83669

FORM 42 Rev 09/16

RECEIVED
AUG 23 2019
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 95-17890

1. Name of applicant(s) Black Rock Utilities Phone 208 251-3237
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address 1110 W PARK PL City Coeur d'Alene
   State ID ZIP 883814 Email harlencraig@gmail.com
2. Name of representative, if any Robert G. Haynes Phone 208 660-4861
   Mailing address 2571 S Reynolds RD City Coeur d'Alene
   State ID ZIP 83814 Email bob@idahowaterengineering.com
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
      ☐ Send original correspondence to the applicant and copies to the representative.
   b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
      ☑ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Coeur d'Alene Lake which is a tributary of Spokane River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
48N	4W	16	1		NW	NE	Kootenai	Coeur d'Alene Lake	

5. Water will be used for the following purposes:
   Amount 2.5cfs (cfs or acre-feet per year) for ~~Municipal~~ Diversion to Storage purposes from 1-1 to 12-31 (both dates inclusive)
   Amount 40.6 afa (cfs or acre-feet per year) for Municipal Storage purposes from 1-1 to 12-31 (both dates inclusive)
   Amount 33.1afa (cfs or acre-feet per year) for Municipal from Storage purposes from 3-15 to 11-15 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 2.5 cubic feet per second (cfs) and/or (b) 40.6 acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. Diversion from Lake Coeur d'Alene to storage pond
   b. Height of storage dam 19.35 feet; active reservoir capacity 28.2 acre-feet; total reservoir capacity 33.1 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
   e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 330.00 Receipted by _____ Receipt No. N035461 Date 8-23-2019

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households _____
   e. Other; describe fully. _____

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			Serv	ice A	rea o	f Bla	ck U	tilitie	s-----										

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 95-9045

11. a. Who owns the property at the point of diversion? State of Idaho - IDL Easement 5543
    b. Who owns the land to be irrigated or place of use? Patrons of Black Rock Utilities
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Encroachment Permit No.

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. See attached Narrative

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Craig L. Harlen
Signature of Applicant

Craig Harlen, Gen Mgr / V.P.
Print Name (and title, if applicable)

Signature of Applicant

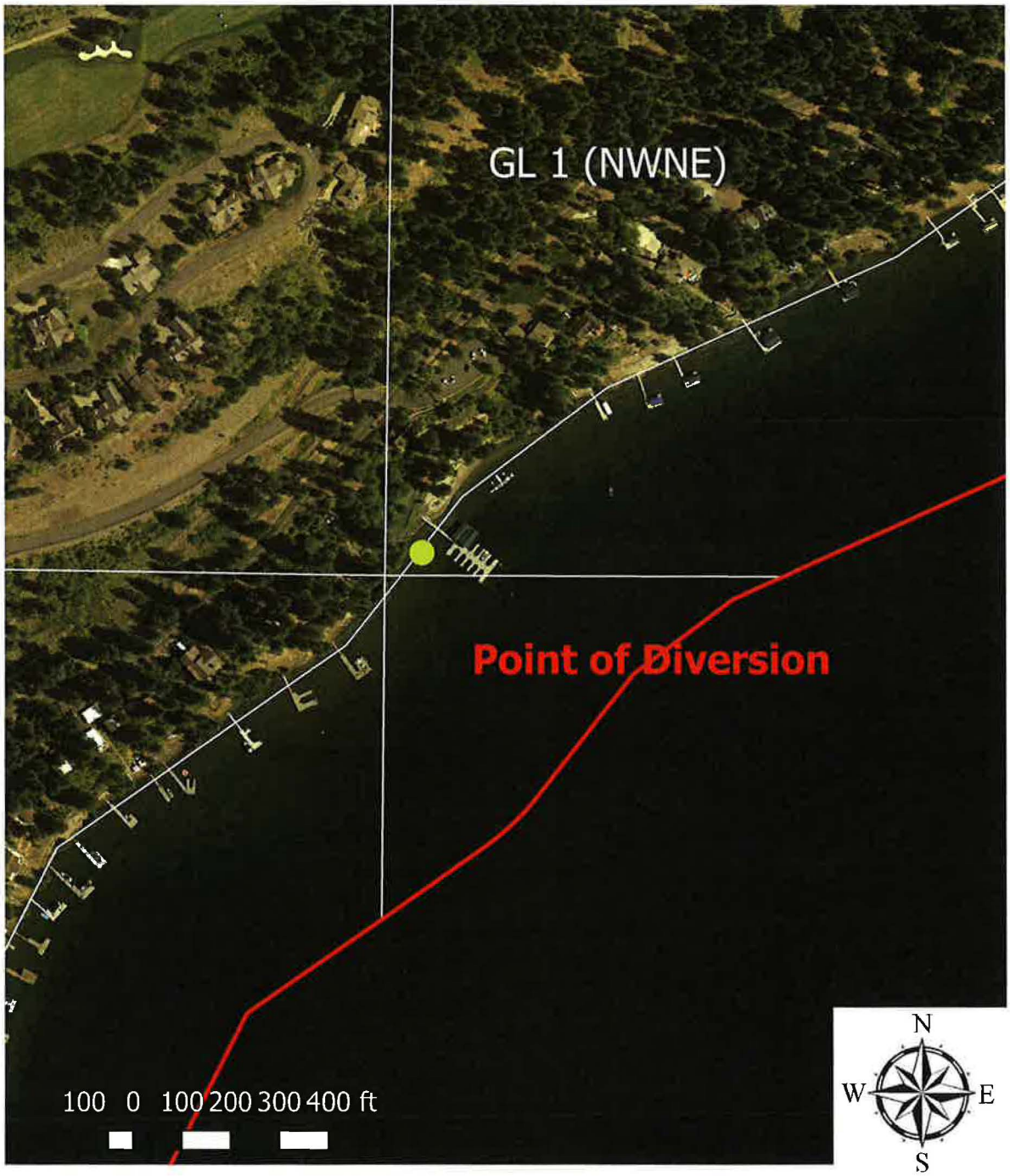
Print Name (and title, if applicable)

Narrative for Black Rock Utilities Water Right Application

Black Rock Utilities is seeking a permit to appropriate water from within its existing water right (95-9045) for the construction and maintenance of water level in a new pond as part of the Black Rock Utilities infrastructure. This new pond is required because some of the pond liners in the system are nearing or at the end of their service life. In order to continue to operate the system while repairs are made, replacement for the storage capacity that is taken out of service is required. Once repairs are completed, the ponds will be returned to service. In addition, Black Rock Utilities desires to increase the volume of water available for fire protection.

The new pond will be lined with a 40 mil HDPE liner to prevent any water loss from seepage. The application consists of a diversion rate 2.5 cfs from the existing pumping plant. No additional diversion capacity above that authorized by 95-9045 being requested. The volume being requested consists of 33.1 acre-feet for the initial filling of the pond and 7.5 acre-feet for annual evaporation losses. The evaporation losses were calculated using the IDWR Pond Loss spread sheet. A copy of these calculations are attached to this application. Likewise Black Rock Utilities is not seeking an increase in the annual volume limitations of 95-9045.

Black Rock Utilities Point of Diversion
T48N R4W Sec 16



Black Rock Utilities Pond Location in T48N R4W Sec 8 NESW



Evaporation Loss Calculations

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the annual evaporation losses from a pond.

FILE NUMBER	xx-xxxxx
REVIEWER	Joe Agent
DATE	1/1/2000

User Input
Calculated value
Formula Explanations

The acronyms used on the Kimberly Research Center website are defined below:
P = Precipitation
ET= Evapotranspiration
P_d = Precipitation deficit
P_d =ET-P

USING THIS SPREADSHEET

Use the link below to access the Kimberly Research Center website. This website provides the Precipitation Deficit for a station most representative of the pond under examination. The Precipitation Deficit is the total amount of free water surface evaporation minus the precipitation for a given area, which gives the total amount of evaporative losses incurred by the pond. There are several weather sites that are used throughout the state. IDWR staff can find the nearest site using Arc Map. The shape file containing the sites can be found at X:/Spatial/Climate/ETIdahostations.shp.

Instructions:

1. Use the link below to navigate to ET Idaho 2012.
2. Select the station which is most representative to your pond location.
3. Click Submit Query.
4. Under "Land Covers with Evapotranspiration Estimates," select "Open Water - Shallow Systems (ponds, streams)" or "Open Water - small stock ponds" depending on the pond size.
5. Click the link to "Precipitation Deficit."
6. Reference and copy (ctrl + C) the first subheading "Mean" values.
7. Click the "Paste Values from ET Idaho" button. The table will automatically enter a zero (0) for any negative precipitation deficit values.

Found at: http://data.kimberly.uidaho.edu/ETIdaho/

Precipitation Deficit

Station: Coeur d'Alene 1E (ID) - NWS

Month	mm/day[1]	*Days per month*	mm/Month
Jan	-2.20	31	0.00
Feb	-1.47	28	0.00
March	-0.55	31	0.00
April	1.11	30	33.30
May	1.78	31	55.18
June	2.25	30	67.50
July	3.93	31	121.83
August	3.38	31	104.78
September	2.12	30	63.60
October	0.34	31	10.54
November	-2.19	30	0.00
December	-3.01	31	0.00

Total mm/year =	456.73

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

[(mm/yr) ÷ (convert to feet)] X (Surface area of pond, in acres) = Evaporation Loss in Acre Feet

(456.73 ÷ 304.8) X 4.98 = 7.5 AFA

RETURN TO: NAVIGABLE WATERS
780 INDUSTRIAL AVE S
COEUR D'ALENE ID 83815

IDAHO DEPARTMENT OF LANDS

REQUEST FOR TRANSFER OF ENCROACHMENT PERMIT

I, _____, am the successor of interest to all Idaho Department of Lands encroachment permits issued to _____. I/we request that all permits be transferred. I/we accept and agree to comply with the terms and conditions of the permit(s) as issued.

If known, please list the IDL Encroachment Permit Number(s):

L-95-5-2890

LEGAL DESCRIPTION OF PROPERTY

Body of Water _____

Township _____ Range _____ Section _____

Name of Bay/Subdivision/Tract _____

Lot # _____ Block _____ Tax # _____

County _____

SUCCESSOR'S ADDRESS: _____

_____

_____

SIGNATURE OF SUCCESSOR (New Owner): _____

SIGNATURE OF PREVIOUS OWNER*: _____

*You may substitute a photocopy of the deed portion that indicates the names of both parties aforementioned as proof of real property transfer.

STATE OF IDAHO

EASEMENT NO. 5543

THIS INDENTURE, made this 1st day of March, 1991, by and between the STATE OF IDAHO, Department of Lands, 1215 W. State Street, Boise, ID 83720-7000, acting by and through the State Board of Land Commissioners, as party of the first part (Grantor), and ROCKFORD BAY, INC., c/o John Peterson, P.O. Box 14558, Spokane, WA 99214, as party of the second part (Grantee);

WITNESSETH: That for and in consideration of the sum of TWO HUNDRED FIFTY and NO/100ths DOLLARS ($250.00), lawful money of the United States of America, receipt whereof is hereby acknowledged, the Grantor does hereby grant to the Grantee an easement for the purpose of constructing, using, and maintaining a domestic water intake line over and across the following described lands situated in KOOTENAI COUNTY, State of Idaho, so much of the following described lands which were below the natural or ordinary high water line on the date the State of Idaho was admitted to the Union with the right to additions thereto and subject to deletions therefrom which have occurred, causing the boundary of the state's ownership to change, to-wit:

A strip of land twenty (20.00) feet wide, being ten (10.00) feet one each side of the following described centerline:

Commencing at the west one-quarter (¼) corner of Section 16, Township 48 North, Range 4 West, B.M., thence North 63°32'36" East, 2,907.13 feet; thence North 25°42'01" East, 59.29 feet to a point on the natural or ordinary high water mark on the bank of Lake Coeur d'Alene, said point being the REAL POINT OF BEGINNING; thence South 59°48'59" East, 171.24 feet to a point of terminus of said centerline and easement, the above described area containing 0.08 of an acre, more or less.

It is understood and agreed that the domestic water intake line is to be constructed and maintained in such a manner that will not obstruct or hinder or affect navigation, recreation, or other authorized and customary use of Lake Coeur d'Alene. The State Board of Land Commissioners reserves the right to terminate this easement for failure to construct and maintain the domestic water intake line as herein provided, upon thirty (30) days written notice to the Grantee.

Subject to the following terms:

1. Prior to performing construction, reconstruction or maintenance to a degree that will cause soil disturbance and/or the destruction of vegetation, the Grantee will obtain written authorization from the Grantor. The authorization will provide for appropriate operating and reclamation procedures such as leveling the ground surface and reseeding of vegetation, if necessary; prevention of erosion; and any other special provisions appropriate to protect the land and other resources.

2. It is understood and agreed that this easement authorizes use of this domestic water intake line only on the lands lying below the ordinary high water mark.

3. The Grantee will comply with all state laws and with all rules and regulations of the State Board of Land Commissioners pertaining to watershed protection and with the Stream Channel Protection Act as designated in Chapter 38, Title 42 of the Idaho Code.

4. The Grantee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this easement.

5. Upon termination or abandonment, the Grantee shall have six (6) months from the date of receipt of the final notice to remove any facilities or improvements.

6. This easement was authorized and approved by the State Board of Land Commissioners on December 15, 1986 and November 14, 1989.

7. If the easement is not used for the specified purpose within five (5) years from the date the easement is issued, then, in such event, the said lands so granted shall revert to the Grantor.

8. If the tracks or works upon such lands for which such easement has been granted are not completed within five (5) years after the date of issuance of this easement, the Grantor shall have the right to declare such easement forefeited.

Also subject to the terms outlined in State of Idaho Encroachment Permit No. L-95-S-2980.

IN WITNESS WHEREOF, the State Board of Land Commissioners has caused these presents to be executed by its President, the Governor of the State of Idaho, and countersigned by the Secretary of State and the Director, Department of Lands.

STATE BOARD OF LAND COMMISSIONERS

Governor of the State of Idaho
and President of the State Board
of Land Commissioners

Countersigned:

Secretary of State

Director, Department of Lands
DFM

* * * * * * * * * * *

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 1st day of March, 1991, before me, a Notary Public in and for said State, personally appeared CECIL D. ANDRUS, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; PETE T. CENARRUSA, known to me to be the Secretary of State of the State of Idaho; and STANLEY F. HAMILTON, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed same.

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

NOTARY PUBLIC
residing at Boise, Idaho

My Commission expires 3/26/96

LE PARD & FRAME, P.A.

CONSULTING ENGINEERS

603 North 4th St. - Phone 664-2121

COEUR D'ALENE, IDAHO 83814

May 10, 1988

Mr. Dave Wykes
3404 Fernan Hill Road
Coeur d'Alene, Idaho 83814

RE: ROCKFORD BAY, INC. WATER INTAKE PERMIT L-95-S-2980

Dear Dave:

This morning I inspected the backfilling operation of the valve vault in progress. The contractor had a small tractor dozer and backhoe on-site with two operators. The backfill was being placed over and around the vault and being graded to match existing ground contours. I had them pull back any backfill material from the beach to match the soil escarpment on either side and to also construct a protective rock sump around the vault drain. They will finish by hand raking the slopes although they looked quite uniform while I was there.

A half dozen bales of straw are at the site and I asked them to leave them intact. I would recommend that you now seed the earth slopes and place the straw over them to retain the soil moisture. It would also help to broadcast seed along the access road although it is now more stable than when we started because of the rock ballast that was applied. Open top culverts could also be placed at any spring location to prevent water from traversing the roadway. I would not recommend ditching as it would concentrate water that may lead to erosion.

Although there was much to do about erosion potential on this project, I personally believe that it was properly handled under the wet conditions and that no damage was done to the environment. I would invite an interested party to inspect the site when the seeding is rooted.

The balance due C & R Plumbing as per the contract is hereby approved and a copy of our billing as per my letter of February 23, 1988, is included herewith. Thank you.

Yours truly,

Gary A. Frame

GAF/ch
Enclosure
xc: C & R Plumbing
/Bob Schneider, Idaho Department of Lands
Steve Joseph, Kootenai County Technical Services

TELEPHONE CALL RECORD

TO: Bob Schneider DATE: 2/9/88

FROM: Gary Frame TIME: 0825

SUBJECT: L-95-5-2980

Mr. Gary Frame called this morning to advise me that there was a problem with the drawings that were submitted for the revetment. He had made a mistake on calculations and the line would need to go 100' further into the lake.

I advised him to submit new drawings and a reason why the length needed to be added. I called Don McRorie and explained the situation. He said a letter of explanation and new drawings would be all that he needed.

STATE OF IDAHO
DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENT
2110 IRONWOOD PARKWAY
COEUR D'ALENE, IDAHO 83814
(208) 667-3524

February 2, 1988

Mr. Dave Wykes
Rockford Bay Inc.
P.O. Box 14558
Spokane, WA 99214

RE: Rockford Bay Country Club - Lake Pumping System

Dear Mr. Wykes:

We have reviewed the plans and specifications for installation of two 25 hp, 500 gpm submersible pumps in two cased intake lines off Rockford Bay in Lake Coeur d'Alene, construction of a concrete valve vault and pump pull chamber on the shoreline, and installation of about 260 feet of 8-inch raw water main to Rockford Bay Road to serve the proposed public drinking water system at Rockford Bay Country Club as submitted by John Smetana of Le Pard and Frame Inc., on January 21, 1988. The submittal was found to be in accordance with Idaho Department of Health and Welfare regulations and is hereby approved for construction.

This approval for part of the drinking water system should not be construed as assurance of ultimate approval of the rest of the development's water and sewage systems. We understand that these plans were submitted so you can take advantage of construction during a period when the lake level is low. The balance of the plans and specifications for construction of the water and sewage systems serving the development as outlined by your engineer's September 10, 1985 letter to this department must be submitted for our approval.

A proper location for the sewage lagoons and an acceptable area for disposal of treated wastewater have not been approved yet. A compliance schedule order as outlined in Section 39-116 of Idaho Code may be required on the water and sewage systems. This agreement delineates the operation and maintenance performance required by the water and sewage systems at the development. We have not been

notified but assume Kootenai County has approved the planning and zoning aspects of the project.

Within thirty (30) days of project completion, State law requires that the project engineer submit to this department for review and approval as-built plans or a letter certifying that construction was in accordance with the approved construction plans and specifications.

It is required that an engineer be retained for inspection activities during project construction so that certified as-built plans can be prepared in accordance with Section 39-118 of Idaho Code. Plans and specifications must be resubmitted for review and approval if construction is not initiated within one year of the date of this approval letter.

If you have any questions feel free to contact us at this office.

Sincerely,

DIVISION OF ENVIRONMENT

Gary J. Gaffney

Gary J. Gaffney, P. E.
Water Quality Engineer

GJG:db

cc: John Smetana, Le Pard and Frame, CDA
Bob Schneider, IDOL, CDA
Sandy Cobb, Kootenai County P&Z, Courthouse

LE PARD & FRAME, P.A.

CONSULTING ENGINEERS

603 North 4th St. - Phone 664-2121

COEUR D'ALENE, IDAHO 83814

January 21, 1988

Mr. Bob Schneider
Idaho Department of Lands
P.O. Box 670
Coeur d'Alene, Idaho 83814

RE: LAKE PUMPING SYSTEM AND LOWER DISCHARGE PIPING FOR THE ROCKFORD BAY COUNTRY CLUB

Dear Bob:

Transmitted with this letter is a set of plans for the subject project. Would you please review them for approval at your earliest opportunity? Phase I of the project is out to bid. To take advantage of the low lake level, the Owners hope to begin construction by February 1st, 1988. I will be available to meet with you should any questions arise.

Thank you.

Yours truly,

John A. Smetana

John A. Smetana, P.E.

JS/ch
Enclosure
xc: Dave Wykes

STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

ENCROACHMENT PERMIT NO. L-95-S-2980

Permission is hereby granted to Rockford Bay, Inc.

of P.O. Box 14558 Spokane, WA 99214 to construct and maintain

a water intake line

to be located as follows: Coeur d'Alene Lake, Rockford Bay, Tax No. 3910, Lot 1,

Section 16, Township 48 North, Range 4 West, B.M.

1. All applicable provisions of the Rules for Regulation of Beds, Waters and Airspace over Navigable Lakes and Streams in the State of Idaho, are incorporated herein by reference and made a part hereof.

2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended or revoked upon notice and hearing as provided for in the adopted rules.

3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.

4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.

5. The Permittee assumes all liability for damages which may result from the exercise of this permit.

6. This permit does not relieve the Permittee from obtaining additional local or Federal permits as required.

7. This permit is not valid until the number assigned is displayed in letters not less than three inches in size upon the dock or piling.
8. This permit is not valid until a Department of Lands easement has been paid for and issued to the permittee.
9. The installation and bedding of the waterline must be performed in accordance with construction narrative not yet sumbitted by the applicant.

Additional terms on following page

FOR THE DIRECTOR

By: Lance E Nielsen Date: 12/11/86

Title: Chief, Bureau of Navigable Waters

10. The Division of Environment suggests that the lakewater be filtered and chlorinated for health protection of the water system users.

11. A preconstruction conference must be held on site with the contractor at least one working day prior to construction. The contractor will arrange the meeting which is being held to acquaint the contractor with the terms of this permit.

12. All construction material must be stockpiled landward of the ordinary high water mark.

13. Operation of excavation equipment will be held to a minimum below the ordinary high water mark. Equipment may be operated only on dry land above the present level of the lake. Construction machinery may not be operated in the water.

14. If the activity authorized herein is not completed on or before the 11th day of December, 1989 (three years from the date of issuance of this permit), this permit shall automatically expire unless it was previously revoked or otherwise extended.

FOR THE DIRECTOR

Lance E Nielsen

Chief, Bureau of Navigable Waters

December 11, 1986

LE PARD & FRAME, P.A.

CONSULTING ENGINEERS

603 North 4th St. - Phone 664-2121

COEUR D'ALENE, IDAHO 83814

COPY

November 14, 1986

Mr. Bob Schneider
Idaho Department of Lands
P.O. Box 670
Coeur d'Alene, Idaho 83814

RE: WATER INTAKE LINE ENCROACHMENT APPLICATION L-95-S-2980

Dear Bob:

On September 23 of this year, I received a copy of Lance Nielsen's letter to John Peterson of Rockford Bay, Inc. requesting that future correspondence on the subject application be addressed to you. We have now completed our preliminary engineering and surveying work and am enclosing herewith the following:

1. The written centerline legal description with the ties to governmental corners and the easement width.

2. Four plats of the Record of Survey as recorded in Book 5 on Page 41 on November 6, 1986.

3. Four prints of the preliminary engineering plan for the proposed water intake facilities.

The project will consist of two casings, most probably Class 160 PVC pipe, that will be buried below frost level across the shoreline and extend across the bottom of the lake bed to the intake. Submersible pumps, cable and discharge piping will be installed in these casings. A pump pull pit, consisting of cast-in-place concrete walls, will also be constructed. This pit will not be an open pit but will be opened up only at those times that the pumps must be installed or removed for service.

Access to the site is available over an existing single lane road that drops southwesterly to the site from the Rockford Bay Road. The casings would most probably be installed by a large track backhoe type excavator such as the Cat 235.

Installation would be made at that time of year when the lake reaches its lowest level, i.e., December-March. The casing would be buried with a minimum depth of cover of 3 feet across the shoreline and would then taper out into the lake. The beach is a mixture of sands and gravels. The lake bottom was sounded and based upon a low level elevation of 2,121, I would anticipate that the casings would be buried approximately 25 to 30 feet into the lake. The trench would taper from a depth of 4 to 0 feet and have a width of approximately 3 feet. If angular rock is encountered, the casings will be bedded in pea gravel. Excavated materials would be piled on the shoreline and reused as trench backfill, which could total approximately 10 cubic yards. Because of the time of the year and nature of the materials, it is not anticipated that turbidity will be any problem. The balance of the casing would then be placed across the lake bottom by barge. We would estimate two to three weeks for construction.

This water appropriation will serve the approved P.U.D. of "The Club" at Rockford Bay on Lake Coeur d'Alene, which consists of an 18 hole championship golf course and clubhouse and amenities, and approximately 700 living units on 650 acres.

Please let me know if you would require an additional information and feel free to contact me if you should have any questions concerning the facility. Thank you.

Yours truly,

Gary A. Frame

GAF/ch
Enclosure
xc: John Peterson
John Woodhall

STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

STATE OF IDAHO

TEMPORARY PERMIT NO. 1925

Permission is hereby granted to ROCKFORD BAY, INC. (c/o Mr. John Peterson, P.O. Box 14558, Spokane, Washington 99201)(Permittee), to construct, use and maintain a domestic water intake line on and across the following described land, as shown on the map attached hereto, and made a part hereof, and is more particularly described as follows:

A strip of land twenty (20.00) feet wide, being ten (10.00) feet wide on each side of the following described centerline:

Commencing at the West one-quarter (1/4) corner of Section 16, Township 48 North, Range 4 West, Boise Meridian, thence North 63°32'36" East, 2,907.13 feet;

thence North 25°42'01" East, 59.29 feet to a point, said point marked by a 1/2 inch X 24 inch iron rod located near the shoreline of Lake Coeur d'Alene, said iron rod lying at an elevation of 2,135.35 ± feet (Washington Water Power Lake Datum), said point being the REAL POINT OF BEGINNING;

thence at an approximate right angle to the shoreline of Lake Coeur d'Alene, South 59°48'59" East, 41.24 feet to a point that lies at an elevation of 2,128.00 feet (Washington Water Power Lake Datum);

thence continuing South 59°48'59" East, 130.00 feet to a point where the bed of Lake Coeur d'Alene lies at an elevation of 2,078 ± feet, said point being the terminus of said survey line, the above described area containing 0.08 of an acre, more or less.

Subject to the following terms:

1. It is understood and agreed that the Permittee is required to purchase an easement for this installation after an easement policy and fee structure is adopted by the State Board of Land Commissioners. It is also understood and agreed that the Permittee may be required to remit more money for the easement consideration if requested to by the Director, Department of Lands.

KEEP IDAHO GREEN

2. The Permittee shall maintain at his sole expense the structure for which this permit is granted in a condition satisfactory to the Director, Department of Lands.

3. The Permittee shall exercise every reasonable effort to protect the forage and watershed resources.

4. No other use of the subject land is permitted other than those activities identified in the permit.

5. This permit may be assigned by the Permittee during the term of the permit by giving written notice of the name and mailing address of the assignee to the Director, Department of Lands.

6. This permit may be cancelled after written notice to the Permittee of non-compliance with the terms herein and failure of the Permittee to correct noted non-compliance.

7. The Permittee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this permit.

8. This permit is subject to the terms and conditions of State of Idaho Encroachment Permit No. L-95-S-2980 which is being issued concurently with this permit.

9. This permit shall expire on December 31, 1988, or when an easement is issued to replace this permit, whichever occurs first, but may be extended upon request of the Permittee, subject to such terms and conditions as imposed by the Director, Department of Lands.

10. The permit becomes effective upon the payment of TWO HUNDRED FIFTY ($250.00) DOLLARS and upon signature by a representative of the Department and the Permittee.

ISSUED THIS 6th day of January, 1987.

STATE OF IDAHO
DEPARTMENT OF LANDS

Stanley F. Hamilton

STANLEY F. HAMILTON,
Director

John Peterson

JOHN PETERSON, representing
Rockford Bay, Inc.

STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

December 2, 1986

Mr. John Peterson
Rockford Bay, Inc.
P.O. Box 14558
Spokane, WA 99214

RE: L-95-S-2980

Dear Mr. Peterson:

The construction narrative, plats and centerline legal description submitted by LePard and Frame are complete and accurage. Please submit a $250.00 easement deposit to my office by December 8, 1986 so the easement can be considered by the Land Board at their December meeting.

Please note that temporary permits are being issued in lieu of easements at this time. You can call me at 334-3610 if you have any questions.

Sincerely,

Lance E. Nielsen

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN:bv

cc: Bob Schneider
LePard & Frame

LE PARD & FRAME, P.A.

CONSULTING ENGINEERS

603 North 4th St. - Phone 664-2121

COEUR D'ALENE, IDAHO 83814

November 5, 1986

TO: ROCKFORD BAY, INC.

COPY

FROM: GARY A. FRAME

SUBJECT: DESCRIPTION FOR EASEMENT FROM STATE OF IDAHO FOR WATER INTAKE FACILITIES FOR "THE CLUB" AT ROCKFORD BAY ON LAKE COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

DESCRIPTION:

A part of Government Lot 1, Section 16, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, being that portion of the following described strip of land that occupies the State owned bed of lake Coeur d'Alene, said strip of land being 20 feet in width and lying 10 feet on either side of the following described centerline:

Beginning at a 1/2" x 24" iron rod located near the shoreline of Lake Coeur d'Alene, said iron rod lying at an elevation of 2,135.35± feet (Washington Water Power Lake Datum) and also lying North 63°32'36" East, 2,907.13 feet; thence North 25°42'01" East, 59.29 feet from the West Quarter Corner of said Section 16, and also lying South 00°40'57" West, 1,324.58 feet; thence North 25° 42'01" East, 59.29 feet from the North Quarter Corner of said Section 16; thence proceeding from said 1/2" x 24" iron rod at an approximate right angle to the shoreline of Lake Coeur d'Alene, South 59°48'59" East, 41.24 feet, to a point that lies at elevation 2,128.0± feet (Washington Water Power Lake Datum); thence continuing South 59°48'59" East, across the bed of Lake Coeur d'Alene, a distance of 130.00 feet to a point where the bed of Lake Coeur d'Alene lies at an elevation of 2,078.0± feet.



Please direct

COPY

Rockford Bay, Inc.
P.O. Box 14558
Spokane, Washington 99201
September 17, 1986

Mr. Gary Frame
LePard & Frame, P.A.
603 N. Fourth Street
Coeur d'Alene, Idaho 83814

Re: Water In-Take Line
Permit No. L-95-S-2980

Dear Gary:

Pursuant to our telephone conversation, this is a confirmation letter for you to proceed with the necessary interim work to complete our application to Mr. Lance Nielsen for the above mentioned Water Intake Permit for Rockford Bay, Inc.

It is my understanding that you will have to produce a Record of Survey of the beach area for the encroachment permit, also complete the sounding of the lake bed and a preliminary engineering plan of the diverting works. You have estimated the surveying, drafting and engineering costs not to exceed $4,000. As you are aware, our costs have been extremely heavy on this project and anything you can do to keep these costs to the absolute minimum, we will certainly appreciate that consideration.

As you are aware, Mr. Nielsen has extended the submission of the necessary easement information and construction narrative until December 19, 1986. If possible, I would like to have it in about December 1, 1986 if that would meet with your time frame.

In any event, it is my understanding that the above work will begin within the next week to ten days.

If you should have any questions, please advise. Thank you.

Sincerely yours,

ROCKFORD BAY, INC.

John T. Peterson
Secretary

JTP:tj

cc: Lance Nielsen
Bureau of Navigable Waters

COPY

STATE OF IDAHO

DEPARTMENT OF LANDS

P.O. BOX 670, COEUR d'ALENE, IDAHO 83814

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

June 19, 1986

Mr. John T. Peterson
Secretary
Rockford Bay, Inc.
P.O. Box 14558
Spokane, WA 99214

Re: Permit No. L-95-S-2980

Dear Mr. Peterson:

This letter is sent to extend your deadline for submission of the necessary easement information and construction narrative until December 19, 1986. The State cannot wait beyond that date to reach a decision on your permit request; therefore, no further extensions will be granted.

Good luck in securing financing on your project. Please call me if you have any questions.

Sincerely,

Lance E. Nielsen

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN:wm

cc: Gary Frame

Bureau of Navigable Waters, Boise
(with copy of Mr. Peterson's letter)

Rockford Bay, Inc.
P.O. Box 14558
Spokane, Washington 99214
June 16, 1986

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
Department of Lands
State of Idaho
P.O. Box 670
Coeur d'Alene, Idaho 83814

Re: Water Intake Line Application L-95-S-2980

Dear Mr. Nielson:

With reference to your letter of June 4, 1986 regarding the above mentioned Intake Line Application, I believe it will be necessary and we hereby request an extension of six months to submit the necessary required information you need to proceed with the encroachment permit and easement which must be issued prior to installation.

The basic problem and the reason we need this additional time is that we have been unsuccessful in obtaining our overall financing on this large project. As you are aware, it will take a considerable amount of engineering and design work, all of which requires additional financing on our project.

We are working with several different sources of financing at the present time and at this point, we feel that within the next 90 days we will have our financing in place and can then begin the design and engineering work required to obtain the encroachment permit and easement.

It is very important to us to know that we can obtain this extension as described above and if you should have any questions at all, I would be most happy to come to your office and discuss it further. Thank you for your time and consideration.

Sincerely,

ROCKFORD BAY, INC.

John T. Peterson
Secretary

JTP:tj

cc: Gary A. Frame
LePard & Frame

STATE OF IDAHO

COPY

DEPARTMENT OF LANDS
P.O. BOX 670, COEUR d'ALENE, IDAHO 83814
STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS
JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

June 4, 1986

Mr. John T. Peterson, Secretary
Rockford Bay, Inc.
P.O. Box 14558
Spokane, WA 99214

Re: Water Intake Line Application L-95-S-2980

Dear Mr. Peterson:

You stated in your June 3, 1986, letter that you have been "unable to begin construction" but have given no explanation why the written request for easement, centerline legal description, plots, and construction narrative have not been submitted. See my June 19, 1985, letter for details on the required information (copy enclosed). As you are aware, this information must be submitted and approved, and the encroachment permit and easement issued prior to installation.

You also stated that construction could begin within 60 days (August 3, 1986) and are requesting an extension of time until September 19, 1986, to submit the necessary information. The construction narrative detailing the installation procedure will take 30 days to review, and will take longer if modifications to the plan are necessary to satisfy Department of Lands standards. The easement request must go to the State Land Board and will take 60 days to process. Therefore, if you hope to install the waterline in the time frame you suggest, the information specified in my June 19, 1985, letter must be submitted by June 19, 1986.

There appears to be no need for an extension, because adequate lead time (approximately 60 days) is needed for my agency to process your request. Unless substantial evidence is submitted to warrant an extension, you must make the necessary submissions by June 19, 1986.

Please contact me if you have any questions.

Sincerely,

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN/mc
Enclosure: June 19, 1985 letter

cc: Gary Frame, LePard & Frame
BNW, Boise

Rockford Bay, Inc.
P.O. Box 14558
Spokane, Washington 99214
June 3, 1986

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
Department of Lands
State of Idaho
P.O. Box 670
Coeur d'Alene, Idaho 83814

Re: Water Intake Line Permit L-95-S-2980

Dear Mr. Nielsen:

Reference is hereby made to your letter of January 29, 1986 to Gary A. Frame regarding the above mentioned Water Intake Line Permit.

We have been unable to begin construction we had previously planned and therefore I would respectively request an extension of time to submit to you an encroachment permit and easement. We would anticipate that construction could begin within the next sixty (60) days and therefore would request a ninety (90) day extension of this time.

I would sincerely appreciate your consideration and if there should be any questions, please advise.

Thank you.

Very truly yours,

ROCKFORD BAY, INC.

John T. Peterson
Secretary

JTP:tj

cc: Gary A. Frame
LePard & Frame

January 29, 1986

Gary A. Frame
LePard & Frame, P.A.
603 N. 4th St.
Coeur d'Alene, ID 83814

RE: Water Intake Line Permit L-95-S-2980

Dear Gary:

Rockford Bay, Inc., submitted an encroachment application but no permit has yet been issued. Large water lines require both an encroachment permit and easement which are issued simultaneously.

Established policy allows the applicant one year beyond the encroachment advertisement to submit the necessary easement request and documents. Please submit those documents by June 19, 1986, or advise what conditions mandate an extension. Assuming the necessary information is submitted on time, the encroachment permit and easement can be issued without delay.

Please call me at 664-2171 if you have any questions.

Sincerely,

LEN

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN/pp

LE PARD & FRAME, P.A.

CONSULTING ENGINEERS

603 North 4th St. - Phone 664-2121

COEUR D'ALENE, IDAHO 83814

January 24, 1986

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
State of Idaho Department of Lands
P.O. Box 670
Coeur d'Alene, Idaho 83814

RE: WATER INTAKE LINE PERMIT NUMBER L-95-S-29-80

Dear Lance:

Reference is made to my letter to you of October 11, 1985, concerning the subject project. Last month the P.U.D. was approved by Kootenai County and the owners are presently arranging the financing for design and construction.

We would wish to keep this permit active and are therefor concerned that this delay will not void the permit as issued to date. As per your letter to Rockford Bay, Inc. of June 19, 1985, a written request for the waterline easement must be made, to be accompanied with the easement description, Record of Survey, and preliminary engineering plan.

Would you please advise me as to what date this must be submitted in order to keep the permit valid?

Thank you.

Yours truly,

Gary A. Frame

GAF/ch
xc: Ken George
Ted Dayharsh
John Peterson
John Barlow
Architects West

LE PARD & FRAME, P.A.

CONSULTING ENGINEERS

603 North 4th St. - Phone 664-2121

COEUR D'ALENE, IDAHO 83814

October 11, 1985

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
State of Idaho/Department of Lands
P.O. Box 670
Coeur d'Alene, Idaho 83814

RE: WATER INTAKE LINE PERMIT NUMBER L-95-S-2980

Dear Lance:

Mr. John Peterson of Rockford Bay, Inc., has forwarded your letter of October 8, 1985, to this office for an update to you.

The project for which this application was made will be heard by the Kootenai County Planning and Zoning Commission on the evening of Wednesday, November 13, 1985. Assuming a favorable decision, we will then begin our design work on the project which will include the information necessary for the encroachment permit.

The name of the project is "The Club on Lake Coeur d'Alene" and consists of an 18 Hole Championship Golf Course with approximately 700 living units.

I appreciate your reminder and will be getting in touch with you then.

Yours truly,

Gary A. Frame

3 10/15

Please send PC to Bonnie

Lance

done 10/16 Pat

Rockford Bay, Inc.
P.O. Box 14558
Spokane, Washington 99214
October 10, 1985

Mr. Lance E. Nielsen, Chief
Bureau of Navigable Waters
State of Idaho
Department of Lands
P.O. Box 670
Coeur d'Alene, Idaho 83814

Re: Water Intake Line
Permit No. L-95-S-2980

Dear Mr. Nielsen:

Thank you for your letter of October 8, 1985 regarding the above mentioned permit number.

I have referred this matter to Mr. Gary Frame of LaPard and Frame who will be contacting you within the next few days. He will completely bring you up to date as to the progress we are making so that we can send you the necessary information that you have requested.

I am sure that Mr. Frame will be in touch with you within the next few days. Thank you.

Sincerely yours,

ROCKFORD BAY, INC.

John T. Peterson
Secretary

JTP:tj

cc: Mr. Gary Frame
Mr. John Barlow

October 8, 1985

Rockford Bay, Inc.
P.O. Box 14558
Spokane, WA 99214

Re: Water Intake Line
Permit No. L-95-S-2980

Gentlemen:

You applied for an encroachment permit to install a waterline in Coeur d'Alene Lake. I requested additional easement information and a construction narrative on June 19, 1985, but you never sent that information. A permit cannot be issued until you send the information requested in my June letter (a copy of which is attached for your convenience). Therefore, you have no authorization to build the waterline.

If you still would like to build the waterline, please contact me with the necessary information, or call me at 208-664-2171.

Sincerely,

LEN

LANCE E. NIELSEN, Chief
Bureau of Navigable Waters

LEN:wm
CERTIFIED MAIL

cc: Bureau of Navigable Waters, Boise

L-95-S-2980

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:
Rockford Bay, Inc.
P.O. Box 14558
Spokane, WA 99214

4. Type of Service:
☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail

Article Number
P 735 671 763

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X

7. Date of Delivery
10/9/85

8. Addressee's Address (ONLY if requested and fee paid)

P 735 671 763

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Rockford Bay, Inc.	
Street and No. P.O. Box 14558	
P.O., State and ZIP Code Spokane, WA 99214	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date 10-8-85	

PS Form 3800, Feb. 1982

★ U.S.G.P.O. 1983-403-517

PC Lance 6-7-85

Region 1
2320 Government Way
Coeur d'Alene, Idaho 83814
Telephone: (208) 765-3111

May 28, 1985

Mr. Marvin G. Vandenberg, Chief
Bureau of Navigable Waters
Idaho Department of Lands
Statehouse
Boise, ID 83720

Dear Mr. Vandenberg:

REFERENCE: L-95-S-2980 ROCKFORD BAY, INC.

We have reviewed the referenced application and have no opposition.

Sincerely,

Kris Moser
Regional Supervisor

KM:BER:amh

CC: Bureau of Fisheries
Bureau of Program Coordination

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO

DEPARTMENT OF LANDS

P.O. BOX 670, COEUR d'ALENE, IDAHO 83814

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

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GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

June 19, 1985

Rockford Bay, Inc.
P. O. Box 14558
Spokane, WA 99214

Gentlemen:

The review period for your proposed waterline has passed, and an encroachment permit is being prepared. We note that you will be drawing 5 c.f.s.; and therefore, an easement is required as well. Please submit the following data, so that we can process your easement:

1. Written request for the easement stating the intended use.

2. Written centerline legal description tied to the nearest section or quarter corner with all distances shown in feet and all bearings shown in degrees, minutes and seconds in relation to true north. The description must include easement width (ten feet minimum).

3. Four plats showing all information included on the written centerline legal description.

4. A detailed construction narrative of the waterline installation procedure, including but not limited to:

   a. Method of excavation for bedding waterline
   b. Machinery to be used for bedding waterline
   c. Location of spoils disposal
   d. Method of controlling turbidity
   e. Timetable and duration of project
   f. Maximum water level at time of excavation
   g. Method of bedding pipe

Upon receipt of this information, we will process and appraise the easement and notify you of easement costs. Please note that the encroachment permit will be sent to you upon issuance of the concurrent easement, and both the easement and encroachment permit must be issued before you can begin construction.

Please call if you have any questions.

Sincerely,

Lance E Nielsen

LANCE E. NIELSEN
Stream & Lakebed Specialist

LEN:mc

cc: Bureau of Navigable Waters, Boise
Bureau of Lands, Don McNarie

STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

May 2, 1985

DIVISION OF ENVIRONMENT
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
(208) 667-3524

Lance Nielsen
Stream and Lakebed Specialist
Idaho Dept of Lands
701 River Avenue
Coeur d'Alene, ID 83814

Re: Rockford Bay Inc. L-95-S-2980

Dear Lance:

I have reviewed the above referenced application and have no objection to placement of a water intake line in Lake Coeur d'Alene.

For protection of health to the users of the water system, it is suggested that the water be filtered and chlorinated. This level of treatment does not offer 100% assurance from contamination, but if operated properly will significantly reduce the threat.

This certification does not imply approval of the activity by other agencies of the State of Idaho.

Sincerely,

DIVISION OF ENVIRONMENT

Jim De Smet
Senior Water Quality Specialist

cc: Jerry Yoder /Larry Koenig IDHW-DOE Boise

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO

DEPARTMENT OF LANDS
STATEHOUSE, BOISE, IDAHO 83720
STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS
JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

April 26, 1985

The Coeur d'Alene Press
Second and Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a notice of application. Please publish this as a legal advertisement for two consecutive weeks on May 1 and 8, 1985.

Please provide a tear sheet for the May 1st publication, an affidavit of publication and statement of cost upon completion. Thank you.

Very truly yours,

MARVIN G. VANDENBERG, Chief
Bureau of Navigable Waters

MGV:bv
Encl.

cc: Navigable Waters-CdA

EQUAL OPPORTUNITY EMPLOYER

NOTICE OF APPLICATION

Pursuant to Section 58-142 et seq., Idaho Code (The Lake Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that Rockford Bay, Inc.

of P.O. Box 14558 Spokane, WA 99214

has made application to construct or install a water intake line

in Rockford Bay on Coeur d'Alene Lake

adjacent to Tax No. 3910 in Lot 1, Section 16,

Township 48 North, Range 4 West B.M., in Kootenai

County.

Written objections to or requests for hearing in this matter must be on file with the Director, Department of Lands, Statehouse, Boise, ID 83720 within thirty (30) days after the first appearance of this notice. Specific information regarding this application may be obtained from the Director, Department of Lands.

STANLEY F. HAMILTON
Director
Department of Lands

STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STANLEY F. HAMILTON
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
JIM JONES
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

April 26, 1985

TO: Reviewing Agencies

FROM: Department of Lands

SUBJECT: Rockford Bay, Inc.
L-95-S-2980

Enclosed is an application and plat submitted by Rockford Bay to install a water intake line in Rockford Bay on Lake Coeur d'Alene adjacent to Tax No. 3910 in Lot 1, Section 16, Township 48 North, Range 4 West, in Kootenai County.

The Department of Lands solicits written comments from other agencies prior to reviewing the application for a permit. We would appreciate it if all comments be sent to this office no later than May 24, 1985. If you have any questions concerning the application, we suggest you contact the applicant.

Very truly yours,

MARVIN G. VANDENBERG, CHIEF
Bureau of Navigable Waters

MGV:bv
Encls.

cc: Department of Fish and Game
Department of H & W-Environmental Services
Navigable Waters-CdA

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

April 25, 1985

Idaho Department of Lands
Box 670
Coeur d'Alene, ID 83814

Re: 95-8473

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enclosure

Contact Bonnie To see if She has a copy of this she should send them notice a permit is req.

To appropriate the public waters of the State of Idaho

1. Name of applicant Rockford Bay, Inc. Phone 509-924-1150

   Post office address P. O. Box 14558, Spokane, Washington, 99214

2. Source of water supply Coeur d'Alene Lake which is a tributary of

3. Location of point of diversion is SW ¼ of NE ¼ of Section 16 Township 48 (GL-1) - JK

   Range 4 W B.M. Kootenai County, additional points of diversion if any:

4. Water will be used for the following purposes:

   Amount 4.0 (cfs or ~~acre-feet per annum~~) for irrigation purposes from April 1 to October 31 (both dates inclusive)

   Amount 1.0 (cfs or ~~acre-feet per annum~~) for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 5.0 cubic feet per second and/or b. --- acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. duplex submersible or turbine pumps with inlet approx. 150 l. f. beyond shoreline

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage Jan 1 (Month/Day) to Dec 31 (Month/Day) inclusive.

   c. Proposed well diameter is --- inches; proposed depth of well is --- feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses: (See attached Map) (SAME AS 8.B. -JK)

   a. If water is not for irrigation:

      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower 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 700

48	4 W	8			10	20			10	5	40	30		40	40	40	40	40	315
48	4 W	9							54	10	40	40	40	40					224
48	4 W	16		2	2		40	40	20	10									114

Total number of acres to be irrigated 653

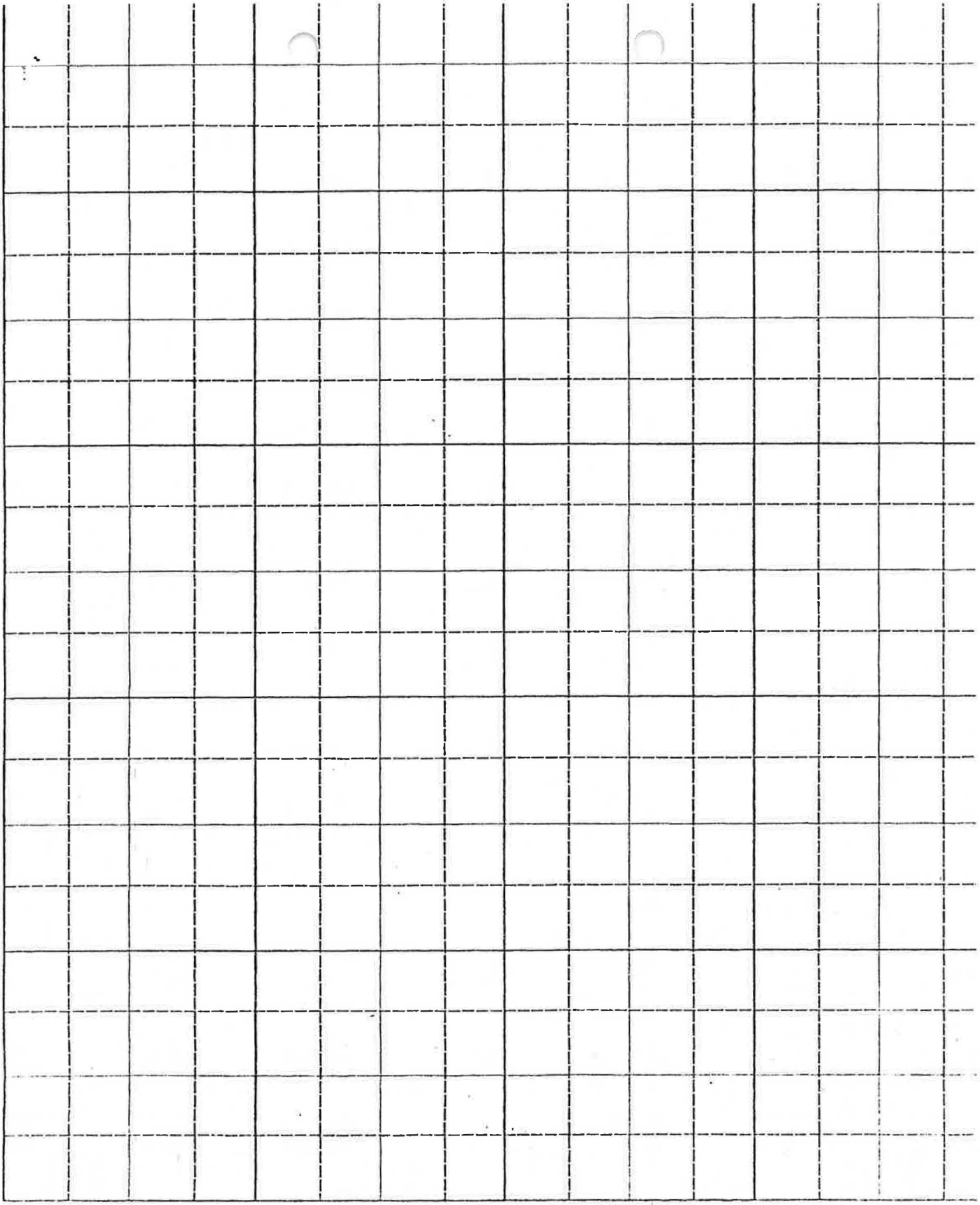
c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

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 _____



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.

Rockford Bay, Inc.

~~(Insert Date)~~
Aug. 23, 2019

To Whom It May Concern:

Black Rock Utilities has secured the services of Robert Haynes to assist in the process of acquiring water rights. By this letter we authorize Robert Haynes to sign our application and provide additional information to the Department of Resources which may be required to complete the application for permit.

Sincerely,

Craig A. Hunter

Gen Mgr / V.P.
Title

0003487848

STATE OF IDAHO

Office of the secretary of state, Lawerence Denney

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0003487848

Date Filed: 4/22/2019 2:11:03 PM

Entity Name and Mailing Address:

BLACK ROCK UTILITIES, INC.

The file number of this entity on the records of the Idaho Secretary of State is:	0000423157
Address	1110 W PARK PL STE 101 COEUR D ALENE, ID 83814-2781

Entity Details:

Entity Status	Active-Good Standing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	C138712

The registered agent on record is:

Registered Agent	JOHN F MAGNUSON Registered Agent Physical Address 1250 NORTHWOOD CENTER COURT COEUR D'ALENE, ID 83814 Mailing Address

Corporate Officers and Directors:

Name	Title	Address
ANDY SMITH	Treasurer	1110 W PARK PLACE SUITE 101 COEUR D'ALENE, ID 83814
CLIFF FINDLAY	Secretary	1110 W PARK PLACE SUITE 101 COEUR D'ALENE, ID 83814
PHIL HINRICHS	President	1110 W PARK PLACE SUITE 101 COEUR D'ALENE, ID 83814

The annual report must be signed by an authorized signer of the entity.

SHERRY J LENARZ — Sign Here

04/22/2019 — Date

Signer's Title: Manager

B0236-0099 04/22/2019 2:11 PM Received by ID Secretary of State Lawerence Denney

RESOLUTION OF THE BOARD OF DIRECTORS
OF
BLACK ROCK UTILITIES, INC.

The undersigned, as officers and members of the Board of Directors of BLACK ROCK UTILITIES, INC., a non-profit corporation organized and existing under the laws of the State of Idaho, being a majority of the members of such Board as presently constituted, do by this writing consent to take the following action and adopt the following resolution:

RESOLVED THAT the Company is hereby authorized to engage the services of Craig Harlen as a part time general manager. Any member of the Board of Directors is authorized to sign the contract. He will work as an independent contractor and will be paid monthly in the amount of $3,750.00 In addition to this monthly fee the Company will provide Mr. Harlen with 8 rounds of golf on the Black Rock Golf Course during the 2018 seasons. The start date will be July 1, 2017, and the compensation described above will not change during that period. The contract will continue month to month until terminated by either party.

IT IS FURTHER RESOLVED THAT: Mr. Harlen will continue to serve as an officer of the company in the position of Vice-President during the term of this agreement. Mr. Harlen will be added as an insured to the Directors and Officers insurance coverage carried by the Company.

We direct that this consent be filed with the minutes of the proceedings of the Board of Directors of this Corporation. Signature on this resolution shall be deemed waiver of notice of meeting and consent to Action by written resolution.

Dated: July 18, 2018

Phil Hinrichs, President

Cliff Findlay, Secretary

Andy Smith, Treasurer

ACCOUNT AGREEMENT

WASHINGTON TRUST BANK
COEUR D'ALENE FINANCIAL CENTER
08/22/2016

Account Number: 1000072736

Account Owner(s) Name & Address
BLACK ROCK UTILITES INC
OPERATING ACCOUNT
C/O ASSOCIATION SERVICES INC
1250 IRONWOOD DR SUITE 330
COEUR D'ALENE, ID 83814-2682

Agreement Date: 12/16/2011 By: D Crews

☒ EXISTING Account - This agreement replaces previous agreement(s).

Account Description: ANALYZED CHECKING

☒ Checking ☐ Savings ☐ NOW ☐ _____

Initial Deposit $ _____ Source: _____

Additional Information:

Ownership of Account - CONSUMER Purpose

- ☐ Individual ☐ _____
- ☐ Joint - With Survivorship *(and not as tenants in common or community property)*
- ☐ Joint - No Survivorship *(as tenants in common)*
- ☐ Community Property Account - No Survivorship
- ☐ Trust - Separate Agreement: _____

☐ Revocable Trust or ☐ Pay-on-Death Designation as Defined in this Agreement
(Name and Address of Beneficiaries):

Ownership of Account - BUSINESS Purpose

☐ Sole Proprietorship ☐ Single-Member LLC ☐ Partnership
☐ LLC *(LLC tax classification:* ☐ *C Corp* ☐ *S Corp* ☐ *Partnership)*
☐ C Corporation ☐ S Corporation ☒ *Non-Profit*
☒ CORP-NON PROFIT
Business: BLACK ROCK UTILITES INC

Backup Withholding Certifications *(Non-"U.S. Persons" - Use separate Form W-8)*

☒ By signing at right, I, BLACK ROCK UTILITES INC, certify under penalties of perjury that the statements made in this section are true.

☒ **TIN:** 82-0535864 The Taxpayer Identification Number (TIN) shown is my correct taxpayer identification number.

☒ **Not Subject to Backup Withholding.** I am NOT subject to backup withholding either because I have not been notified that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the Internal Revenue Service has notified me that I am no longer subject to backup withholding.

☐ **Exempt Recipient.** I am an exempt recipient under the Internal Revenue Service Regulations. Exempt payee code (if any) _____

FATCA Code. The FATCA code entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

U.S. Person. I am a U.S. citizen or other U.S. person (as defined in the instructions).

Signature(s). The undersigned certifies the accuracy of the information he/she has provided and acknowledges receipt of a completed copy of this form. The undersigned authorizes the financial institution to verify credit and employment history and/or have a credit reporting agency prepare a credit report on the undersigned, as individuals. The undersigned also acknowledge the receipt of a copy and agree to the terms of the following agreement(s) and/or disclosure(s):

☒ Terms & Conditions ☐ Truth in Savings ☒ Funds Availability
☐ Electronic Fund Transfers ☒ Privacy ☒ Substitute Checks
☒ Common Features ☒ Bus. DebitCard Agreement

The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

(1): [X _____]
ANDY SMITH
I.D. # _____ D.O.B. 06/27/1968

(2): [X Sherry J. Lenarz]
SHERRY J LENARZ
I.D. # _____ D.O.B. 07/12/1956

(3): [X Craig D. Harlen]
CRAIG HARLEN
I.D. # _____ D.O.B. 05/02/1949

(4): [X _____]
I.D. # _____ D.O.B. _____

☐ Authorized Signer (Individual Accounts Only)

[X _____]
I.D. # _____ D.O.B. _____

Total Storage Calculations

FILE NUMBER	Black Rock App
REVIEWER	Adam Frederick
DATE	10/10/2019

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	4.98	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	6.65	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	33.1	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a *from storage* component if the *from storage* component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.0	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	7.5	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	40.6	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

From: Alleman, Tammy
To: "Anna.Moody@deq.idaho.gov"; "Horsmon.Merritt"; "Mike Ahmer"
Subject: Request for Comments WR#95-17890
Date: Friday, November 1, 2019 12:00:00 PM
Attachments: 95-17890 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also at: http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication. The deadline for comments on the application is November 25, 2019.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

Thank you,

Tammy

Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819

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

October 31, 2019

BLACK ROCK UTILITIES INC
1110 W PARK PL STE 101
COEUR D ALENE, ID 83814-2781

Application For Permit No. 95-17890

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 11/7/2019 and 11/14/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Tammy Alleman
Administrative Assistant

CC:
ROBERT G HAYNES
2571 S REYNOLDS RD
COEUR D ALENE, ID 83814-7965

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, October 31, 2019 11:30 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **November 7th and November 14th, 2019** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **November 25, 2019**. Your cooperation is appreciated.

Thank you,

Tammy

Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-17890
BLACK ROCK UTILITIES INC
1110 W PARK PL STE 101
COEUR D ALENE, ID 83814-2781
Point of Diversion L1(NWNE)
S16 T48N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DIVERSION TO STORAGE
01/01 to 12/31 2.5 CFS
Use: MUNICIPAL FROM STORAGE
03/15 to 11/15 33.1 AF
Use: MUNICIPAL STORAGE
01/01 to 12/31 40.6 AF
Total Diversion: 2.5 CFS 40.6 AF
Date Filed: 8/23/2019
Place of use within the service area of Black Rock Utilities Inc

95-17891
RON JEWETT
MICHELLE JEWETT
3210 WAVE DR
EVERETT, WA 98203-1356
Point of Diversion NWSW
S22 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 10/10/2019
Place Of Use: DOMESTIC
T51N R03W S22
L7(NWSW)

95-17894
TOM AMMERMAN
ROBIN ERICKSON
PO BOX 793
BAYVIEW, ID 83803-0793
Point of Diversion SWNE
S6 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10/18/2019
Place Of Use: DOMESTIC
T53N R02W S6 SWNE

95-17896
GORDON D SYLTE
8626 W SYLTE RANCH RD
RATHDRUM, ID 83858-6820
Point of Diversion L4(SWSW)
S30 T52N R04W
KOOTENAI County
Source GROUND WATER
Use: AESTHETIC STORAGE
01/01 to 12/31 1.3 AF
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.22 CFS
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: IRRIGATION
03/15 to 11/15 0.22 CFS
Use: IRRIGATION FROM STORAGE
03/15 to 11/15 33.6 AF
Use: IRRIGATION STORAGE

01/01 to 12/31 33.6 AF
Use: STOCKWATER
01/01 to 12/31 0.03 CFS
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 1.4 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 1.4 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 1.3 AF
Total Diversion: 0.33 CFS
Date Filed: 10/24/2019
Place Of Use: DOMESTIC
T52N R04W S30
L4(SWSW)
Place Of Use: STOCKWATER
T52N R04W S30
L4(SWSW)
Place Of Use: IRRIGATION
T52N R04W S30
L4(SWSW) SESW
Place Of Use: IRRIGATION FROM STORAGE
T52N R04W S30
L4(SWSW) SESW
Place Of Use: IRRIGATION STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: AESTHETIC STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: WILDLIFE STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: STOCKWATER STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: STOCKWATER FROM STORAGE
T52N R04W S30
L4(SWSW)
Total Acres: 11.2

95-17897

MICA PINES ESTATES WATER CO LLC
2900 N GOVERNMENT WAY UNIT 163
COEUR D ALENE, ID 83815-3751
Point of Diversion SESE
S4 T49N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 10/28/2019
Place Of Use: DOMESTIC
T49N R04W S4
SWSE SESE
T49N R04W S9 NENE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83693

HARMONS PROPERTY OWNERS ASSN, PO BOX 100, WORLEY, ID 83876-0100; has filed Application No. 83693 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-15834, 95-8996; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to move a point of diversion in Harmon's Property Owners Assn existing groundwater rights from L3(NW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M. to L4(SW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 11/25/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 11/7/2019 and 11/14/2019