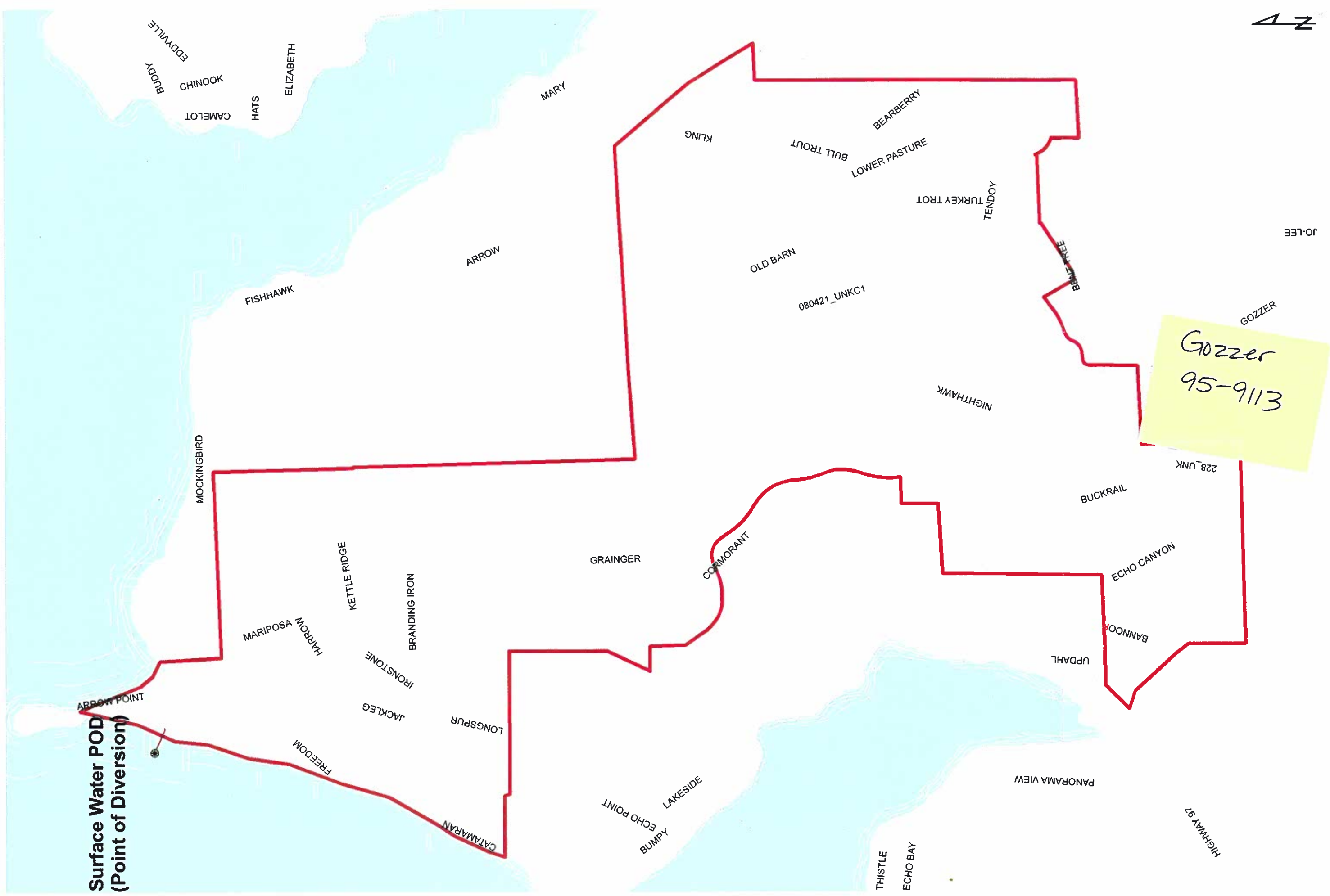


Surface Water POD  
(Point of Diversion)





## ATTACHMENT #3



IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

10/23/2008

WATER RIGHT NO. 95-9113

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                 |
|-------------------|---------------------------------------------------------------------------------------------------------|
| Current Owner     | DISCOVERY COEUR D ALENE INVESTORS LLC<br>820 E SHERMAN AVE<br>COEUR D ALENE, ID 83814<br>(208) 765-9034 |
| Original Owner    | FORTRESS LLC<br>850 W IRONWOOD DR SUITE 101<br>COEUR D ALENE, ID 83814<br>(208)665-9664                 |

Priority Date: 10/26/2001

Basis: License

Status: Active

| <u>Source</u>      | <u>Tributary</u> |
|--------------------|------------------|
| COEUR D ALENE LAKE | SPOKANE RIVER    |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| MUNICIPAL             | 01/01       | 12/31     | 1 CFS                 |               |
| Total Diversion       |             |           | 1 CFS                 |               |

Location of Point(s) of Diversion:

|                    |             |         |              |           |                 |
|--------------------|-------------|---------|--------------|-----------|-----------------|
| COEUR D ALENE LAKE | SESESE Lt 4 | Sec. 36 | Township 50N | Range 04W | KOOTENAI County |
|--------------------|-------------|---------|--------------|-----------|-----------------|

## MUNICIPAL Use:

Number of other uses: 100 connections

Place(s) of use: Large POU Info

## Conditions of Approval:

|    |     |                                                                                                                                                                                                                                                                                          |
|----|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | 128 | Place of use is within the area served by the public water supply system of Discovery Coeur D Alene Investors LLC.                                                                                                                                                                       |
| 2. | 180 | A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.                                                                                                                                      |
| 3. | X15 | A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.                                                                                                                                                                                   |
| 4. | X16 | The approach velocity at the point of diversion shall not exceed 0.5 feet per second.                                                                                                                                                                                                    |
| 5. | 01M | After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department. |

## Dates:

Licensed Date: 11/27/2007

Decreed Date:

Permit Proof Due Date: 9/1/2007

Permit Proof Made Date: 12/11/2006

Permit Approved Date: 8/23/2002

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 10/26/2001

Protest Deadline Date: 04/08/2002

Number of Protests: 0

## Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close