



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

July 6, 2020

LATAH COUNTY
PO BOX 8068
MOSCOW, ID 83843

RE: Withdrawal of Protest against Application for Permit No. 86-12083

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,

A handwritten signature in blue ink, appearing to read 'Douglas Jones', is written over a horizontal line.

Douglas Jones
Northern Regional Manager



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July 6, 2020

MICHAEL P KLUZIK
DENISE KLUZIK
PO BOX 628
TROY, ID 83871-0628

RE: Withdrawal of Protest against Application for Permit No. 86-12083

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,

A handwritten signature in blue ink, appearing to read 'Douglas Jones', is written over a horizontal line.

Douglas Jones
Northern Regional Manager

Enclosures: Copy of the Withdrawal of Protest & Settlement Agreement

RECEIVED

JUL 02 2020

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☐ Transfer ☒ Permit ☐ Amendment of Permit No. 86-12083

In the Name of Micahel and/or Denis Kluzik
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 the attached Settlement Agreement as signed by the parties.


Signature of Protestant or Representative

Chair
Title

June 22, 2020
Date

JUL 02 2020

IDWR / NORTH

**SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO
MICHAEL AND/OR DENISE KLUZIK'S
WATER RIGHT APPLICATION #86-12083**

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #86-12083 made by Michael and/or Denise Kluzik ("Applicant"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #86-12083. 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 #86-12083 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 #86-12083 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 #86-12083, County agrees to withdraw its protest of Water Right #86-12083.

SECTION 4. EFFECTIVE DATE:

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

COUNTY:

DATED this 22nd day of June 2020.



Thomas C. Lamar, Chair

ATTEST: _____

Attest: _____


Clerk/Deputy Clerk of the Board

APPLICANT:

 06/17/20

Michael Kluzik

Date

 6/17/2020

Denise Kluzik

Date

COPY