State of Idaho
DEPARTMENT OF WATER RESOURCES
Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819
Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 13, 2021

LATAH COUNTY
PO BOX 8068
MOSCOW, ID 83843

RE: Withdrawal of Protest against Application for Permit No(s). 86-12103 & 86-12104

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Adam Frederick

Adam Frederick
Water Rights Supervisor

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BRAD LITTLE
Governor

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Director

May 13, 2021

ROBERTSON AVON LLC
ATTN: BRIAN & PAMELA ROBERTSON
1060 OLD AVON RD
DEARY, ID 83823-9654

RE: Withdrawal of Protest against Application for Permit No(s). 86-12103 & 86-12104

Dear Applicants:

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following protestants:

1) LATAH COUNTY

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Adam Frederick

Adam Frederick
Water Rights Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

RECEIVED
MAY 07 2021
IDWR / NORTH

Application for ☐ **Transfer** ☑ **Permit** ☐ **Amendment of Permit** **No.** 86-12104

In the Name of Robertson Avon LLC
Applicant

Name of Protestant: Latah County

Represented by: Latah County Board of County Commissioners

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☑ My withdrawal is conditioned on the following:

Subject to terms in Settlement Agreement for Latah County's Protest to Robertson Avon LLC's Water Right Application #86-12104 signed between the Applicants and Protestant. (enclosed)

Kathie LaFortune
Signature of Protestant or Representative

Chair
Title

4/21/2021
Date

03-01-2018

RECEIVED
MAY 07 2021
IDWR NORTH

SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO ROBERTSON AVON LLC'S WATER RIGHT APPLICATION #86-12104

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #86-12104 made by Robertson Avon LLC ("Applicant"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #86-12104. This Settlement Agreement by and between Applicant and County sets forth such terms and conditions.

SECTION 2. OBJECTIVE:

County seeks to ensure that the amounts withdrawn from groundwater are not harmful to surrounding properties which might utilize the same aquifer for drinking water.

SECTION 3. TERMS AND CONDITIONS:

a. The Applicant agrees that the following terms and conditions shall attach to Water Right #86-12104, and be binding upon Applicant as agreed to by and permitted by the Idaho Department of Water Resources.

   i. The instantaneous flow rate/amount of water to be appropriated for "domestic" from groundwater to Applicant under Water Right #86-12104 shall be no more than .02 cubic feet per second (cfs).

b. The Parties agree that the above terms and conditions shall inure to the benefit of, and be binding upon, the Parties and any of their successors and/or assigns.

c. Following execution by the Parties of this Agreement, the Idaho Department of Water Resource's acceptance of this agreement, and the Agreement's attachment to Water Right #86-12104, County agrees to withdraw its protest of Water Right #86-12104.

SECTION 4. EFFECTIVE DATE:

This Agreement shall be effective upon its acknowledgement by the Parties below.

COUNTY:

DATED this 21st day of April, 2021.

Kathie LaFortune

Kathie LaFortune, Chair

Attest: _____

Clerk/Deputy Clerk of the Board

APPLICANT:

_____ 4-7-21

Brian Robertson, Member-Robertson Avon LLC Date

_____ 4-7-21

Pamela Robertson, Member-Robertson Avon LLC Date