examination indicates
that the works have a diversion capacity of .260 cfs of water from:

FALL CREEK tributary to DEEP CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.12 CFS	8.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 10, Township 60N, Range 01W
BOUNDARY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

60N 01W 10

NENW
NESW

NWNW

SENE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 7 homes.

MICROFILMED

MAR 30 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 98-07030

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8th
day of January, 1980.

Acting for Norm C Young
R. Keith Higginson, Director

MICROFILMED

MAR 30 1990

Yellow Copy

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 98-7030

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

RECEIVED

MAY 15 1976

Department of Water Resources

ASSIGNMENT OF WATER PERMIT

THE PACK RIVER COMPANY hereby assigns to FALL CREEK COMMUNITY ASSOCIATION, an Idaho non-profit corporation, of Boundary County, Idaho, whose mailing address is 302 Fidelity Building, Spokane, Washington 99201, all its right, title and interest in and to Permit No. 98-7030 to appropriate the public waters of the State of Idaho.

Made this 2nd day of April, 1976.

THE PACK RIVER COMPANY

By [Signature]

By Wayne Osborn

ASSISTANT SECRETARY

STATE OF WASHINGTON)

: ss.

County of Spokane)

On this 2nd day of April, 1976, before me, a notary public in and for the above-named county and state, personally appeared R. J. DeARMOND and WAYNE OSBORN, to me known to be the President and Assistant Secretary, respectively, of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and each on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Edward J. [Signature]
Notary Public in and for the State
of Washington, residing at Spokane

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

RECEIVED

NOV 2

State of Washington)
County of Spokane)

Department of Water Resources

Permit No. 98-7030

The Pack River Company of Box 1452, Spokane,
(name) (address)

State of Washington, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 98-7030.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before December 1, 1975.

That he has heretofore performed the following work described under said permit:

The water collection system, shown on the attached drawing, including a
three horsepower centrifugal pump, three pressure tanks, four-foot diameter
CGI pipe with half inch perforations three inches O.C. below stream bed
for collection of the water, and including chlorinators and other devices
shown, and the main distribution system has been completed to the lot lines
of the platted area. (Metering devices have not yet been installed.)
The lots have been sold but development of homes on Costing \$20,000.00
the platted lots is not completed.

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: The construction of homes or user's facilities
within the plat is not within the control of the permittee. It
depends on the property purchasers. A reasonable period of time
for commencement of use is five years.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to December 1, 1980.

THE PACK RIVER COMPANY

By

(signature) *

Subscribed and sworn before me this 17th day of November, 1975.

See:

Edward J. Parn
Notary Public residing at

Spokane, Washington

My commission expires: 9/11/79

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Resources
hereby approve the above application for extension of time. The time within which
to submit proof of beneficial use of water has been extended to December 1, 1980.

Witness my hand this 5 day of December, 1975.

R. Keith Higgins
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

RECEIVED

ASSIGNED TO:
Fall Creek Community Association
302 Fidelity Building
Spokane, Washington 99201
May 13, 1976

Identification No. 98-7030
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant The Pack River Company
post office address P. O. Box 1452, Spokane, Washington 99210
2. Source of water supply Fall Creek which is a tributary of Kootenai River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 60N
Range 1 W.B.M. Boundary County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Fall Creek at a point in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 60N Range 1 W.B.M.
4. Water will be used for the following purposes:
Amount .5CFS for domestic purpose from January 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .5078 for town purpose from April 1 to Oct 31 (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. ~~XXXX~~ .5 cubic feet per second and/or
b. ~~XXXX~~ 365 14.25 D.A. / Letter 10-9-70 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Water from stream will run into concrete device and then will be pumped through mains to the individual lots. (Exact size of pump and lines are being computed by an engineer at this time.) 3200 L.F. 4" 3 H.P. Submersible Pump.
b. Height of storage dam None 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. ~~3 months or less to complete.~~
b. Estimated construction cost is \$16,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: NW $\frac{1}{4}$ E $\frac{1}{2}$ of SW $\frac{1}{4}$
(1) Give the place of use of water: N $\frac{1}{2}$ of SE $\frac{1}{4}$ $\frac{1}{4}$ of Section 10 Township 60N
Range 1 W.B.M. (See remarks section)
(2) Amount of power to be generated: No hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
- (4) Name of municipality to be served Fall Brook Park, or number of families to be supplied with domestic water 25.
- (5) If water is to be used for other purposes describe: Water will be used for a recreational development that will see its heaviest use in the summer months, in connection with uses of the platted property.

98-7030

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

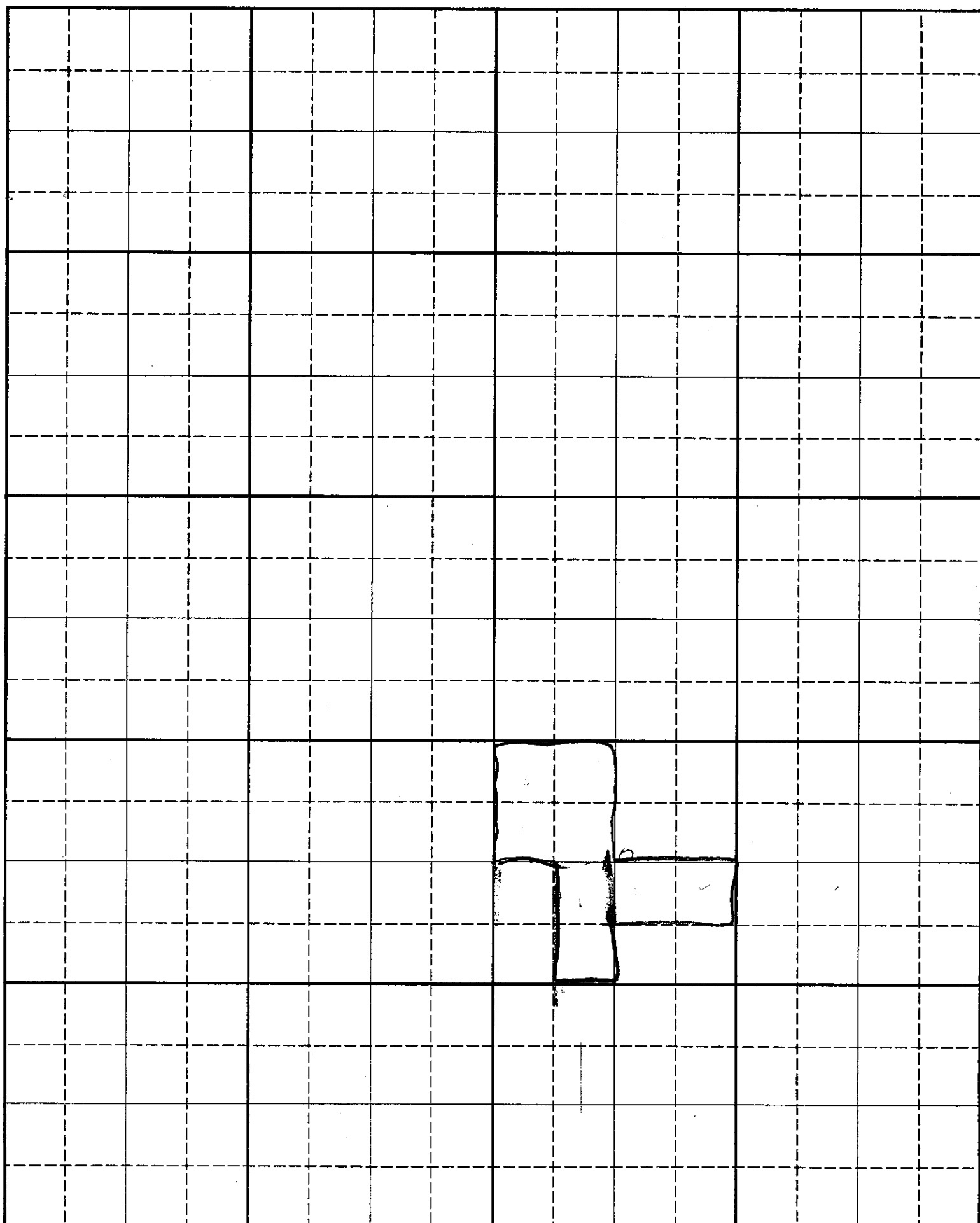
9. a. Who owns the property at the point of diversion The Pack River Company

b. Who owns the land to be irrigated or place of use The Pack River Company

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 The area for which the water will be used is flat meadows with tree-covered slopes. The area has been divided into 1-2½ acre parcels for recreational use. A strip of land 50' wide on both sides of the streams has been retained in order to protect the stream. The soil has been tested by the Health Department for percolation, and passed. Strict covenants as to land use in conjunction with the Panhandle Health Department have been taken to insure against any future stream pollution. This area is now being platted as Fall Brook Park. The legal description of the plat is as follows: Part of NW¼ and E½, SW¼ and part of N½, SE¼ of Sec. 10, Twp. 60N, R. 1 W, beginning at NW sec. corner then south to point on W. section line 1592 ft. N. of W¼ sec. corner; thence SEly along a line running around the brow of a hill bordering Fall Brook to point on N & S center section line 1242.2 ft. N. from S¼ corner thereof, a distance of 2900 ft. M/L to center of county road, thence along said center line of said road N. 71°31' E. 120 ft. more or less; thence N. 81°50' E. 660 ft; thence S. 71°25' E. 114 ft.; thence S. 87° E. 239 ft.; thence N. 85°33' E. 547 ft; thence N. 66°38' E. 146 ft. thence S. 79°45' E. 205 ft; thence N. 77°27' E. 159 ft; thence N. 57°42' E. 267 ft; thence S. 87°33' E. 253 ft; thence N. 57°14' E. 100 ft; thence N. 84°56' E. 100 ft; thence N. 70°31' E. 140 ft; thence N. 46°15' E. 120 ft; thence N. 72°17' E. 159 ft; thence N. 55°15' E. 80 ft. more or less to point on N. line of said N½ SE¼; thence W. to center of section; thence N. to N¼ section corner; thence W. to place of beginning. (containing 120 acres). A tract of land containing approximately 9 acres lying in NW¼ of Sec. 10, Twp. 60N, R. 1W B.M.; and more particularly described as follows: Beginning at the NW corner of said Section 10, thence easterly along the N. line of Sec. 10 a distance of 400 ft, more or less, to a point; thence S. parallel to the west line of said Sec. 10 a distance of 1050 ft, more or less, to intersection with existing fence bordering Falls Brook; thence westerly along said existing fence to intersection with west line of said Sec. 10, thence north along west line of said Section 10 to the point of beginning.

11. Map of proposed project: (See map attached to original)



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.

THE PACK RIVER COMPANY

By: *Calvin B. Blum*
(Applicant) Secretary

98-7030

98-7030

Received by dr Date 9-14-70 Time 1:00 PM
Preliminary check by DLH Fee \$ 10.00
Receipted by dr Date 9-24-70
Publication prepared by dr Date 10-1-70
Published in Bonnors Ferry Herald
Publication dates 10-8 & 10-15, 1970
Publication approved clg Date 10-27-70
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Dr. BDF

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7030, 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 December 1, 1975.
 - c. Other: Maximum rate of diversion shall not exceed 0.5 c.f.s. of water and the maximum quantity of water diverted shall not exceed 14.25 acre feet per annum.
The permit holder shall permanently install and maintain as part of the diverting works a measuring device of a type approved by the department.
2. Denial of said application is for the following reasons: _____

Witness my hand this 7th day of December 19 70.

R. Kirk Higgs
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 98-7030 Name Pack River Company

Source Fall Creek, trib. to Kootenai River

Point of Diversion NWNW, Sec. 10, T. 60N, R. 1W, B.M., Boundary County

Quantity .5 Use domestic Period Jan. 1 - Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 25 families, Fall Brook Park

Date Forwarded 10-2-70 Date Returned 10-9-70 Received by De

COMMENTS: No U.S.G.S. obs. wells in basin 98. P.O.D. is about 3 miles west of Naples, Idaho, about 22 miles N of Sandpoint, on what appears to be part of a river terrace. (U.S.G.S. Naples 7.5' quad)

RECOMMENDED:

Applied: Qty. 0.5 Use MULT. DOM. Period 1/1-12/31 AF/A AF 25

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 0.5 Use MULT. DOM. Period 1/1-12/31 AF/A AF 25

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ✓ Denied

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Castelin Title W.R.I. - I

Date October 9, 1970

98-7030

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO**

Notice is hereby given that The Pack River Company, P. O. Box 1452, Spokane, Washington, has on September 14, 1970, submitted Application No. 98-7030 to appropriate the public waters of Fall Creek, tributary to the Kootenai River.

The application proposes a maximum diversion and appropriation of 0.5 cubic feet per second of water to be diverted by pump within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 60N, R. 1W, B.M., Boundary County, and is to be used within the NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, T. 60N, R. 1W, B.M. for domestic purposes for Fall Brook Park from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration/on or before October 26, 1970.

Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on October 8 and October 15, 1970.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb

RECORDED

being first duly sworn up his oath, deposes and says that he is the publisher (or foreman)
publisher

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

the advertisement of Department of Water Administration

a Notice of App. for permit to appropriate the public
waters of the State of Idaho. No. 98-7030-Pack River

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Oct. 8, 1970, and ending with the issue dated Oct. 15, 1970

Subscribed and sworn to before me this 20 day of Oct, 1970

W. H. Chubb
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

98-7030

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PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
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Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

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a **Notice of App. for permit to appropriate the public
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Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for **2** consecutive issues, commencing with the issue dated **Oct. 8**, 19**70** and ending with the issue dated **Oct. 15**, 19**70**

Subscribed and sworn to before me this **20** day of **Oct**, 19**70**

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

98-7030

January 9, 1990

FALL CREEK COMMUNITY ASSN.
P.O. BOX 43
NAPLES, ID 838470000

RE: PERMIT NO. 98-07030

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 30 1990

November 28, 1989

FALL CREEK COMMUNITY ASSN.
P.O. BOX 43
NAPLES, ID 838470000

RE: PERMIT NO. 98-07030

Dear Permit Holder(s):

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

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
MAR 30 1990



1

2

3



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

AUG 30 1985

98-7030
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

THEORETICAL CAPACITY

$$\frac{8.8(3)80\%}{2.33(30)410} = 0.26 \text{ cfs}$$

MEMO DATED MAY 13, 1981
7 HOMES = 0.12 cfs

MEASUREMENT WITH FOUR $\frac{3}{4}$ " FROST FREE SPIGOTS RUNNING

$$\frac{200 \text{ gal}}{4.55 \text{ MIN}} = \frac{43.96}{4488} = 0.10 \text{ cfs}$$

DURING MEASUREMENT, PUMP ON $\pm 50\%$ OF TIME

$$0.10 + 0.10 = 0.20 \text{ cfs}$$

MEASUREMENT IS FROM VAULT TO HOMES NOT FROM STREAM TO VAULT

- b) Volume Calculations for Irrigation:

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

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

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

- c) Volume Calculations for Other Uses:

$$0.12 \text{ cfs } (365) 1.9835 = 86.8 \text{ AFA}$$

$$7 \text{ HOMES @ } 1.2 \text{ AFA} = 8.4 \text{ AFA}$$

2. Overlap Review

- a) Other water rights with same place of use: NONE

- b) Other water rights with same point of diversion: NONE

- c) Analysis:

MICROFILMED

MAR 30 1990

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 98-7030 | | 0.12 | | | 0.26 |

4. Permit Holder: Fall Creek Community Association
Address: P.O. Box 43 Naples, ID 83847

5. Source: Fall Creek tributary to Kalena River

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>DOMESTIC (7)</u>	<u>1-1 12-31</u>	<u>0.12</u>	<u>8.4</u>
Allowable Maximums:			<u>0.12 8.4</u>

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NW	NW	10	60N	1W	Bonanza

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
60N	1W	10					X	X		X	X								
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

MICROFILMED
MAR 30 1990

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature J.W. Kemp Date 8/9/85
Checked in Regional Office by Bob Haymer Date 8/27/85
Approved in State Office by [Signature] Date 10/8/89

RECEIVED
AUG 30 1925

AUG 30 1985

Department of Water Resources

Permit No. 98-7030

Phone No. _____

1. Owner: FALL CREEK COMMUNITY ASSN
Current Address: POB 43 NAPLES ID, 83847

2. Accompanied by: FRANK DEFALCO EXAM. DATE: 8/6/95
Address: HCR-01 B1385 NAPLES, ID. 83847 Phone No. 267-7842
Relationship to Permit Holder: MEMBER

3. Source: FALL CREEK tributary to KOOTENAI

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
54B		3			

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. **System Description** (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Gravel Filter bed with PERFORATED PIPE TO CONC VAULT - 6" PIPE TO 3 AIR
BLADDERS 30-60 PSI 6" MAIN TO 7 HOMES

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	METER	GAYMON CALMET		7449812	1 1/2	6/24/78

7. Measurements ☐ Additional data/computation sheets attached

~~$$50 \text{ gal} = 1:14 / 100 = 2:19 / 150 = 3:36 / 200 = 4:33$$~~

METER READING IS FROM 4 HOMES^{EACH} WITH ONE $\frac{3}{4}$ " SPIGOT ON PUMP WORKED 50%

METER READING DOES NOT INDICATE AMOUNT OF WATER DIVERTED INTO VAULT

NO METHOD OF MEASUREMENT FROM STREAM TO VAULT

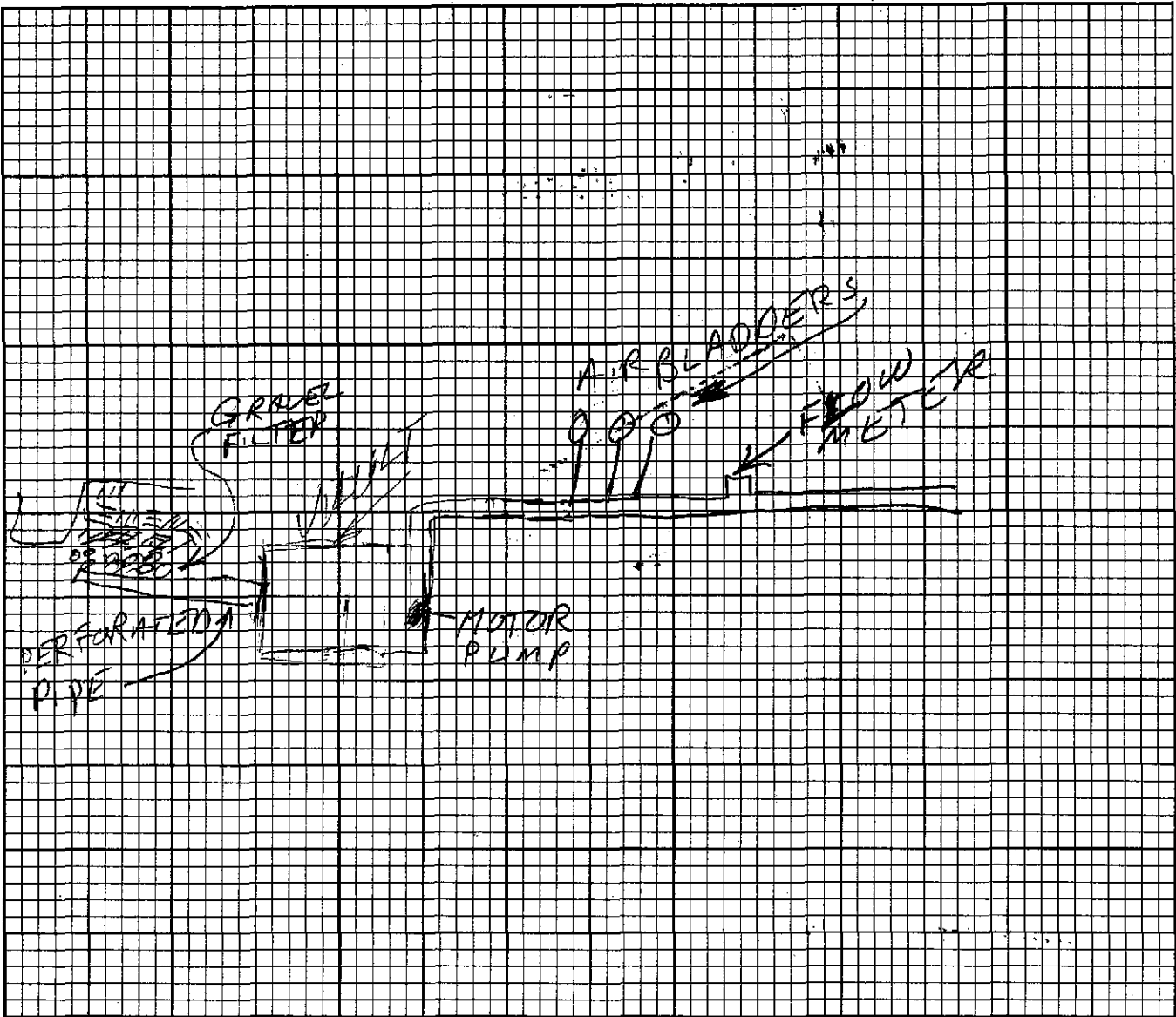
8. Point(s) of Diversion: Indicate Method of Determination *MAP*

[illegible]

9. **Place(s) of Use:** Irrigation - give acres served by system at time of exam.
Indicate Method of Determination *map*

[illegible]

10. Other water rights on these lands none
11. Other water right diverted from same p.d. none
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks FLOW METER MEASURES WATER FROM VAULT
TO HOMES

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None
- ☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature [Signature] Date 8/6/85

Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination _____

Date

MICROFILMED

CONSULTANT SEAL

MAR 30 1990

CONTACT WITH PERMIT HOLDER

PERMIT #

98-7030
INITIALS

DATE

4/25/82

267-2050 Neil Martin - 7 units 4WD

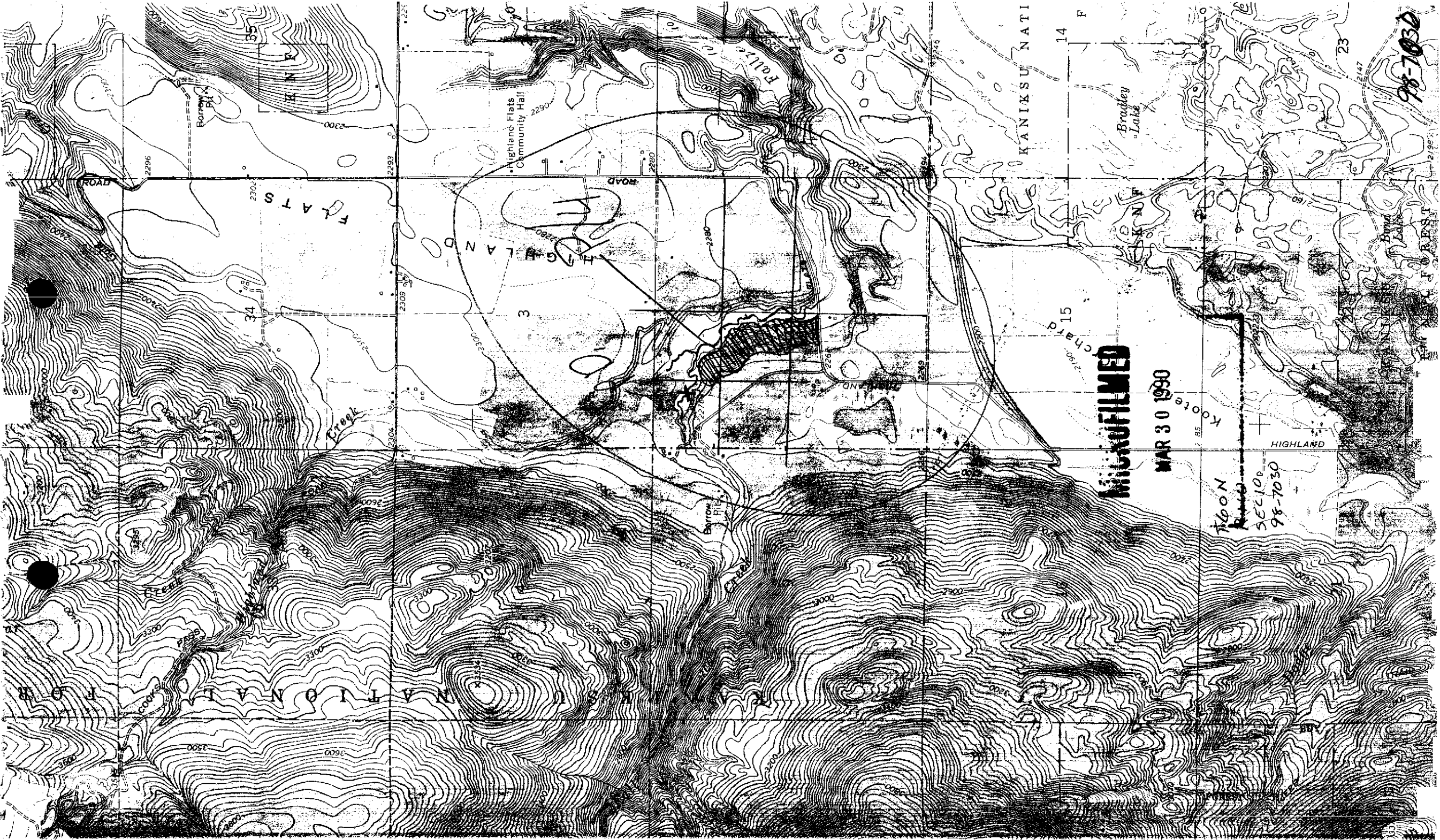
0.2 mi. off. city road to right well at head of road

FRANK DeFusco OWNER

267-7574 Barbara in (Doris) (Doris)

MICROFILMED

MAR 30 1990



MICROFILMED

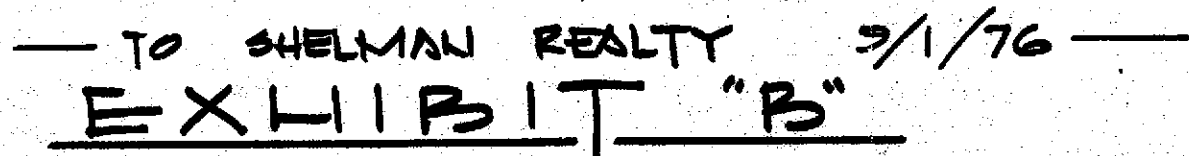
MAR 30 1990

MOON
SEC 10
98-7030

98-7030

FOREST

IN SECTION 10, TOWNSHIP 60 N.
RANGE 1 W.B.M.

[illegible]

The lots in Block 2 do not extend to Fall Creek. The owner hereby grants to all of the owners of lots in the plat a non-exclusive easement over and across the land between Block 2 and Fall Creek for the purpose of access to Fall Creek for recreation purposes, assuming to the lot owners, however, the right to extend roads over and across said access easement.

All disposal facilities of any sort must meet the requirements of the State of Idaho and must be approved and inspected by the local public health authority.

IN WITNESS WHEREOF, J. M. Brown, Jr., Chairman of the Board, and Chester Chaiken, Secretary, of said Corporation have caused their signatures to be attested:

DATE: December 10th 1970

Secretary, of said corporation have caused their names to be

 J. M. Brown, Jr., Chairman

 Charles E. Loshley, Secretary

ACKNOWLEDGEMENT
STATE OF IDAHO
COUNTY OF

I, John, 10th day of December, in the year 19 70, before me, a Notary Public in and for said State, personally appeared J.M. Brown, Jr., Chairman of the Board, and Chester Cheslet, Secretary of the corporation that executed the within instrument and the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESSE MY HAND hereunto, set my hand and official seal on the day and year written above.

Notary Public for the State of Oregon
My Commission Expires: March 1974

I hereby certify that the within plat of Fall Creek Subdivision is correct and that the description in the owner's certificate is correct. Survey completed on Apr. 10, 1970, and all lot corners and monuments shown have been established upon the ground and the map is a true and accurate record of the survey directed by me.

Date Nov. 14th 1970

Lawrence C. Pearson
Notary Public for the State of Idaho
Residing at *Hammett, Idaho*
My commission expires *Dec. 1, 1924*

574 E. of SAND, COUNTY OF BONNER,
On this 14th day of November, 1970, before me personally appeared Donald W. Largent, known to me to be the person who executed the foregoing document, and acknowledged to me that he signed the same.

was not personally observed. Donald W. Largent, known to me to be
that he signed the same.

Samuel C. Largent

Notary Public for the State of Idaho
Residing at Sandpoint, Idaho
My commission expires Dec 1, 1978

with the approval of the County departments listed herein and within the list of Felt Creek Subdivision of Boundary County is hereby accepted and approved by the Board of County Commissioners of Boundary County, Idaho.

Date this 14th day of December 1970
Edward J. Perkins
 Chairman, Board of County Commissioners

COUNTY DE RAN: MC NEE

John C. Bass _____ Date 12/14/71
Treasurer
Grace Knodes _____ Date 12/10/71
Treasurer

John L. H. H. H. Date 7/1/17


 Date Feb 26 1962



CONFIDENTIAL

MAR 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS

Governor

C. STEPHEN ALLRED

Director

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

October 16, 1990

Fall Creek Community Assn.
P. O. Box 43
Naples, Id. 83847

RE: 98-7030

Gentlemen:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

FALL CREEK COMMUNITY ASSN.
302 FIDELITY BLDG.
HONNERS FERRY, ID 83805

SEPTEMBER 30, 1980

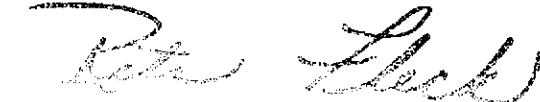
DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7030 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,



RITA FLECK
SR. SECRETARY

ENCLOSURES

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. 98-2030.

Name(s) of Permit Holder: FALL CREEK COMMUNITY ASSN

Post Office Address: P.O. BOX 43 NAPLES, CALIF 93847

Tel. No. 7675754

Source of Water: WELL

Extent of Use: ☒ Domestic 7 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

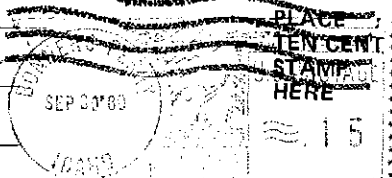
Measuring Device: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No

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.

10-1-80
Date

[Signature]
Signature of Permit Holder



RECEIVED

OCT 8 1980



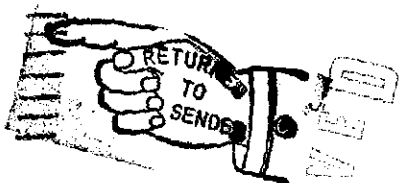
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

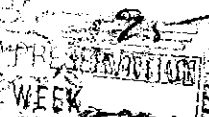
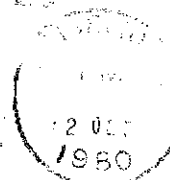
BOISE, IDAHO 83720



RECEIVED

OCT 20 1980

Department of Water Resources



- () Moved, left no address
- () No such number
- () Moved, not forwardable
- ☒ Addresses entered

282263

HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

138573

Detached from
PS Form 3842-A
May 1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

FALL CREEK COMMUNITY ASSN.
302 FIDELITY BLDG.
BONNERS FERRY, ID 83805

138573

SEPTEMBER 30, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7030 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

RECORDED

May 17, 1976

Re: Permit No. 98-7030

Fall Creek Community Assoc.
302 Fidelity Bldg.
Spokane, Washington 99201

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

*Returned
June 4-80*

*Mailed June 10
to: Shelman Realty*

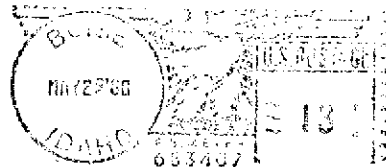
*Box 538
Bannock Ferry*

*Assessors office said they
have 2 addresses for this
Association & Shelman had
handled things for them
07-17-80 did not come
back after 2nd mailing*

FORWARDING ORDER EXPIRED

Fall Creek Community Association
302 Fidelity Building
Spokane, Washington 99201

PRESORTED
FIRST-CLASS



Batch 7

Shelman Realty
Box 538
Banningsferry, Ida
OR

(98-7030)

Mr Richard A. Yager
Pack River Properties
Box 425 Peyton Bldg.
Spokane, Washington 99210

from
Accessors
office

Pack River Properties is
now Pack River Management Co.
c/o Edward J. Parry, attorney
Suite 604 Fidelity Bldg
Spokane, Washington 99201



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

May 29, 1980

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more expediently conducted by the Department's field examiner. In addition you will derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or one of our Regional Offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:jg

Enclosure

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

LAW OFFICES

TREZONA, LORENZ, PARRY & ESPOSITO
SUITE 302 FIDELITY BUILDING

NORMAN F. TREZONA
WILL LORENZ
EDWARD J. PARRY
JOSEPH A. ESPOSITO

May 10, 1976

SPOKANE, WASHINGTON 99201
747-6173 (Area Code 509)

RECEIVED

MAY 13 1976

Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit No. 98-7030

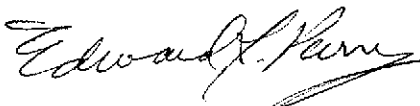
Gentlemen:

Enclosed please find an Assignment of Water Permit, from The Pack River Company to Fall Creek Community Association. This assignment is made in accordance with the covenants of the plat of Fall Creek, in Boundary County, Idaho.

Would you please process this assignment and return to me the necessary documents in connection therewith. If there is any fee required for this assignment, would you please call me collect at my phone number indicated above, and we will immediately forward you the necessary amount.

Very truly yours,

TREZONA, LORENZ, PARRY & ESPOSITO

By 

EJP:srb
Enclosure

December 5, 1975

Re: Permit No. 98-7030

Pack River Company
1452 P. O. Box
Spokane, Washington 99201

Gentlemen:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to December 1, 1980.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

cc: Edward Parry Attorney

RECEIVED
DEC 11 1975

LAW OFFICES
TREZONA, LORENZ, PARRY & ESPOSITO
SUITE 302 FIDELITY BUILDING

NORMAN F. TREZONA
WILL LORENZ
EDWARD J. PARRY
JOSEPH A. ESPOSITO

November 17, 1975

SPOKANE, WASHINGTON 99201
747-6173 (Area Code 509)

RECEIVED

NOV 20 1975

Department of Water Resources

State of Idaho
Dept. of Water Resources
State House
Boise, Idaho 83720

Attention D. Darlene Reich, Water Rights Supervisor

Re: Permit No. 98-7030

Gentlemen:

Enclosed please find a corrected Application for Extension of Time for completion of beneficial use application of the water under Permit No. 98-7030.

Thank you for calling to my attention the discrepancy in the original application for extension of time.

Please note that the diversion device is set in the ground to collect water filtered through the gravel of the stream bed rather than a water collection system installed directly in the falling stream. It is my understanding that the water does in fact flow into the collection device from the stream water, but through the stream bed.

If there are any questions, please do not hesitate to call me collect.

Very truly yours,

TREZONA, LORENZ, PARRY & ESPOSITO

By



EJP:srb
Enclosure

RECEIVED

CONVERSATION MEMORANDUM

DATE 11-13-75FILE #98-7030NAME OF PARTY Edward FanyEMPLOYEE Palme RichRE: app for ext of time

Talked w/mr. Fany re above and advised
app was not acceptable due to description of work
being done to date which refused to well - not -

Full credit!

He will submit new app shortly

He

LAW OFFICES

TREZONA, LORENZ, PARRY & ESPOSITO
SUITE 302 FIDELITY BUILDING

NORMAN F. TREZONA
WILL LORENZ
EDWARD J. PARRY
JOSEPH A. ESPOSITO

SPOKANE, WASHINGTON 99201
747-6173 (Area Code 509)

November 12, 1975

State of Idaho
Dept. of Water Resources
State House
Boise, Idaho 83720

Attention D. Darlene Reich, Water Rights Supervisor

Re: Permit No. 98-7030

Gentlemen:

Enclosed please find an Application for Extension of Time presented by The Pack River Company for completion of beneficial use application of the water under Permit No. 98-7030.

Would you please process this through the proper channels, and return the order extending the time directly to my office.

If there are any questions or difficulties in regard to this matter, would you please call me collect at my above phone number.

Very truly yours,

TREZONA, LORENZ, PARRY & ESPOSITO

By 

EJP:srb
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR EXTENSION OF TIME

NOV 13 1975

Department of Water Resources

State of ~~XXXX~~ Washington)

County of Spokane)

Permit No. 98-7030

The Pack River Company of Box 1452, Spokane
(name) (address)

State of Washington, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 98-7030.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before December 1, 1975.

That he has heretofore performed the following work described under said permit:
The well was drilled, pump and mains installed, (metering devices not yet
installed,) and the distribution system completed to lot lines of
the platted area. Lots have been sold, but development of homes on
the platted lots is not completed. Costing \$ 20,000.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: The construction of homes or user's facilities
within the plat is not within the control of the permittee. It
depends on the property purchasers. A reasonable period of time
for commencement of use is five years.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to December 1, 19 80.

THE PACK RIVER COMPANY

By [Signature]

(signature) *

Subscribed and sworn before me this 12th day of November, 19 75.

seal

[Signature]
Notary Public residing at
Spokane, Washington

My commission expires 9/11/79

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Idaho Department of Water Resources,
hereby _____

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

Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

State of ~~XXXX~~ Washington)
County of Spokane)

Permit No. 98-7030

The Pack River Company of Box 1452, Spokane
(name) (address)

State of Washington, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 98-7030.

That under the terms and conditions of said permit, work thereunder was required
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within the plat is not within the control of the permittee. It
depends on the property purchasers. A reasonable period of time
for commencement of use is five years.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to December 1, 1980.

THE PACK RIVER COMPANY

By

(signature) *

Subscribed and sworn before me this 12th day of November, 1975.

seal

Edward D. Barn
Notary Public residing at
Spokane, Washington

My commission expires 9/11/79

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Idaho Department of Water Resources,
hereby _____

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

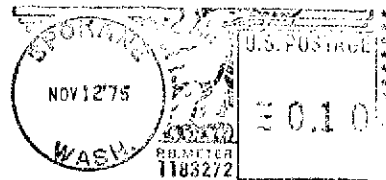
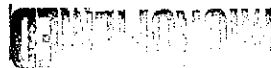
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, State Capitol, Boise, Idaho 83720.

LAW OFFICES

TREZONA, LORENZ, PARRY & ESPOSITO

SUITE 302 FIDELITY BUILDING
SPOKANE, WASHINGTON 99201



State of Idaho
Dept. of Water Resources
State House
Boise, Idaho 83720

Attention D. Darlene Reich,
Water Rights Supervisor

October 17, 1975

Re: Permit No. 98-7030

Mr. Edward Parry
302 Fidelity Building
Spokane, WA 99201

Dear Mr. Parry:

Pursuant to your request, enclosed is an Application for Extension of Time.

If this office can be of further assistance, please contact us.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

RECEIVED

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered..... 65¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

MICKROFILMED

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

27323

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

3/1/75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

RECEIVED BY
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

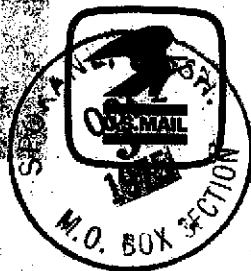
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



October 1, 1975

CERTIFIED MAIL

27363

Re: Permit No. 98-7030

The Pack River Company
Box 1452
Spokane, Washington 99210

Dear Sirs:

One of the conditions of approval of your water Permit No. 98-7030 (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 December 1, 1975. 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.



R. KEITH HIGGINSON
Director

RKH:jg

Enc: Proof affidavit

cc: Edward J. Parry, Attorney

December 11, 1970

Re: Permit No. 98-7030

The Pack River Company
P.O. Box 1432
Spokane, Washington 99210

Dear Sirs:

Enclosed is a copy of your approved Application for Permit No. 98-7030. We direct your attention to the conditions of approval as listed on the fourth 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures: Copy of permit
Receipt No. 5174 for \$10
1 informational letter

cc. Edward J. Parry, Attorney

98-7030

LAW OFFICES
TREZONA, CHASTEK, LORENZ & PARRY
SUITE 302 FIDELITY BUILDING

NORMAN F. TREZONA
CHESTER CHASTEK
WILL LORENZ
EDWARD J. PARRY

SPOKANE, WASHINGTON 99201
Riverside 7-6173 (Area Code 509)

November 9, 1970

State of Idaho
Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention Dorian Clay, Appropriation Examiner

Re: #98-7030
The Pack River Company (Fall Creek)

Gentlemen:

In response to your letter of November 5, 1970, I am authorized by The Pack River Company to convey their acceptance to you of the Department's proposal that The Pack River Company accept .57 acre feet per family, with a 14.25 acre feet per annum limit, instead of the 365 acre feet per annum listed in the original application.

It is our understanding that the Department will approve the application with this change incorporated in it.

Very truly yours,

TREZONA, CHASTEK, LORENZ & PARRY

By Edward J. Parry
Edward J. Parry, Attorney
for The Pack River Co.

EJP:srb

98-7030

November 5, 1970

Re: 98-7030

THE PACK RIVER COMPANY
Post Office Box # 1452
Spokane, Washington 99210

Gentlemen:

In the final evaluation of your application, we note that the acre feet per annum requirement that you have listed under item 5b, of the above referenced application, appears to be somewhat excessive. The department feels that .57 acre feet per family is sufficient. This would limit your acre feet to 14.25 acre feet per annum, instead of the 365 that you have listed.

Please verify your acceptance of this amount by return mail, and we shall take final action on the application.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

98-7030

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO**

Notice is hereby given that The Pack River Company, P. O. Box 1452, Spokane, Washington, has on September 14, 1970, submitted Application No. 98-7030 to appropriate the public waters of Fall Creek, tributary to the Kootenai River.

The application proposes a maximum diversion and appropriation of 0.5 cubic feet per second of water to be diverted by pump within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 60N, R. 1W, B.M., Boundary County, and is to be used within the NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, T. 60N, R. 1W, B.M. for domestic purposes for Fall Brook Park from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration/on or before October 26, 1970.

Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on October 8 and October 15, 1970.

98-7030

October 1, 1970

Re: Application No. 98-7029 - Lois M. Parker, Robert G. Dietel &
Ellen M. Dietel
98-7030 - The Pack River Company

Bonnere Ferry Herald
212 Main
Bonnere Ferry, Idaho 83805

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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (2)

Bill submitted 10-27-70 By dy

98-7030

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that The Pack River Company, P.O. Box 1452,
Spokane, Washington, has on September 14, 1970,
submitted Application No. 98-7030 to appropriate the public waters of
Fall Creek, ~~the~~ tributary to the Kootenai River

The ~~proposed~~ uses are

The application proposes a maximum diversion and appropriation of 0.5
cubic feet per second acre feet of water to be diverted by pump
within the NW¹/₄ NW¹/₄ Sec. 10,
T. 60N, R. 1W, B.M., Boundary County,

and is to be used within the NW¹/₄, E¹/₂ SW¹/₄, NE¹/₄ SE¹/₄, Sec. 10, T. 60N, R. 1W, B.M.
for domestic purposes for Fall Brook Park from Jan. 1 to Dec. 31

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before October 26, 1970.

Statehouse, Boise, Idaho,

R. KEITH HIGGINSON
Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho,
on October 8 and October 15, 1970

KW.

98-7030

September 15, 1970

Law Offices of
TREZONA, CHASTEK, LORENZ, & PARRY
Suite 302, Fidelity Building
Spokane, Washington 99201

ATTENTION: Edward J. Parry

Dear Mr. Parry:

We are once again in receipt of the application for permit that you have submitted in the behalf of the Pack River Company. We are returning the filing fee in the amount of \$20.00, as the filing fee for 0.5 cubic feet per second, is only \$10.00. As soon as we are in receipt of this \$10.00 fee, we shall begin the processing of the above referenced application.

As requested in your letter of September 11, 1970, please find enclosed 20 of our application for permit forms.

If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: 20 application for permit forms
4 sets of instructions
\$20.00 check

98-7030

LAW OFFICES
TREZONA, CHASTEK, LORENZ & PARRY
SUITE 302 FIDELITY BUILDING

NORMAN F. TREZONA
CHESTER CHASTEK
WILL LORENZ
EDWARD J. PARRY

September 11, 1970

SPOKANE, WASHINGTON 99201
Riverside 7-6173 (Area Code 509)

RECEIVED
SEP 12 1970
SPOKANE, WASHINGTON

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attn: Dorian Clay
Appropriation Examiner

Dear Mr. Clay:

Enclosed please find the corrected application for permit to appropriate the public waters of the State of Idaho for Fall Brook Park. You will note that we have deleted the second item in paragraph 4 pertaining to water for lawns and have reduced the total quantity in paragraph 5 from 1.0 to .5 cubic feet per second.

We have also added in paragraph 6 some additional description of the pump line which was not available at the time we originally submitted this application. Also enclosed is our original check for the fee.

In essence then, we are not going to claim water for irrigation purposes, but are claiming only the total of .5 cubic feet per second for domestic use based upon the number of families indicated, in accordance with your letter of August 18, 1970.

Our client is presently contemplating several other developments of this nature. We would appreciate your forwarding to us a supply of application forms. In order to keep our records straight we need to make at least 2 copies for our own use and must have an original to send to you, of course. Therefore if you could send us 18 or 20 copies of your form it would be appreciated and we can probably avoid some delay in the future in making these applications.

98-7030

State of Idaho
September 11, 1970
Page 2

Thank you very much for your assistance on this matter, and please let us know what other steps if any, we must take to secure this permit at the earliest possible date.

Very truly yours,

TREZONA, CHASTEK, LORENZ & PARRY

A handwritten signature in cursive script, appearing to read "Edward J. Parry".

By: Edward J. Parry

EJP:pp

Enclosures

98-7030

Copy

August 18, 1970

Law Offices of Trezona, Chastek, Lorenz & Parry
Suite 302, Fidelity Bldg
Spokane, Washington 99201

ATTENTION: Edward J. Parry

Dear Mr. Parry:

We are herewith returning your check in the amount of \$20.00 and the application for permit that you have submitted in the behalf of the Pack River Company.

In reviewing this application, we find that we will need some additional information before we can take any action on it. Please note that under item 4 you have listed .5 c.f.s. for domestic use and .5 c.f.s. for lawn use. Under item 8a4 you have listed 25 families to be supplied with domestic water. We would consider .02 cubic feet/second per family, which would total .5 c.f.s. for domestic use, also including up to $\frac{1}{2}$ acre of irrigation per family. This would total .5 c.f.s. under item 5a. If you are still going to claim water for irrigation purposes, then you must list the number of acres in each 40-acre tract under item 8b on page two.

If we can be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

Enc: original application for permit
check no. 95 in the amount of \$20.00

98-7030

LAW OFFICES
TREZONA, CHASTEK, LORENZ & PARRY
SUITE 302 FIDELITY BUILDING

NORMAN F. TREZONA
CHESTER CHASTEK
WILL LORENZ
EDWARD J. PARRY

July 23, 1970

SPOKANE, WASHINGTON 99201
Riverside 7-6173 (Area Code 509)

RECEIVED
JUL 22 1970
Department of Water Administration

R. Keith Higginson
State of Idaho
Dept. of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Higginson:

Enclosed please find the application forms for the Pack River Company's development of their new plat, Fall Brook Park. Also enclosed is our check for \$20 to cover your fee in this matter.

We understand that the matter must be advertised. Would you please inform us at your earliest convenience if any objections are received.

Very truly yours,

TREZONA, CHASTEK, LORENZ & PARRY

By *Edward J. Parry*

EJP:srb

Enclosures

98-7030